

Thanks  
[Redacted]

**From:**[Redacted]  
**Sent:** 27 June 2017 16:48  
**To:**[Redacted]  
**Cc:**[Redacted]  
**Subject:** Inch Cape - Pre-application Consultation Proposal

Dear [Redacted]

Many thanks for sending us the PAC proposal and supporting information.

MS-LOT can confirm that the two events outlined in your proposal are not sufficient to fulfil the requirements of the Regulations. Therefore, a separate PAC event should be organised for this application.

Marine Scotland guidance on pre-application consultation and pre-application consultation events can be found online here: <http://www.gov.scot/Topics/marine/Licensing/marine/guidance/preappconsult>

However, this does not preclude you from attending the events included in your proposal and using them as an additional opportunity to engage with and inform the public.

The proposed newspaper advert is suitable, however, please amend the last paragraph to read, "*Comments made to the prospective applicant are not representations to the Scottish Ministers. If [Developer] submits an application for a marine licence to the Scottish Ministers, an opportunity will be given for representations to be made to the Scottish Ministers on the application.*"

Kind regards

[Redacted]

---

**From:**[Redacted]  
**Sent:** 21 June 2017 17:16  
**To:**[Redacted]  
**Cc:**[Redacted]  
**Subject:** Pre-application consultation

Hi [Redacted]

Following our call with [Redacted] yesterday, please find attached justification for ICOL's attendance at public events for our pre-application consultation. I'd appreciate it if you could confirm the following;

- Would the attached proposal of attending these 2 events meet the PAC requirements?
- If not, can MS-LOT provide further information on the additional requirements?
- Can MS- LOT confirm suitability of the proposed newspaper advertisement for the events?

Thanks  
[Redacted]

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[Redacted]

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**From:** [Redacted]  
**Sent:** 03 August 2017 14:52  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Inch Cape Offshore Windfarm Revised Design Scoping Opinion ADDENDUM - Marine Mammals - 03 August 2017  
**Attachments:** Inch Cape Offshore Windfarm Revised Design Scoping Opinion ADDENDUM - Marine Mammals - 03 August 2017.pdf

Dear Sir/Madam,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED)**

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**ADDENDUM (MARINE MAMMALS) TO THE SCOPING OPINION FOR THE PROPOSED SECTION 36 CONSENT AND ASSOCIATED MARINE LICENCE APPLICATION(S) FOR INCH CAPE OFFSHORE WIND FARM AND ASSOCIATED OFFSHORE TRANSMISSION WORKS, OFF THE ANGUS COASTLINE**

Thank you for your correspondence of 28<sup>th</sup> April 2017 requesting a scoping opinion for the proposed Inch Cape Offshore Wind Farm (Revised Design).

I attach the addendum to the response to your request made under Regulation 7 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended) and Regulation 13 and Schedule 4 of the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) to the Scottish Ministers for a scoping opinion on the proposed Inch Cape Offshore Windfarm (revised design). Please note, this addendum covers only the aspects relating to Marine Mammals. The Scoping Opinion issued on 28<sup>th</sup> July 2017 covers all other receptors, however, please note that a separate addendum to cover Ornithology will follow on the 14<sup>th</sup> August 2017.

The Scottish Ministers have consulted with the appropriate bodies and other persons who were likely to be concerned by the proposed development by reasons of their environmental responsibilities. Having regard to the responses received from all parties, please find enclosed an addendum to the Scottish Minister's Scoping Opinion issued on 28<sup>th</sup> July 2017.

Regulation 10 (1) of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended) requires that a copy of this response is sent to the planning authority (or authorities) within whose area the land which is the subject of the proposed application is situated (or, in relation to a proposed development in, on, over or under the sea, such planning authority or planning authorities as the Scottish Ministers consider appropriate). For the purposes of this request, a copy of this response has been sent to Angus Council, Dundee City Council, East Lothian Council, Fife Council and Scottish Borders Council.

Angus Council, Dundee City Council, East Lothian Council, Fife Council and Scottish Borders Council shall take steps to ensure that this document is made available for public inspection at all reasonable hours at the place where its Register is kept. If an application is subsequently made, the opinion and related documents should be transferred to Part 1 of the Register together with the application.

You should note that this opinion is based on information available to the Scottish Ministers as of 3<sup>rd</sup> August 2017. You should have regard to subsequent proposals which are submitted to Planning Authorities or the Scottish Ministers prior to the determination of any future application. To this end, we would encourage you to approach the

Planning Authorities and the Scottish Ministers at the point of application to ascertain whether further proposals have come forward which may have a bearing on the information you have been asked to provide.

If you have any queries please do not hesitate to contact us.

Yours sincerely

[Redacted]

**marinescotland**

Marine Scotland Licensing Operations Team

Scottish Government

Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB

Phone:[Redacted]

[Redacted] / MS.MarineRenewables@gov.scot

<http://www.gov.scot/Topics/marine/Licensing/marine>

# Minutes – Inch Cape Marine Mammals Workshop 1

**Date:** 27 July 2017

**Location:** Apex Hotel, Edinburgh

**Subject:** Marine Mammals – baseline and methodology

**Attendees:** [Redacted]

ITEM	MINUTE
1.0	<b>Introduction</b>
	The aim of the marine mammal workshop was outlined which was to reach agreement on issues relating to the baseline and impact assessment methodology as detailed in the discussion document provided prior to the meeting (25/07/17).
2.0	<b>Engineering requirements: Using worst case vs. most likely for impact assessment</b>
	ICOL presented engineering information explaining current understanding of soil zones across site and piling parameters.  Explanation provided on difference between worst case and most likely scenario from engineering perspective.  <i>Agreement reached between all organisations present that a worst case and most likely case should be presented in the Revised Development EIA, with detailed explanation contextualising where and how frequently worst case might be encountered within the site. A description should be provided to explain the conservatism built into the worst case scenario.</i>
3.0	<b>Bottlenose Dolphin Baseline Update</b>
	Discussion held on current understanding of distribution and density of bottlenose dolphins.  <i>Agreement reached to assume, as per the assessment for the Original Development, the reference bottlenose dolphin population (195 individuals) should be split 50:50 between the east coast and the Moray Firth, and that 98 dolphins would be present at the time of piling activities off the east</i>

	<p><i>coast.</i></p> <p><i>Agreement reached that the 98 individuals assumed to be present off the east coast should be spread evenly across the area inside the 20 m depth contour as defined in the Original Development EIA, excluding areas in the Forth and Inner Tay where bottlenose dolphin are known not to be present (shaded red in Figure 1). These 98 animals will be spread evenly across the remaining grid cells (thereby increasing the density per grid cell).</i></p>
4.0	<p>Reference populations for minke whale, white-beaked dolphin and harbour porpoise</p>
	<p>Discussion was had on the appropriate reference populations for minke whale, white-beaked dolphin, harbour porpoise and harbour and grey seals.</p> <p><i>Agreement was reached that rather than undertake a wholly new revised impact assessment for the above named species, the EIA for the Revised Development should seek to demonstrate that the EIA carried out for the Original Development is still relevant.</i></p>
5.0	<p>PTS onset: Modelling</p>
	<p>Discussion was held on relevant flee speeds for PTS modelling, and whether to incorporate a startle response.</p> <p><i>Agreement was reached to use the mean swim speeds detailed in SNH guidance note (2016) 'Assessing collision risk between underwater turbines and marine wildlife'. This guidance document provides mean swim speeds for minke whale, harbour porpoise and grey and harbour seal.</i></p> <p>The SNH Guidance note does not contain a mean swim speed for bottlenose dolphin. It was therefore agreed that SMRU and [Redacted] should be approached to provide guidance on an appropriate mean swim speed for bottlenose dolphin – likely from Bailey and Thompson (2006).</p> <p><b>ACTION:</b> ICOL to discuss an appropriate mean swim speed for bottlenose dolphins with [Redacted] [Redacted]</p> <p><i>Agreement that the mean swim speed agreed for bottlenose dolphin will be used as a proxy for white-beaked dolphin.</i></p> <p><i>Agreement was reached that fleeing begins from the start of ADD use (20 minutes before piling starts), and that PTS impacts from ADDs do not need to be considered. The ADDs that will be used for mitigation in this manner will not be sufficiently loud to cause PTS for the period of time that they will be used for.</i></p>
6.0	<p>PTS onset: Thresholds</p>
	<p>Discussion on use of Southall and NOAA methodology.</p> <p><i>Agreement reached to present outputs from both Southall et al. (2007) and NOAA (2016), and to contextualise results.</i></p>

7.0	<b>Piling noise properties</b>
	<p>Discussion held on potential to use NMFS guidelines with respect to whether impulsive noise changes into noise with properties more similar to a continuous noise source in the noise modelling.</p> <p><b><i>Agreement reached not to – the information to inform such a modelling approach was removed from the NOAA document before it was issued.</i></b></p>
8.0	<b>Calculating displacement</b>
	<p>Discussion held on methodology to be used for the assessment of displacement.</p> <p><b><i>Agreement reached to re-interpret the data from the harbour porpoise acoustic signal detection at locations at distances from Horns Rev II during the piling operations. Data from the Moray Firth seismic survey work should also be examined to establish whether reaction to air-gun noise can also be considered informative in the generation of a dose response curve.</i></b></p>
9.0	<b>Other discussion points</b>
	<p>A discussion was had on the use of Acoustic Deterrent Devices (ADD) for mitigation purposes.</p> <p>FR noted that WDC do not support the use of ADD as mitigation due to the introduction of additional noise into the marine environment.</p> <p>It was noted a new version of the interim PCoD model was due in the coming month(s) and should be used.</p> <p><b><i>Agreement was reached that the cumulative impact assessment should draw on the ICOL Original ES in the consideration of cumulative impact of other developments.</i></b></p>

Figure 1



[Redacted]

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**From:** [Redacted]  
**Sent:** 03 August 2017 14:38  
**To:** [Redacted]  
  
**Cc:** [Redacted]  
  
**Subject:** Inch Cape Marine Mammal Workshop - Minutes  
**Attachments:** INC1-EC-NEW-070-RNE-MOM-008 Marine Mammals Workshop 26 July 2017 Minutes....pdf

Afternoon All,

Many thanks for attending the workshop last week on marine mammals. Please find attached minutes from the workshop. If you have any comments on them if you could please let me know by Tuesday 8<sup>th</sup> August.

Thanks  
[Redacted]

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[Redacted]

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**From:** [Redacted]  
**Sent:** 08 August 2017 11:16  
**To:** [Redacted]  
**Subject:** RE: ICOL - Met Mast - O&M - ML Variation

Hi [Redacted]

Thanks for confirming the invoice address, I'll get started on the variation process today.

Ideally MS-LOT would not issue a licence without payment, however, in emergency situations payment afterwards would suffice.

Kind regards

[Redacted]

---

**From:** [Redacted]  
**Sent:** 03 August 2017 16:10  
**To:** [Redacted]  
**Subject:** RE: ICOL - Met Mast - O&M - ML Variation

Hi [Redacted]

The invoice address is 5<sup>th</sup> floor, 40 Princes Street, Edinburgh EH2 2BY.

With regards to updates to contractors and vessels does the fee for the revised licence have to be paid prior to it being issued? I am just think about emergency situations e.g. a failure of AtoN where we will seek to procure a vessel, which will be available at the first available weather window, and therefore the vessel/contractor may not have been used for works previously. We would obviously advise you of the details prior to the works but would we be able to proceed prior to payment as there could be significant delay otherwise? Is there the possibility to pay fees by credit card as that would speed up the process?

Many thanks and kind regards,  
[Redacted]

**SDIC**  **RedRockPower Limited**

5th floor, 40 Princes Street  
Edinburgh EH2 2BY  
United Kingdom  
Tel: [Redacted]  
DL: [Redacted]  
Mobile: [Redacted]  
Email: [Redacted]

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**From:**[Redacted]  
**Sent:** 03 August 2017 15:06  
**To:**[Redacted]  
**Subject:** ICOL - Met Mast - O&M - ML Variation

Hi [Redacted]

Many thanks for confirming further details regarding the updates to the Met Mast O&M Plan.

I still need to update your marine licence to reflect the new vessels, which will incur a £57 fee. Can you please confirm the address for invoicing?

Please note, we need to be notified of any new vessels/contractors etc. prior to the works being carried out, so we can issue an updated, valid marine licence beforehand.

Kind regards

[Redacted]

**marinescotland**

Marine Scotland Licensing Operations Team

Scottish Government  
Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB  
Phone:[Redacted]

/ [MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot)

<http://www.gov.scot/Topics/marine/Licensing/marine>

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

[Redacted]

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**From:** [Redacted]  
**Sent:** 08 August 2017 17:24  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Inch Cape - Pre-Application Consultation - Public Notice Template

Ok thanks [Redacted]

We'll get the adverts in and sent through to you. For your info we attended the Seafest in Arbroath on Saturday and our next event is in St Andrews this Monday.

Thanks  
[Redacted]

**From:**[Redacted]  
**Sent:** 08 August 2017 15:30  
**To:**[Redacted]  
**Cc:**[Redacted]

**Subject:** Inch Cape - Pre-Application Consultation - Public Notice Template

Hi [Redacted]

Apologies for the delay. MS-LOT can confirm that the public notice template is suitable. I would be grateful if you could please send scanned copies of the published notices to [ms.marinerenewables@gov.scot](mailto:ms.marinerenewables@gov.scot)

I hope Saturday's event went well.

Best

[Redacted]

---

**From:**[Redacted]  
**Sent:** 08 August 2017 09:24  
**To:**[Redacted]  
**Cc:**[Redacted]  
**Subject:** RE: Inch Cape - Pre-Application Consultation Proposal - Summary of Next Steps

Hi [Redacted]

Any chance you've managed to look at these? We're keen to get them in the paper this week and the cut of is tomorrow morning. If you able to confirm these are acceptable that would be appreciated.

Thanks  
[Redacted]

**From:**[Redacted]  
**Sent:** 03 August 2017 16:43  
**To:**[Redacted]  
**Cc:**[Redacted]

[Redacted]

**Subject:** RE: Inch Cape - Pre-Application Consultation Proposal - Summary of Next Steps

Apologies [Redacted], I meant to update the times for those events. We are proposing 3pm-7.30pm as per the attached.

Thanks  
[Redacted]

**From:**[Redacted]

**Sent:** 03 August 2017 16:40

**To:**[Redacted]

**Cc:**[Redacted]

**Subject:** RE: Inch Cape - Pre-Application Consultation Proposal - Summary of Next Steps

Hi [Redacted]

We have now confirmed the date and location of the two ICOL run events and attach copies of the advert to be placed. If you could please confirm you are happy with it.

Thanks  
[Redacted]

**From:**[Redacted]

**Sent:** 03 August 2017 16:12

**To:**[Redacted]

**Cc:**[Redacted]

**Subject:** Inch Cape - Pre-Application Consultation Proposal - Summary of Next Steps

Hi

Thanks very much [Redacted] really appreciate it. I hope this weekend's event goes well! In summary, you are required to:-

**Next steps:-**

You are required to carry out pre-application consultation prior to making your application. In brief you will need to carry out the following steps:

- Notify SNH, SEPA, MCA and NLB of your intention to apply for a marine licence at least 12 weeks prior to submission of an application. The prescribed format for this notification is detailed in Section 23 of The Marine (Scotland) Act 2010 ("the Act);
- Publish in a local newspaper a notice detailing the licensable marine activity for which the licence is to be sought and the pre-application consultation event. The prescribed format for this advert is detailed in Regulation 7 of the Regulations;
- Hold at least one pre-application consultation event to which the public and the bodies above are invited;
- The event must be held no earlier than six weeks of the later of the first two points above; and
- Produce a pre-application consultation report using the form detailed in the regulations.

Best

[Redacted]

---

**From:** [Redacted]  
**Sent:** 03 August 2017 16:09  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Inch Cape - Pre-Application Consultation Proposal - Confirmation events are suitable and amendments required to notice template

Thanks [Redacted]

I'll update accordingly. Please note that adverts were placed for the two public events (happening this weekend and on the 14<sup>th</sup> August) in the Arbroath Herald and St Andrews Citizen on 30<sup>th</sup> June. I attach a copy of these adverts.

Once we have firm dates for the two ICOL run events (start of next week) I will send you copy of the advert to be placed for your approval.

Thanks  
[Redacted]

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**From:** [Redacted]  
**Sent:** 03 August 2017 16:01  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Inch Cape - Pre-Application Consultation Proposal - Confirmation events are suitable and amendments required to notice template

Hi [Redacted]

Many thanks for submitting the updated PAC proposal.

MS-LOT can confirm that the proposed events (outlined in your document) and to be held in St Andrews and Arbroath in October 2017 are suitable.

Thank you for attaching the draft public notice. I would be grateful if you could please amend the last paragraph to read: "*Comments made to the prospective applicant are not representations to the Scottish Ministers. If [Developer] submits an application for a marine licence to the Scottish Ministers, an opportunity will be given for representations to be made to the Scottish Ministers on the application.*"

Please amend the final paragraph of the template as above and input the dates etc. before returning the completed notice to me. Please do not arrange for publication of this notice without final approval from MS-LOT.

I would also be grateful if you could please let me know which local newspaper(s) you intend to publish the notice in.

Best

[Redacted]

---

**From:** [Redacted]  
**Sent:** 03 August 2017 10:30  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Inch Cape - Pre-application Consultation Proposal

Hi[Redacted]

Please find attached an updated PAC proposal. As suggested we have included two additional ICOL run events at Arbroath and St Andrews.

Thanks  
[Redacted]

**From:**[Redacted]  
**Sent:** 28 June 2017 10:39  
**To:**[Redacted]  
**Cc:**[Redacted]  
**Subject:** RE: Inch Cape - Pre-application Consultation Proposal

Hi [Redacted]

Whilst the events are good places to engage and inform the public, the nature of the proposed events means they are not suitable PAC events. For example, The Arbroath Sea Fest has an entry fee, which provides a block to accessibility. In addition, the events may not be fully accessible for those with impaired mobility, i.e. uneven ground surface(s).

The geographical coverage is reasonable for the proposed development.

Kind regards

[Redacted]

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**From:**[Redacted]  
**Sent:** 27 June 2017 17:21  
**To:**[Redacted]  
**Cc:**[Redacted]  
**Subject:** RE: Inch Cape - Pre-application Consultation Proposal

Hi [Redacted]

Thanks for getting back to me on this.

It would be useful to have further clarification on why an additional event is required. Is it for geographical coverage, potential attendees, or the nature of the events we have proposed?

This would be useful to allow us to focus our attention to ensure we organise to attend a suitable additional event.

Thanks  
[Redacted]

**From:**[Redacted]  
**Sent:** 27 June 2017 16:48  
**To:**[Redacted]  
**Cc:**[Redacted]  
**Subject:** Inch Cape - Pre-application Consultation Proposal

Dear [Redacted]

Many thanks for sending us the PAC proposal and supporting information.

MS-LOT can confirm that the two events outlined in your proposal are not sufficient to fulfil the requirements of the Regulations. Therefore, a separate PAC event should be organised for this application.

Marine Scotland guidance on pre-application consultation and pre-application consultation events can be found online here: <http://www.gov.scot/Topics/marine/Licensing/marine/guidance/preappconsult>

However, this does not preclude you from attending the events included in your proposal and using them as an additional opportunity to engage with and inform the public.

The proposed newspaper advert is suitable, however, please amend the last paragraph to read, "Comments made to the prospective applicant **are not representations** to the Scottish Ministers. If [Developer] submits an application for a marine licence to the Scottish Ministers, an opportunity will be given for representations to be made to the Scottish Ministers on the application."

Kind regards

[Redacted]

---

**From:** [Redacted]  
**Sent:** 21 June 2017 17:16  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Pre-application consultation

Hi [Redacted]

Following our call with [Redacted] yesterday, please find attached justification for ICOL's attendance at public events for our pre-application consultation. I'd appreciate it if you could confirm the following;

- Would the attached proposal of attending these 2 events meet the PAC requirements?
- If not, can MS-LOT provide further information on the additional requirements?
- Can MS- LOT confirm suitability of the proposed newspaper advertisement for the events?

Thanks

[Redacted]

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