



**Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)**

<b>Project name:</b>	Xlinks Morocco-UK Power Project
<b>Address/Location:</b>	<p>The Proposed Development comprises a subsea electrical cable to be installed from the boundary of the UK Exclusive Economic Zone (EEZ) to a proposed landfall site at Cornborough Range in Devon, UK. The subsea cable comprises approximately 370km of High Voltage Direct Current (HVDC) cables in two bundled pairs. From the landfall, the cable is routed onshore for approximately 14km to two converter stations on land to the west of Alverdiscott 400kV substation. The converter stations would be connected to Alverdiscott 400kV substation by High Voltage Alternating Current (HVAC) cables. A replacement 400kV Substation at Alverdiscott may be included in the Proposed Development; this is to be confirmed.</p> <p>The Proposed Development forms part of a wider project to import up to 3.6GW of electricity from a proposed renewable energy facility in Morocco to the UK National Grid. Only the UK element of the project (ie the connection from the UK Exclusive Economic Zone (EEZ) boundary to the UK National Grid in Devon, UK) that would be subject to a DCO consent application is the considered in this transboundary screening (hereafter referred to as the 'Proposed Development').</p>
<b>Planning Inspectorate Ref:</b>	EN010164
<b>Date(s) screening undertaken:</b>	<p>First screening – 23 July 2024 following the applicant's request for a scoping opinion.</p> <p>Second screening – 10 January 2025 following acceptance of the Development Consent Order (DCO) application.</p>

<b>FIRST TRANSBOUNDARY SCREENING</b>	
<b>Document(s) used for transboundary Screening:</b>	Xlinks Morocco-UK Power Project Scoping Report ('the Scoping Report') January 2024
<b>Screening Criteria:</b>	<b>The Inspectorate's Comments:</b>
<b>Characteristics of the Development</b>	<p>The Proposed Development comprises sub-sea HVDC electricity cables (approximately 370km in length) importing up to 3.6GW of electricity from a proposed renewable energy facility in Morocco to a connection with the UK National Grid in Devon, UK.</p> <p><b>Offshore</b></p> <p>The offshore cable would comprise up to four HVDC cables either buried in or laid on the seabed with protection along a distance approximately 370km from the UK EEZ boundary to the proposed landfall site Cornborough Range in Devon, UK.</p> <p><b>Onshore</b></p> <p>The onshore elements of the Proposed Development would include the following:</p> <ul style="list-style-type: none"> <li>• two converter stations;</li> <li>• underground High Voltage Alternating Current (HVAC) cables connecting the converter stations to the proposed Alverdiscott Substation;</li> <li>• a replacement 400kV substation at the Alverdiscott Substation site, which potentially may be constructed by National Grid or included in the Proposed Development (referred to as the 'Alverdiscott Substation Connection Development');</li> <li>• underground HVDC onshore cables from the transition joint bays at Cornborough Range, Devon, approximately 14.5km to the converter site;</li> <li>• local road upgrades; and</li> <li>• temporary and permanent utility connections and diversions.</li> </ul> <p><b>Duration</b></p> <ul style="list-style-type: none"> <li>• The Scoping Report indicates a six-year construction period consisting of two phases commencing in 2026 at the earliest and proposed to be fully operational by 2032.</li> </ul>
<b>Location of Development (including existing use) and Geographical area</b>	<p>All onshore elements of the Proposed Development would be located within the county of Devon. The offshore scheme would be in UK territorial waters. Figure 1.1.2 of the Scoping Report presents the site location including the 'scoping boundary' for the Proposed Development.</p> <p>The onshore elements would be located within a predominately rural area. The settlements of Bideford and East-the-Water are adjacent to the scoping boundary of the Proposed</p>

	<p>Development. Other rural villages and hamlets are in the vicinity of the scoping boundary. The proposed landfall is at Cornborough Range on the North Devon coast.</p> <p>The offshore elements would be located within the Bristol Channel and Celtic Sea within UK waters up to the UK EEZ, in the south-west of the UK.</p> <p><b>Distance to European Economic Area (EEA) States</b></p> <p>Scoping Report Figure 1.1.1 shows a schematic of the Proposed Development in relation to the elements located outside of English waters. The Proposed Development is closest to the French EEZ, which is located immediately adjacent to the scoping boundary. Although not part of the Proposed Development for which development consent would be sought, the proposed wider project would include subsea cables that route through the French EEZ, the Spanish EEZ (approximately 320km from the scoping boundary), the Portuguese EEZ, and into Moroccan waters before reaching a landfall in Morocco. The Scoping Report also identifies that Ireland’s EEZ is approximately 54km from the scoping boundary.</p>
<p><b>Environmental Importance</b></p>	<p><b>Offshore</b></p> <p><i>Benthic ecology</i></p> <p>A number of designated sites are partially within or adjacent to the scoping boundary including the Bristol Channel Approaches/ Dynesfeydd Môr Hafren Special Area of Conservation (SAC), Bideford to Foreland Point Marine Conservation Zone (MCZ), Bristol Channel MCZ, and the East of Haig Fras MCZ.</p> <p><i>Fish and shellfish ecology</i></p> <p>Two designated sites for fish and shellfish features are present within the scoping study area including:</p> <ul style="list-style-type: none"> <li>• East of Haig Fras MCZ designated for fan mussel; and</li> <li>• Bideford to Foreland Point MCZ, designated for spiny lobster.</li> </ul> <p>The Taw-Torridge Estuary, Torridge Estuary, Taw Estuary Water Framework Directive (WFD) Shellfish Water Protected Areas, designated for the production of bivalves, are located 4.7km north of the study area.</p> <p>Within the wider area (&gt;42km) are also designated sites for fish species including: the Severn Estuary SAC and Ramsar; Pembrokeshire Marine/Sir Benfro Forol SAC; and Carmarthen Bay and Estuaries/Bae Caerfyrddin ac Aberoedd SAC.</p> <p>A number of fish and shellfish species of commercial and ecological importance are present in or around the offshore scoping area including:</p>

- Fin fish, such as hake, megrim, anglerfish, haddock, lemon sole, sole, turbot and plaice, together with horse mackerel, mackerel, herring and sprat.
- Elasmobranchs, such as common skate, shagreen ray, blonde ray, thornback ray and small eyed ray. Shark species are also recorded in the area, including spurdog, nursehound, starry smoothhound and common smoothhound. Basking sharks are also present in the area.
- Shellfish such as common whelk, brown crab, Nephrops, European lobster, king scallop and queen scallop. Spider crab, cuttlefish, octopus, squid (various species), crawfish and velvet swimming crabs are also recorded.
- Diadromous fish which may be present include allis shad, twaite shad, Atlantic salmon, sea/brown trout, river and sea lamprey, and European eel.
- Multiple spawning and nursery grounds are present within and around the scoping study area, including spawning grounds for cod, hake, horse mackerel, ling, mackerel, plaice, sand eel, sole, whiting, lemon sole, sole and sprat, and nursery grounds for anglerfish, blue whiting, common skate, hake, ling, mackerel, plaice, sand eel, sole, spotted ray, spurdog, thornback ray, tope, whiting and lemon sole.

#### *Commercial fisheries*

The Scoping Report describes landed catches by UK vessels from the International Council for the Exploration of the Sea (ICES) rectangles 26E3, 27E2, 27E3, 28E2, 28E3, 29E3, 30E3, 30E4, 31E4 and 31E5 in the period from 2012 to 2016. It states that vessels from France, Belgium, and Ireland also landed catches in the study area. Data from a broader dataset from ICES divisions 7f and 7e in the period from 2018 to 2022 shows that vessels from France, Belgium, the Netherlands, and Ireland also landed catches in the ICES divisions that the Proposed Development is located.

#### *Marine mammals and turtles*

The marine mammal and turtle species likely to be present in the scoping boundary are outlined in Section 8.5 of the Scoping Report. The Scoping Report states that the following marine mammal and sea turtle species were identified as regularly occurring in the region:

- harbour porpoise;
- common dolphin;
- bottlenose dolphin;
- Risso's dolphin;
- minke whale;
- grey seal; and
- leatherback turtle.

The Scoping Report identifies three designated sites for marine mammals within or close to the study area, these are the Bristol Channel Approaches SAC, Lundy SAC, and Isles of

Scilly Complex SAC. These sites are identified in Table 8.5.4 of the Scoping Report.

#### *Offshore ornithology*

Information on offshore ornithology is provided at Section 11.2 and Appendix C to the Scoping Report. A number of seabird species are identified as being present within the scoping study area and wider Celtic Sea, including kittiwake, greater black-backed gull, herring gull, lesser black-backed gull, Manx shearwater, guillemot, razorbill and gannet. There may also be some connectivity to colonies at internationally and nationally designated sites.

The Scoping Report identifies the potential for connectivity between the Proposed Development and Irish and French EEZ seabird colonies. The Mers Celtiques – Talus du golfe de Gascogne Special Protection Area (SPA) is located within the French EEZ, adjacent to the Proposed Development.

#### *Other Marine Users*

The Scoping Report identified other marine users around the Proposed Development including:

- disposal sites;
- several Offshore Wind Farms at various stages of development;
- a series wave energy demonstration sites;
- military areas (Ministry of Defence activities);
- subsea cables and pipelines;
- recreational boating and sailing;
- diving and water sports; and
- recreational fishing.

Within the area of the Proposed Development is the proposed Celtic Interconnector connecting Ireland to France.

#### *Marine archaeology and cultural heritage*

The Scoping Report identifies several wrecks and obstructions have also been recorded within the study area. The Proposed Development is also stated to be located within an area that is known for containing submerged paleolandscapes with high potential for the archaeological and paleoenvironmental evidence of human occupation.

#### *Shipping and navigation*

Section 8.6 of the Scoping Report confirms that commercial vessels (such as cargo vessels and tankers) passenger vessels (such as ferries), fishing vessels and recreational vessels utilise or move through the scoping study area. These include shipping routes to/from Ireland, France, and the Netherlands.

#### **Onshore**

No potential receptors of environmental importance have been identified in the onshore environment that could result in

	<p>transboundary impacts. Onshore receptors and impacts are therefore not discussed further in this screening.</p>
<p><b>Potential impacts and Carrier</b></p>	<p><b>Benthic ecology</b></p> <p>The Scoping Report identifies that the suspension of sediment as a result of dredging during pre-lay activities and burial activities during cable laying would result in a sediment plume that could potentially cause some transboundary effects to benthic ecology receptors, particularly close to the French EEZ.</p> <p><b>Fish and shellfish ecology</b></p> <p>The Scoping Report identifies that there is potential for transboundary impacts upon fish and shellfish ecology due to construction, operation and maintenance and decommissioning impacts from the Proposed Development. The suspension of sediment as a result of dredging during pre-lay activities, jetting and excavation during cable laying and cable repairs would result in a sediment plume that may cause some transboundary effects to fish and shellfish ecology receptors, particularly close to the French EEZ boundary.</p> <p><b>Commercial fisheries</b></p> <p>Section 8.4 of the Scoping Report notes potential impacts on commercial fisheries including:</p> <ul style="list-style-type: none"> <li>• Reduction in access to, or exclusion from established fishing grounds.</li> <li>• Displacement of fishing activity or disruption of commercially important fish and shellfish resources</li> <li>• Increased vessel traffic associated with the Proposed Development within fishing grounds leading to interference with fishing activity.</li> <li>• Physical presence of infrastructure leading to gear snagging.</li> </ul> <p>The Scoping Report does not identify any specific EEA states which could be affected but states that the scope of any future transboundary impact assessment would be informed by consultation with and data gathering from relevant EEA states.</p> <p><b>Marine mammals and turtles</b></p> <p>The Scoping Report identifies the potential for direct impacts on marine mammals and turtles during the construction and decommissioning phases of the Proposed Development. Due to the mobile nature of marine mammals there may be potential transboundary impacts. The following potential impacts on marine mammals and turtles are identified in Section 8.6 of the Scoping Report:</p> <ul style="list-style-type: none"> <li>• Increased disturbance by anthropogenic noise from ground condition surveys, seabed preparation, route clearance, cable lay, and burial activities.</li> <li>• Increased vessel disturbance.</li> <li>• Collision with vessels.</li> </ul>

- Indirect impacts resulting from impacts on marine mammal prey species.
- Presence of Electromagnetic Fields (EMF).

The Scoping Report states that likely significant effects upon European Sites with marine mammals as qualifying features will be assessed within the Habitats Regulations Assessment (HRA) for the Proposed Development.

### **Offshore ornithology**

The offshore ornithology study area encompasses breeding seabird colonies (including Natura 2000 sites) beyond the UK EEZ, and there is the potential for associated seabirds to forage in the area affected by the Proposed Development. There is potential for connectivity to seabird colonies within Irish and French EEZs. However, the Scoping Report states that sites designated for breeding seabirds within the Irish and French EEZs are a considerable distance from the Offshore Cable Corridor; therefore, it is considered there would be no direct impacts at colonies.

The Scoping Report identifies the potential for impacts on foraging bird species from the Mers Celtiques - Talus du golfe de Gascogne SPA; however, considers that effects would be very small as a proportion of the SPA, and impacts would be of a very short duration, low magnitude and therefore negligible. The Scoping Report states that direct impacts on the SPA would be assessed within a separate application which covers the section of the Offshore Cable Corridor within the French EEZ, but that for transparency and to ensure consistency with the proposed HRA transboundary impacts on offshore ornithology are screened into the assessment.

### **Marine archaeology and cultural heritage**

The Scoping Report states that geomorphological change as a result of dredging during pre-lay activities, jetting during cable laying and cable repairs may change the local hydrodynamic and sedimentary processes. This change may cause some transboundary effects in certain areas.

### **Other Marine Users**

The Scoping Report states that some transboundary impacts on other marine users may be expected due to the offshore environment between countries being frequented by marine activities including shipping, recreational boating, and subsea infrastructure (eg cables/pipelines). The following potential impacts on other marine users are identified in Section 8.7 of the Scoping Report:

- Increased vessel traffic causing disruption to other marine user activities.
- Physical presence of infrastructure and temporary exclusion areas.
- Temporary increase in suspended sediment concentrations and deposition of sediment.

- Increased subsea noise.

### **Physical Processes**

The Scoping Report confirms that there is potential for transboundary physical processes impacts given that the cable route would extend beyond the UK EEZ into the French EEZ (noting that most impact pathways are scoped out for water >20 m depth).

### **Underwater Noise**

The Scoping Report identifies there is potential for transboundary noise impacts given that the Offshore Cable Corridor will extend beyond the UK EEZ into the French EEZ. The applicant considers that as transboundary underwater noise impacts would not be greater than the individual impact assessments for the project in the UK and other EEA States, there would be no additional transboundary noise impacts identified, and no predicted increases in, for example, the magnitude of noise generation associated with transboundary impacts. The Inspectorate does not consider that the applicant's justification is sufficient to exclude the potential for transboundary effects in respect of underwater noise.

Furthermore, the Scoping Report also states that where other relevant developments are identified within 5 nautical miles (nm) of the EEZ boundary, the potential for transboundary cumulative impacts will be considered.

### **Shipping and navigation**

The Scoping Report states that since international shipping will be included in the baseline assessment, there is no potential for additional transboundary impacts upon shipping and navigation receptors due to construction, operation and maintenance and decommissioning of the Proposed Development. It therefore proposes to screen out transboundary impacts and effects on shipping and navigation.

The following potential impacts are identified in Section 8.6 of the Scoping Report:

- Collision of a passing third-party vessel with a vessel associated with cable installation, maintenance or decommissioning.
- Cable installation/decommissioning causing disruption to passing vessel routing/timetables.
- Increase in the risk of a vessel-to-vessel collision due to construction/decommissioning vessel activity.
- Cable installation/decommissioning causing disruption to fishing and recreational activities.
- Cable installation/decommissioning causing disruption to third party marine activities (e.g., military, dredging).
- Vessel drags anchor over the cable.
- Vessel anchors over the cable in an emergency.
- A vessel engaged in fishing snags its gear on the cable.
- Reduction in under keel clearance resulting from laid cable and associated protection.



	<ul style="list-style-type: none"> <li>• Interference with Marine Navigational Equipment.</li> <li>• Reduced access to local ports.</li> </ul> <p><b>Climate Change</b></p> <p>The Scoping Report states that all development processes which emit greenhouse gases (GHGs) have the potential to impact the atmospheric mass of GHGs as a receptor, and so may have a transboundary impact on climate change. The Scoping Report also notes that over the lifetime of the Proposed Development, when considered cumulatively with the overall project, potential transboundary impacts and resulting effects are deemed to be beneficial.</p>
<b>Extent</b>	The extent of potential transboundary impacts has not been determined at this stage and would be subject to assessment in the ES, as applicable. In respect of marine mammals and turtles, Appendix A to the Scoping Report states the majority of impacts during construction are likely to be localised.
<b>Magnitude</b>	The magnitude of impacts (taking into consideration the spatial extent, duration, frequency and reversibility of the impact) have not been evaluated at this stage and will be subject to further assessment.
<b>Probability</b>	No information is currently available on the probability of any potential transboundary impacts.
<b>Duration</b>	No information is currently available on the duration of potential transboundary impacts. In respect of marine mammals and turtles and offshore ornithology, the Scoping Report states that it is anticipated that impacts would be of short duration.
<b>Frequency</b>	With regards to the aspect areas considered above, no information is currently available on the frequency of any potential transboundary impacts.
<b>Reversibility</b>	No information is currently available on the reversibility of potential transboundary impacts. Although in respect of marine mammals and turtles, the Scoping Report states that it is anticipated that impacts would be temporary during all phases but mostly during construction.
<b>Cumulative impacts</b>	The applicant's cumulative impact assessment has not yet been undertaken and the applicant has not identified any likely significant cumulative effects at this stage.
<p><b><u>Transboundary screening undertaken by the Inspectorate on behalf of the SoS</u></b></p> <p>Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the applicant, the Inspectorate is of the view that the Proposed Development <b>is likely</b> to have a significant effect on the environment in EEA States.</p>	

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts) and taken into account the information currently supplied by the applicant.

**Action:**

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified:

- France – due to potential impacts on benthic ecology, fish and shellfish ecology, commercial fisheries, marine mammals and turtles, offshore ornithology, other marine users, physical processes, underwater noise, and shipping and navigation
- Ireland – due to potential impacts on commercial fisheries, marine mammals and turtles, other marine users, and shipping and navigation
- The Netherlands – due to potential impacts on commercial fisheries and shipping and navigation
- Belgium - due to potential impacts on commercial fisheries

**Date: 23 July 2024**

**Note:** The SoS’ duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**SECOND TRANSBOUNDARY SCREENING**

<b>Document(s) used for transboundary Screening:</b>	XLinks’ Morocco-UK Power Project Environmental Statement (ES) and Report to Inform Appropriate Assessment (RIAA) (all dated November 2024).
<b>Date screening undertaken:</b>	Re-screened on 10 January 2025 following acceptance of the DCO application.

**Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS**

Following submission of the DCO application which included the Environmental Statement and the applicant’s HRA report, the Inspectorate has reviewed the transboundary screening decision made on 23 July 2024.

The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision:

- changes in the description of the Proposed Development
- provision of HRA information
- provision of transboundary assessments within relevant chapters of the ES, and consideration of cumulative effects

**Change in the description of the Proposed Development**

ES Volume 1, Chapter 3 Project Description details how the Proposed Development has been refined following submission of the Scoping Report and consultation on the preliminary environmental information (PEI). This includes:

- Slight reduction in the Order Limits area.
- Removal of the Alverdiscott Substation Connection Development, which will now be taken forward and developed by National Grid Electricity Transmission (however, this is still considered cumulatively).

- Removal of trenchless crossing options at Littleham Wood, the Converter Site and realignment of the trenchless crossings at West Ashridge and the River Torridge. Avoidance of woodland west of East Langdon Farm.
- Refinement to the expected extent of construction logistics and abnormal loads.
- Refinement of construction parameters, for the rate of trenching cable burial to 150m per hour from c.50 to 400m per hour.
- Alteration of the number of out of service cable crossings required to 5 from 27.
- Alteration to the options for dredging and sea bed preparation at horizontal directional drilling exit points, to remove localised dredging and prioritise temporary clearance of superficial sediments.
- Removal of broadscale mobile sediment removal during preparatory seabed flattening as there are no known sandwaves or large scale sand ripples in UK waters that require flattening.

### **Provision of information in the Report to Inform HRA**

The RIAA includes HRA screening which identifies a likely significant effect (LSE) from underwater noise and vibration on marine mammals (harbour porpoise and bottlenose dolphin) on Mers Celtiques Talus du golfe de Gascogne SAC (France). As well as an LSE from disturbance and displacement arising from vessel movements during construction, operational phase repair activities and decommissioning on Mers Celtiques - Talus du golfe de Gascogne SPA (France).

However, the applicant concludes in the RIAA that there would be no adverse effect on the integrity of any SAC or SPA in EEA states.

### **Provision of transboundary and cumulative effects' assessments in the relevant chapters in the ES**

The ES assessed the potential for transboundary and cumulative effects on benthic ecology, fish and shellfish ecology, commercial fisheries, marine mammals and turtles, offshore ornithology, other marine users, marine archaeology and cultural heritage, physical processes, underwater noise and climate change. The ES identifies minor adverse but not significant transboundary effects for the following:

- fish and shellfish ecology associated with France
- marine mammals and turtles associated with France
- other marine users associated with France

The ES identified minor adverse but not significant cumulative effects on commercial fisheries (EU beam trawl fleet; EU demersal trawl fleet; and EU pelagic trawl fleet).

No onshore activities have been identified which could lead to effects on an EEA state.

### **Secretary of State's Comments**

Under Regulation 32 of the 2017 EIA Regulations and on the basis of the current information available from the applicant, France, Ireland and the Netherlands' response to the first transboundary screening, the Inspectorate is now of the view that the Proposed Development is **not likely** to have a significant effect on the environment in EEA states.

No new EEA States have been identified as being likely to have significant effects on their environment.

In reaching this view the Inspectorate has applied the precautionary approach (as

explained in its Advice Note twelve: Transboundary Impacts); and taken into account the information currently supplied by the applicant.

**Action:**

France, Ireland and the Netherlands requested to be involved in the transboundary consultation process when previously notified. Transboundary issues consultation under Regulation 32 of the 2017 EIA regulations is required. States to be consulted:

- France
- Ireland
- The Netherlands

On a precautionary basis, notification letters will be re-sent to those EEA States who did not respond to the previous Regulation 32 notification. States to be notified:

- Belgium

**Date:** 10 January 2025

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**Note:**

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Page, Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process, available at:

<https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-transboundary-impacts-and-process#transboundary-process-under-regulation-32>