

# Kaly Group Limited

## Loch Bay Seaweed Farm Pre-Application Consultation Report

### Details

Version	Date	Description	Author(s)	Revised by
V4.1	08/03/2023	Final	Stevie Jarron	

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# Kaly – LB PAC Report

## 01 Introduction

Kaly Group Limited (Kaly) is a Scottish company (SC720237), registered office - Old Manse, Hallin, Isle of Skye, IV55 8GH.

Kaly have undertaken a Pre-Application Process (PAC), following guidance from [Marine Scotland](#) to license a new, purpose built seaweed cultivation Farm. A proposed site been identified as suitable for seaweed cultivation 2km west from Stein, in Loch Bay, north west Skye. The site has been secured through a Lease Option Agreement with Crown Estate Scotland. Kaly intend to have the necessary consent in place to put the first equipment in the water by late Autumn 2023. Seeding lines in October 2023 to February 2024 will produce a harvestable crop in late spring and early summer 2024.

The outer boundaries of the proposed Algal Farm site are:

57°30.687'N, 6°36.144'W

57°30.822'N, 6°36.308'W

57°30.452'N, 6°37.469'W

57°30.296'N, 6°37.304'W

### 01.01 Background consultation work

Kaly undertook a considerable amount of discussion with Statutory Consultees, major stakeholders and local marine and community companies and individuals, in what can be seen as a Pre-Pre-Application stage.

- Crown Estate Scotland (CES) - multiple meetings with CES from June 2022, culmination in formal LOA 28/09/2022
- Nature Scot (NS) – discussions start with Liam Wright of NS on 21/06/2022
- Royal Yachting Association Scotland (RYAS) – discussions with RYAS and a meeting in Edinburgh with Graham Russel on 30/09/2022
- Loch Bay Shellfish
- Loch Dunvegan Shellfish Ltd on 12.01.23
- Dochas Marine Ltd on 11.01.23 - no issues raised in discussion
- Local companies in Waternish on 08.12.22
- Local community presentation was given in Waternish Hall on 08/12/2022. There were 60 local attendees at the event. The general discussion was positive with no objections raised.

In the past year, Kaly have undertaken detailed discussions with machinery, plant and construction companies for the deployment of farms and subsequent harvesting and processing of the seaweed.

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### 02 Pre-Application process commencement

The Pre-Application Consultation (PAC) is a 12-week process. On the 12th of December 2022, Kaly began the PAC process by contacting the appropriate Government Bodies (Statutory Consultees), representative bodies of marine users and individuals (Stakeholders). A list of those contacted can be seen in (Annex 1 – email and meetings list). The content of the email can be seen in (Annex 2 – emails for PAC process and PAC event).

The PAC process also includes a Pre-Application Consultation event (PAC event). This must be no sooner than 6 weeks from notification of the PAC process allowing 6 further weeks for consultation and comments from Statutory Consultees and Stakeholders.

From 12<sup>th</sup> December 2022, Kaly put out posters and put adverts into the local Waternish Newsletter with details of their proposed farm site and links to the Kaly website. An advert was also placed in the West Highland Free Press, print and online versions 15/16<sup>th</sup> December 2022 (Annex 3 – PAC event newspaper advert and poster), which resulted in the proofed version seen in (Annex 4 – PAC event West Highland Free Press proof Friday 16th Dec 2022 edition). The event was set for between 17:30 – 19:00 on 2<sup>nd</sup> February 2023.

This 6 weeks' notice of a Pre-Application Consultation event was sent in emails that also included links to [Kaly's](#) website which contained further details for the event. This website was also updated regularly as questions came in, so to give the maximum amount of information to the public as we developed our project.

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### 03 Statutory Consultees

On 12<sup>th</sup> December 2022, 7 weeks in advance of the PAC meeting, the Statutory Consultees, Crown Estate Scotland, Marine Scotland, Nature Scot, NLB, SEPA and MCGA were contacted directly by email with details of their site choice and date of PAC event. The email also included links to [Kaly](#) website which offered further information on the proposed farm (Annex 2 – emails for PAC process and PAC event). RYA Scotland and Highland Council were also brought into direct discussions as well via emails and calls and personal meetings.

Information provided to the Statutory Consultees and responses included information about the event date, the site coordinates, expected buoyage at the site, seal disturbance and phases of development/operations. The responses of the statutory consultees will be highlighted below and have been taken into account and will be addressed in the marine licence application process during which these Statutory Consultees and other groups will be presented with the full application documentation for formal response.

**Crown Estate Scotland** – have been involved in the site selection and have given a Lease Option Agreement for the site by the point of PAC initiation. Kaly have discussed their chosen site, the development of the site over time and the onshore business model that supports the need for this development.

**Marine Scotland** – acknowledged the PAC process commencing and gave advice on some stakeholders to contact in the Skye area. Kaly duly contacted all those and more.

**Nature Scot** – Kaly contacted Nature Scot as the site of the proposed seaweed farm falls within 2 SAC designations for harbour seals and porpoises. Emails with Nature Scot led to recommendations from Nature Scot on what information they deem necessary to be able to fully scrutinise the farm site and operation in the SPA. Further information was passed on to Nature Scot on 28/02/2023. This included a full suite of documentation from Kaly and reports from independent consultants Ironside Farrar. Subsequent comments have been covered in the application pack and we will continue to consult with NatureScot's specialist advisors. NatureScot also advised additional contact with Highland Council (landscape matters) and Highland Raptor Study Group (ornithology) which we have actioned. If there are any updates to the application pack as a result, we will submit information to Marine Scotland in a timely manner.

**NLB and RYAS** – a question was raised during the PAC process by RYAS Planning and Environment Officer, Graham Russell, about the lighting regime at the proposed site. Aquaculture and other marine structures are marked at seaward corners by yellow buoys called Special Marks. RYAS asked whether other lighting arrangements could be considered for marking the site. Kaly will obviously bow to the recommendation that will be given by NLB on the matter but feel that the site will be sufficiently marked with Special Marks as are the other over 300 aquaculture sites marked in this way on the west of Scotland. Further information will be seen in the Application in attachments "Kaly LB Vessel Management Plan", "Kaly - Navigational Risk Assessment and MEAC", as well as consideration of landscape and visual impacts through development of photomontages by independent consultants Ironside Farrar.

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**SEPA** – acknowledged the PAC process notification. SEPA by email. SEPA rarely if ever comment on a seaweed cultivation PAC process as the farm and operations do not use chemical additives, or discharge pollutants into the environment. They will be fully consulted again during the Application process via Marine Scotland.

**MCGA** – were emailed at the beginning of the process, but have not commented during the PAC process. MCGA rarely comment at this stage of an application but will require a Navigational Risk Assessment is done and a Marine Emergency Action Card is produced for the site. This has been done and will be seen in the Application in attachment “Kaly - Navigational Risk Assessment and MEAC”. Kaly have also put together a Vessel Management Plan, very focused on wildlife interactions. A similar detailed plan is included in a Navigational Risk Assessment and MEAC document which more concisely pertains to vessel operations. The latter will also be made available to MCGA along with all other Application documents. A second attempt at dialogue with MCGA was made on 01/02/2023 on the PAC process and other matters, but no reply was given.

### 04 Stakeholders

Kaly chose to go beyond their statutory obligations by making a significant effort to meet with as many of the fishing individuals and representative bodies, as well as other local and wider area stakeholders as possible, before and during the PAC process.

On 12<sup>th</sup> December 2022, Kaly emailed local and regional fishing representatives and individuals, with details of their site choice and date of PAC event. A list of those contacted can be seen in (Annex 1 – email and meetings list). The content of the email can be seen in (Annex 2 – emails for PAC process and PAC event). The email also included links to [Kaly's](#) website which offered further information on the proposed farm.

Covid restrictions in place were lifted just before the start of the formal PAC process. Kaly would have welcomed the use of Zoom events, as had been the standing requirements throughout the pandemic, but unfortunately, the most convenient local venue for the PAC Event (Waternish Hall 02/02/2023) could not provide the Broadband connection required.

To ensure that Kaly made the locals as aware as possible of the PAC process and event, publicity messages were emailed, put in local newsletters and updated posters placed in prominent places around the northwest Skye area.

Kaly also made many attempts to contact directly with fishermen and local householders who may directly affected (materially and personally) by the proposed location of the farm ahead of the PAC event. This was to discuss and even revise potential locations; this is because Kaly's stated ambition to work cooperatively alongside other marine users and the community is sincere.

Several face-to-face meetings were held between Kaly staff and local interests to discuss the development and possible local involvement in the venture. Kaly wish to have Community involvement and support at all levels of their venture in Loch Bay and as such hope there is a direct community involvement in the work at the farm site, the shoreside handling of seaweed and the local processing of the harvest. Discussions with local landowners, businesses and

## Kaly – LB PAC Report

individuals were undertaken. Local community members are being interviewed for possible future employment with Kaly and some individuals have already signed up to roles within the organisation.

### 05 Pre-Application Consultation Event

At Watnish Hall, northwest Skye between 1800 –2100 on 2<sup>nd</sup> February 2023, Kaly gave a presentation to a full hall audience. After the presentation a Q&A session was opened up to hall attendees. The event attracted 60 people face to face at the venue.

- A link to the presentation can be found [here](#).
- A video of the PAC presentation can be found [here](#).
- Q&A from the PAC event can be found [here](#).
- A transcript of the PAC event can be found here (Annex 5 – PAC event minutes transcript).

### 06 Follow up consultations and Application amendments

From questions raised at the PAC event, further discussions were undertaken with several SCs and Stakeholders.

Some follow up meetings were organised from questions raised at the event. These included discussion around how the wider Community can be involved in the project and what benefits Kaly can bring to the area.

Where any concerns or suggestions were raised by Statutory Consultees or Stakeholders, Kaly have considered possible mitigation efforts that they will propose in their Application process. This includes;

- Negotiation of mutually beneficial wider “ecosystem services”, undertaking environmental repair projects in the Loch Bay area such as seagrass and native oyster restoration.
- charter of local vessels in growing line deployment, visual checks (weekly), harvesting and maintenance of the site.
- specific routing of vessels to and from the site to reduce or remove any disturbance to seals hauled out on nearby islands.
- speed restrictions of vessels in the Loch Bay area to prevent wildlife collisions.
- (where possible to do so) daylight operations of vessels only, in the Loch Bay area to prevent wildlife collisions and any noise or light disturbance of vessel activity at night in the Loch.
- [Kaly’s website \(https://www.kaly.eco/\)](https://www.kaly.eco/) will keep everyone up to date on our progress.

The efforts on consultation will continue beyond the PAC process and into the Application phase.

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## Annexes

### 07 Annex 1 - email and meetings list

[Redacted]

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### 08 Annex 2 – emails for PAC process and PAC event

Dear,

Notice is hereby given that **Kaly Group Limited**, (SC720237), registered office - Old Manse, Hallin, Isle of Skye, Scotland, IV55 8GH, plan to apply for an algae license consent for a marine site. As per the Marine Licensing (Pre-Application Consultation) (Scotland) Regulations 2013, Kaly Group Limited will undertake a 12 week Pre-Application Consultation process prior to application.

This email forms the notice to Statutory Consultees and Stakeholders of the start of that process and Kaly's intention to hold a pre-application consultation event regarding the proposed licensable marine activity at Loch Bay, North West Skye.

Kaly Group Limited have allowed for more than the prescribed 6 weeks and will place a Public Notice (attached) in the West Highland Free Press for publication in Thursday 15<sup>th</sup>/Friday 16<sup>th</sup> December's edition. In addition, posters of the event will be placed around relevant locations, relevant Statutory Consultees and prominent Stakeholders in the area have already been consulted and will be informed again of this process and of the public event.

Kaly Group Limited have already held discussions with many of the aforementioned bodies and individuals and the new chosen site is a compromise that is viable for algal farming purposes and unobtrusive to environmental and other marine users' concerns.

Kaly have in place a LOA from Crown Estate Scotland for the proposed site.

The boundaries of the Algal Farm site are:

57°30.687'N, 6°36.144'W
57°30.822'N, 6°36.308'W
57°30.452'N, 6°37.469'W
57°30.296'N, 6°37.304'W

On **Thursday 2<sup>nd</sup> February 2023 between 6pm and 8pm** Kaly Group Limited, will host an in person Pre-Application Consultation event offering discussion, charts and plans of their proposed Seaweed Farm. The event will include a Q&A session with the audience on the details of the venture.

#### **Topic: Pre-application Marine Licence Public Consultation Event**

Time: Thursday 2<sup>nd</sup> Feb 2023 at 6pm to 8pm.

Venue: Waternish Community Hall, Hallin, Isle of Skye. IV55 8GJ

Further information concerning the proposed seaweed farm construction can be obtained by emailing [hello@kaly.eco](mailto:hello@kaly.eco) or online at [www.kaly.eco/](http://www.kaly.eco/).

Representations in respect of the application should be made by email to [hello@kaly.eco](mailto:hello@kaly.eco) and should be received no later than 2<sup>nd</sup> March 2023.

Comments should be dated and should clearly state the name (in block capitals) and full return email or postal address of those making comment. Comments made to the prospective applicant are not representations to the Scottish Ministers. If Kaly Group Limited submits an application for a marine licence to Scottish Ministers, an opportunity will be given for representations to be made to the Scottish Ministers on the application.



**KALY GROUP LIMITED  
MARINE (SCOTLAND) ACT 2010  
THE MARINE LICENSING (PRE-APPLICATION  
CONSULTATION) (SCOTLAND) REGULATIONS 2013**

Notice is hereby given that Kaly Group Limited, (SC720237), registered office - Old Manse, Hallin, Isle of Skye, Scotland, IV55 8GH, plans to hold a pre-application consultation event regarding a proposed licensable marine activity at Loch Bay, North West Skye:

<b>Latitude</b>	<b>Longitude</b>
57°30.687'N	6°36.144'W
57°30.822'N	6°36.308'W
57°30.452'N	6°37.469'W
57°30.296'N	6°37.304'W

The activity consists of construction of a seaweed farm.

Further information concerning the proposed seaweed farm construction can be obtained from: [hello@kaly.eco](mailto:hello@kaly.eco) or at [www.kaly.eco/](http://www.kaly.eco/)

The pre-application consultation event will be held between 6pm and 8pm on Thursday 2nd February 2023 at Waternish Community Hall, Hallin, Isle of Skye. IV55 8GJ.

Persons wishing to provide comments on the proposed seaweed farm construction can do so by writing to the prospective applicant at: [hello@kaly.eco](mailto:hello@kaly.eco) not later than 02/03/2022.

Comments should be dated and should clearly state the name (in block capitals) and full return email or postal address of those making comment. Comments made to the prospective applicant are not representations to the Scottish Ministers. If Kaly Group Limited submits an application for a marine licence to Scottish Ministers, an opportunity will be given for representations to be made to the Scottish Ministers on the application.

**family notices**

Births, Engagements, Marriages, Deaths, Acknowledgements, In Memoriam and Thanks Notices

**ACKNOWLEDGEMENTS**

**DRAYCOTT** – Hildegard would like to thank everyone for attending the service at Inverinate Church and their kind wishes, with particular thanks to all the community nurses at the Kyle Health Centre, in particular thanks to Sue, Wendy, Najate and Amber and the home carers Angela, Fiona and Mhairi.

**GRAHAM** – The family of the late John Graham would like to sincerely thank all friends and relatives for the kind expressions of sympathy shown to them following their recent sad loss. Special thanks to the Portree community nurses for their dedicated care and support; to Portree Medical Centre, the carers and Marie Curie for their kindness, care and compassion. Thank you to Reverend Murdoch Angus MacLeod for a comforting service and for his pastoral care in recent months; to all at M&M MacLeod Funeral Directors for their professional and compassionate handling of the funeral arrangements; to Sheabast House Hotel for the catering. Thank you to those who came to pay their respects at the church and graveside and for the generous sum of £371, donated to Crossroads and Portree Community Nurses, Rosabank, 6 Eyre.

**MACKENZIE** (Kenny), Glasgow – The family of the late Kenny MacKenzie would like to thank all relatives, friends and neighbours for the sympathy and support received following the sad loss of their brother. Sincere thanks to celebrate Davina McDouglas. Thanks also to Fargher Macleod and his staff for the arrangements. Grateful thanks to the staff of Portree Hospital for the care of Kenny, to Graham's Flowers for the lovely arrangements. A special thank you to the owners and staff of Sheabast House Hotel for the excellent catering and for all their kindness to Kenny over many years. Last but not least a special thank you to Mollie, Barry, Tina and Richard for all their help and support.

**IN MEMORIAM**

**CAMPBELL** – In loving memory of a dear husband, father and grandfather, Archie, who died 12th December 2021.

*Forever in our hearts.  
Still loved, still missed,  
Remembered always.*

From wife Dorothy, son Russi, daughters Tina, Moira, Jeannette and Margaret, husbands and all the grandchildren, xox

**FINLAYSON** – In loving memory of Katie Ann, a dear mum and granny, who died on 16th December 2021.

*Sadly missed and remembered always.*  
Inserted by Sybil, Ewen, Amanda, Douglas and families.

**MACDONALD** – Treasured memories of Kenny Angus, who passed away on 18th December 2022.

*Forever in our thoughts,  
Joan and family.*

**MACKENZIE** – In loving memory of Janet (nee Macleod), my devoted wife who sadly passed away on 21st December 2018.

*Ever in my thoughts.*

**MACPHERSON** – Cherished memories of our loving and loved parents, parents-in-law, grandparents and great grandparents, Roddy, died 8th March 1997, and Patsy, died 8th December 2019, late of Inver, Uig, Marion, Dougie and Ian and families.

**MACRAE** – Treasured memories of our dearly loved daughter, Lorna Kay, who passed away on 15th December 2020.

*Sadly missed above all's way,  
Quietly remembered every day,  
Forever in our hearts.*

*Deid, Helen and family, Gedintzke, Bruce.*

**MACRAE** – In loving memory of a dear wife and mother, Lorna Kay, who passed away on 15th December 2020.

*Always in our thoughts and sadly missed,  
Mando, Mairi, Gus and Ross, Gedintzke, Bruce and loved ones.*

**MUNISE** – In loving memory of a dear mother, Mary, who passed away on 19th December 2021.

*God bless her soul,  
Martin, Kevin and Elizabeth.*

**MUNISE** – In loving memory of Mary, a dear daughter, sister, sister-in-law and auntie, who passed away on 19th December 2012.

*Those we love don't go away,  
They wait beside us every day,  
Beryl, Helen, Shona and families, Beniside.*

**MURCHISON** – Precious memories of John, who passed away 18th December 2002.

*As the sun rises we recall happy days,  
As the sun sets we ensure your face,  
Lena, Angie, Carol and families.*

**QUINN** – Henry (Tony), my father who sadly passed away on 19th December 2017.

*Did you hold my hand when I was small,  
You caught me when I fell,  
The hours of my childhood and later years  
as well,  
Every time I think of you, my heart just lifts  
with pride,  
And though I'll always miss you Dad,  
I know you're by my side,  
In laughter and in sorrow, in sunshine and  
in rain,  
I know you're watching over me; until we  
meet again.  
You are forever in my heart,  
Jackie.*

**LOTTERY DRAW**

The SKYE CAMANACHD SHINTY LOTTO was drawn on Saturday 10th December 2022. The numbers drawn were 7, 8 and 11 and there were no winners. The prize fund for Saturday 17th December 2022 is £400.

**FIRST REGISTRATION OF A CROFT**

**BRIDGET MACRAE** has registered the croft at **INVERNESS, GLENSHIEL**, on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge this registration may apply to the Scottish Land Court by 9th July 2023.

Details of the registration can be found at [www.crofts.rsa.gov.uk/register/home](http://www.crofts.rsa.gov.uk/register/home). The croft registration number is C8764.

**Camustianavaig Common Grazings Sheep Stock Club**

is to hold its Annual General Meeting on **Wednesday 21st December at 7pm at Old Bank House, Somerled Square, Portree**

Anyone with an interest should contact the Clerk at [office@damaclean.co.uk](mailto:office@damaclean.co.uk) or on 07484 047250

**Borneo Berneray Common Grazings**

A meeting will be held at **7pm on 9th January 2023 at Berneray Hall** for the purpose of electing a new grazings committee

**Ellishadder Common Grazings**

A meeting will be held at **7pm on 29th December 2022 at 6 Ellishadder** for the purpose of reforming a committee

**PROPOSED APPORTIONMENT OF A COMMON GRAZINGS**

**MAGNUS PETER BURD** is applying for an apportionment of part of the **CAMUSTIANAVAIG COMMON GRAZINGS** extending to 19.84 ha for the purpose of **STOCK MANAGEMENT, TREE PLANTING AND PROPOSED AGRICULTURAL SHED**.

Written comments from any shareholder or owner of the said common grazings (which may be made public) to: Crofting Commission, Leachkin Road, Inverness IV3 8NW, [info@crofting.gov.scot](mailto:info@crofting.gov.scot) by 13/1/23.

**BUTECH RANGE PROGRAMME**

The BUTECH Range (covering the Inner Sound extended to 57°45N) will be active from: Friday 16th to Thursday 22nd December 2022.

**SURFACE ACTIVITY** Friday 16th December  
**SUBMARINE ACTIVITY** Nil

This programme is subject to change at short notice. A daily update of Range activities will be broadcast from the Range Terminal Building Applecross at 0800 and 1800 each day. RTB Applecross listens on VHF Channel 8, 13 and 16 continuously. Attention is drawn to the BUTECH Byelaws 2016.

**PROPOSED ASSIGNMENT OF A CROFT**

**MARION MACLEAN** is applying to assign the tenancy of the croft at **3 SANDWICK, LOCHCARBARN, ISLE OF SOUTH UIST, HS9 5NX (IS492)** to **AUSTAIR NOBLE of 2 SANDWICK, LOCHCARBARN, ISLE OF SOUTH UIST, HS9 5NX**.

Written comments from those with a relevant interest (which may be made public) to: Crofting Commission, Leachkin Road, Inverness IV3 8NW, [info@crofting.gov.scot](mailto:info@crofting.gov.scot) by 13/1/23.

**PROPOSED ASSIGNMENT OF A CROFT**

**ALASDAIR MACRAE MORRISON** is applying to assign the tenancy of the croft at **547 EASTER ACHNAITEIRID, GLENSHIEL** to **CAROL SCOTT HUGGARD of AN T SEANAN DACHAIDH, 26 LOWER BREAKSH.**

Written comments from those with a relevant interest (which may be made public) to: Crofting Commission, Leachkin Road, Inverness IV3 8NW, [info@crofting.gov.scot](mailto:info@crofting.gov.scot) by 13/1/23.

**West Highland Free Press**

**Advertising deadline**

**11.00am TUESDAY**

However, should you require a proof of an advertisement the deadline is **5.00pm MONDAY**

*Thank you for your co-operation.*

**KALY GROUP LIMITED**

**MARINE (SCOTLAND) ACT 2010 THE MARINE LICENSING (PRE-APPLICATION CONSULTATION) (SCOTLAND) REGULATIONS 2013**

Notice is hereby given that Kaly Group Limited, (SC272037), registered office - Old Manse, Hallin, Isle of Skye, Scotland, IV55 8GH, plans to hold a pre-application consultation event regarding a proposed licensable marine activity at Loch Bay, North West Skye:

**Latitude** 57°30.687N  
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57°30.452N  
57°30.296N

**Longitude** 6°36.144W  
6°36.308W  
6°37.469W  
6°37.304W

The activity consists of construction of a seaweed farm. Further information concerning the proposed seaweed farm construction can be obtained from: [hello@kaly.eco](mailto:hello@kaly.eco) or [www.kaly.eco/](http://www.kaly.eco/)

The pre-application consultation event will be held between 6pm and 8pm on Thursday 2nd February 2023 at Watermish Community Hall, Hallin, Isle of Skye, IV55 8GJ.

Persons wishing to provide comments on the proposed seaweed farm construction can do so by writing to the prospective applicant at: [hello@kaly.eco](mailto:hello@kaly.eco) not later than 02/03/2022.

Comments should be dated and should clearly state the name (in block capitals) and full return email or postal address of those making comment. Comments made to the prospective applicant are not representations to the Scottish Ministers. If Kaly Group Limited submits an application for a marine licence to Scottish Ministers, an opportunity will be given for representations to be made to the Scottish Ministers on the application.

**Scottish Government Rìghaltas na h-Alba gov.scot**

**TRANSPORT SCOTLAND NOTICE OF DETERMINATION A87 SOUTH OF SCONSER, ISLE OF SKYE ENVIRONMENTAL IMPACT ASSESSMENT DETERMINATION UNDER SECTION 55A OF THE ROADS (SCOTLAND) ACT 1984**

The Scottish Ministers give notice that they have determined that the project to carry out infilling of an existing road culvert and excavation of drainage ditches along the A87 southbound verge approximately 4km to the south of Sconser on the Isle of Skye, is a relevant project within the meaning of section 55A of the Roads (Scotland) Act 1984 (the 1984 Act) and falls within Annex II of Directive 2011/32/EU on the assessment of certain public and private projects on the environment, but that having regard to:

- (a) the selection criteria contained in Annex III of that Directive, namely:
- (i) the use of natural resources, in particular land, soil, water and biodiversity;
- (ii) the production of waste;
- (iii) pollution and nuisances;
- (iv) the risks to human health (for example due to water contamination or air pollution);
- (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;
- (vi) mountain and forest areas;
- (b) the results of the Environmental Screening Assessment under section 55A(2) of the 1984 Act;
- (c) the information set out in the Record of Determination dated 25 October 2022, available at <https://www.transport.gov.scot/transport-network/roads/road-orders-and-records-of-determination/#63527>;

the project does not require an Environmental Impact Assessment. The main reasons for the conclusion that no Environmental Impact Assessment is required are:

- (a) Although the works are within the Cullin Hills National Scenic Area and have connectivity to the Cullin Hills Special Protection Area, there will be no likely significant effects on these sensitive sites;
- (b) The works are restricted to the engineered ground of the A87 trunk road; and
- (c) Any potential impacts of the works are expected to be temporary, short-term, and limited to the construction phase. The features of the project which are envisaged to avoid or prevent significant adverse effects on the environment are:

- (a) Mitigation measures and best practice will be implemented to ensure no short-term or long-term significant negative impacts on the environment;
- (b) Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications; and
- (c) Measures will be in place to ensure appropriate removal and disposal of waste.

**J DUNLOP**

A member of the staff of the Scottish Ministers Transport Scotland, Roads, Buchanan House, 5, Atlantic Quay, Glasgow G2 8JB



**WILLIAM T. FRASER & SON**  
- FUNERAL DIRECTORS -  
INVERNESS  
01463 243232  
*- With Care & Respect -*  
INTRODUCING OUR LOCAL FAMILY REPRESENTATIVE  
**D. N. MUNRO**  
GLENSHIEL  
01599 511 312

**MACLEOD**  
FUNERAL DIRECTORS SINCE 1841  
Tel: Broadford 01471 820000  
Portree 01478 611110  
Email: [skyeFUNERALS@gmail.com](mailto:skyeFUNERALS@gmail.com)  
Web: [www.skyefunerals.com](http://www.skyefunerals.com)

## Kaly – LB PAC Report

11 Annex 5 – PAC event minutes transcript  
[Redacted]