

Appropriate Assessment for Comhairle nan Eilean Siar, Lochmaddy Ferry Terminal Upgrade, October 2019.

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**MARINE SCOTLAND - LICENSING OPERATIONS TEAM'S  
ASSESSMENT OF THE PROJECT'S IMPLICATIONS FOR  
DESIGNATED SPECIAL AREAS OF CONSERVATION, IN VIEW OF  
THE SITES' CONSERVATION OBJECTIVES.**

APPLICATION FOR MARINE LICENCES UNDER THE MARINE (SCOTLAND) ACT 2010 FOR CONSTRUCTION, DREDGING, DEPOSIT OF DREDGED SUBSTANCES OR OBJECTS AND REMOVAL OF SUBSTANCES OR OBJECTS ASSOCIATED WITH THE UPGRADING OF THE EXISTING FERRY TERMINAL AT LOCHMADDY, NORTH UIST

SITE DETAILS: LOCH MADDY, NORTH UIST

<b>Name</b>	<b>Assessor or Approver</b>	<b>Date</b>
Stephanie Sweeting	Assessor	19/07/2019
Victoria Bell	Approver	16/10/2019

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## **SECTION 1: BACKGROUND**

### **1 Appropriate assessment conclusion**

- 1.1 This appropriate assessment (“AA”) concludes that there will be no adverse effect on the site integrity of the Loch nam Madadh Special Area of Conservation (“SAC”) or the Inner Hebrides and the Minches SAC from the Comhairle Nan Eilean Siar (“CnES”) proposal either in isolation or in combination with other projects, provided the condition set out in Section 4 is complied with.
- 1.2 Marine Scotland – Licensing Operations Team (“MS-LOT”) considers that the most up to date and best scientific advice available has been used in reaching the conclusion that the CnES proposal will not adversely affect the integrity of the Loch nam Madadh SAC or the Inner Hebrides and the Minches SAC and is satisfied that no reasonable scientific doubt remains.

### **2 Introduction**

- 2.1 This is a record of the AA undertaken by MS-LOT in regards to the CnES proposal to upgrade the existing Ferry Terminal at Lochmaddy, North Uist including construction, dredging, deposit of dredged substances or objects and the removal of substances or objects (hereinafter collectively referred to as “the Works”) as required under Regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 Habitats Regulations”). This AA is in accordance with Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Council Directive 2009/147/EC on the conservation of wild birds. MS-LOT, as the 'competent authority' under the 1994 Habitats Regulations, has to be satisfied that the project will not adversely affect the integrity of any European site (SAC and Special Protection Areas (“SPA”), known as Natura sites) before it can grant consent for the project.
- 2.2 Scottish Natural Heritage (“SNH”) has been consulted.

### **3 Details of proposed project**

3.1 CnES propose to upgrade the existing Lochmaddy Ferry Terminal. The Works include the following components:

- Pier upgrade including repairs and strengthening;
- Capital dredging and deposit of dredged substances or objects; and
- Extension of marshalling area and hard standing area through land reclamation, including construction of a rock armour revetment.

3.2 Construction works will be conducted between 7am to 8pm Monday to Saturday, with Saturday work generally finishing earlier. No Sunday working is anticipated to occur. However, work outwith these hours may be required on an infrequent basis to suit tides and ferry movements, or for other operational reasons.

#### *Pier upgrade*

3.3 There is a need to carry out varying degrees of repair and strengthening to the existing pier. Prior to works commencing on the pier, temporary pneumatic fenders will be installed to allow berthing of the ferry throughout the construction phase. The berthing line will be moved out from the existing pier to allow works to be carried out on the pier edge without disrupting ferry operations.

3.4 Works to the middle pier section will include concrete repairs to the existing pier deck, cross beams and columns adding additional rebar and spraying concrete to coat the structures under the pier, including existing concrete piles. Steel braces and rock dowels will also be installed and connected by concrete supports to reinforce the structure. The metal piles of the outer pier section will be wrapped in corrosion prevention tape to preserve the structure. The roundhead at the end of the outer section will be cut down to facilitate tie in with a new caisson.

3.5 The pier will be extended utilising a prefabricated concrete caisson. The extension is approximately 35 metres ("m") long, providing an overall pier length of 145m. The caisson is 12.5m wide, providing a wider working area than afforded by the rest of the pier which is 9.8m wide. New concrete decking will join the caisson to the end of the existing pier. The caisson will be placed onto a preconstructed base and will be infilled with imported rock fill. Scour protection will be placed around the caisson.

3.6 Parallel Motion Fenders will be installed on new piles along the berth face of the existing pier and attached directly onto the caisson. The wooden fenders

on the northern face of the inner concrete section and middle sections of the pier will be removed and replaced like for like.

*Capital dredging and deposit of dredged substances or objects*

- 3.7 There are three dredge areas as shown in Appendix 1. Dredging to a depth of -5m Chart Datum (“CD”) will be completed to allow the larger ferry to berth and manoeuvre safely, referred to as the berth and manoeuvring dredge areas. Dredging is also required for the caisson base, referred to as the caisson dredge. An area around the footprint of the caisson will be dredged to -8.5m CD. Dredging will be carried out by either a Backhoe Dredger (“BHD”) or Trailer Suction Hopper Dredger (“TSHD”). It is unlikely that TSHD will be suitable for use in all areas, so if it is to be used, it will be in combination with BHD. The total amount of substances or objects to be dredged is 16,000 wet tonnes and all will be deposited at the designated Stornoway deposit site.
- 3.8 Dredging is planned for the winter months when the number of vessels utilising the pontoons and moorings are likely to be lowest. To facilitate dredging adjacent to the linkspan, the pontoon anchors will be relocated for the duration of the dredging and reinstated once complete.

*Marshalling and hard standing area*

- 3.9 The marshalling area will be increased and a hard standing area created by extending the north east and north west of the existing marshalling area. To the north west, the small hill between the existing marina facility and the access road to the hotel will be removed to reduce the height to the level of the existing access road. This material will then be used to create a rock revetment along the seaward edge of the proposed marshalling area extension and the remaining material from the levelling works will be used as infill for the land reclamation.

## **4 Consultation**

- 4.1 SNH was consulted on the application and supporting information, including [Lochmaddy Ferry Terminal Upgrade Habitat Regulations Appraisal Pre-Screening Report \(“HRA Report”\)](#) and a [Construction Environmental Management Document \(“CEMD”\)](#) on 24 May 2019 and provided a response on 19 July 2019.

## 5 Main points raised during consultation

- 5.1 The response from SNH advised that the proposal is likely to have a significant effect on the otter qualifying interest of the Loch nam Madadh SAC and the harbour porpoise qualifying interest of the Inner Hebrides and the Minches SAC.

## SECTION 2: INFORMATION ON NATURA SITES

### 6 Background information and qualifying interests for the relevant Natura sites

- 6.1 This section provides links to the Scottish Natural Heritage Interactive (“SNHi”) website where the background information on the sites being considered in this assessment is available. The qualifying interests for the sites are listed as are the conservation objectives.

**Table 1 Name of Natura site affected and relevant links to SNHi website**

<p><b>Loch nam Madadh SAC</b></p> <p><a href="https://sitelink.nature.scot/site/8301">https://sitelink.nature.scot/site/8301</a></p> <p><b>Inner Hebrides and the Minches SAC</b></p> <p><a href="https://sitelink.nature.scot/site/10508">https://sitelink.nature.scot/site/10508</a></p>
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**Table 2 European qualifying interests**

<p><b>Loch nam Madadh SAC</b></p> <ul style="list-style-type: none"><li>• Intertidal mudflats and sandflats</li><li>• Lagoons</li><li>• Otter (<i>Lutra lutra</i>)</li><li>• Reefs</li><li>• Shallow inlets and bays</li><li>• Subtidal sandbanks</li></ul>
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**Inner Hebrides and the Minches SAC**

- Harbour porpoise (*Phocoena phocoena*)

**Table 3 Conservation objectives**

**Loch nam Madadh SAC**

To avoid deterioration of the qualifying habitats (listed above) thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

To ensure for the qualifying habitats that the following are maintained in the long term:

- Extent of the habitat on site
- Distribution of the habitat within site
- Structure and function of the habitat
- Processes supporting the habitat
- Distribution of typical species of the habitat
- Viability of typical species as components of the habitat
- No significant disturbance of typical species of the habitat

To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

To ensure for the qualifying species that the following are maintained in the long term;

- Population of the species a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats and supporting the species
- Structure, function and supporting processes of habitats supporting th
- No significant disturbance of the species

**Inner Hebrides and the Minches SAC**

To ensure that the Inner Hebrides and the Minches SAC continues to make an appropriate contribution to harbour porpoise remaining at favourable conservation status; and

To ensure for harbour porpoise within the context of environmental changes, that the integrity of the Inner Hebrides and the Minches SAC is maintained through:

- Harbour porpoise within the Inner Hebrides and the Minches are not at significant risk from injury or killing;
- The distribution of harbour porpoise throughout the site is maintained by avoiding significant disturbance; and
- The condition of supporting habitats and the availability of prey for harbour porpoise are maintained.

### **SECTION 3: ASSESSMENT IN RELATION TO REGULATION 48 OF THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994**

#### **7 Requirement for appropriate assessment**

7.1 *Is the operation directly connected with or necessary to conservation management of the sites?*

The operation is not directly connected with or necessary to conservation management of the sites.

7.2 *Is the operation likely to have a significant effect on the qualifying interests?*

In their response dated 19 July 2019 SNH advised that the proposal would have a likely significant effect (“LSE”) on the following qualifying interests:

#### **Loch nam Madadh SAC**

- Otter (*Lutra lutra*)

#### **Inner Hebrides and the Minches SAC**

- Harbour porpoise (*Phocoena phocoena*)



- 7.3 SNH advised that the Works are likely to have a significant effect on the otter qualifying interest of the Loch nam Madadh SAC through direct habitat loss as the proposed land reclamation will result in the loss of approximately 2500 square metres (“m<sup>2</sup>”) of the intertidal zone which is likely to have been used to some degree by the local otter population. SNH also advised that the Works are likely to have a significant effect on otters through disturbance due to noise associated with marine and terrestrial plant, piling, dredging and earthworks associated with the reclamation area and workforce associated with the proposal. SNH further advised there is a risk that otters will stop using the area as a result of construction activities.
- 7.4 SNH advised that the Works are likely to have a significant effect on the harbour porpoise qualifying interest of the Inner Hebrides and the Minches SAC through noise generated by vibro piling, impact piling, dredging and rock breaking both within and outwith Loch Maddy.
- 7.5 MS-LOT agrees with SNH’s advice and has undertaken an AA for both the Loch nam Madadh SAC and the Inner Hebrides and the Minches SAC in respect of the qualifying interests listed above.

## **8 Appropriate assessment of the implications for the site in view of the site’s conservation objectives.**

- 8.1 MS-LOT has considered the application and supporting documentation including the HRA Report and CEMD submitted by CnES and the advice provided by SNH on 19 July 2019 to support this assessment.
- 8.2 In regards to the nam Madadh SAC and the Inner Hebrides and the Minches SAC, in its response dated 19 July 2019, SNH advised that the Works will not adversely affect the integrity of these sites for the respective designated features.
- 8.3 In regards to direct habitat loss, although the reclamation area will result in the loss of approximately 2500m<sup>2</sup> of intertidal zone which is likely to have been used to some degree by the local otter population, SNH consider this area to be of low quality, due to current levels of human activity and the muddy nature of the habitat, which is unlikely to support many prey species. In addition, SNH advised that the otter territory that overlaps with the Works area will have richer, more extensive foraging areas. SNH further advised that it is likely that the rock armouring will create new habitat for both resting and foraging otters.

- 8.4 SNH also advised that the Works have the potential to disturb otters and to temporarily exclude an individual or family group from foraging in the area during active construction due to the noise being generated by the Works. SNH further advised however that, given the level of current habituation, it is likely otter will continue to forage in the area. In addition, SNH advised otters using the Works area will hold a much more extensive territory and will have sufficient alternative foraging areas and lay-ups to utilise during the construction period noting that the construction phase will be limited to a nine to ten month period, after which activity levels will be only slightly higher than pre-construction levels.
- 8.5 SNH advised that the construction site materials/activities could also potentially pose a risk of otter injury or entrapment, but consider that the proposed mitigation measures will ensure that this risk is further reduced.
- 8.6 SNH concluded the Works will have a LSE on the otter feature of the Loch na Madadh SAC, however given the extent of alternative habitat available, the current level of habituation and the mitigation measures set out in the Environmental Impact Assessment (“EIA”) report (submitted as part of the application), the proposal will not adversely affect the integrity of the site.
- 8.7 In regards to the Inner Hebrides and the Minches SAC, SNH advised that underwater noise generated by vibro piling, impact piling, dredging and rock breaking activities associated with the Works has the potential to damage the hearing of harbour porpoise. SNH noted however that water depths in Loch Maddy are very shallow, averaging 10m, so the likelihood of porpoise being within the ranges and for the time required to cause such damage is very small, and therefore the likelihood of injury is very small. Although the risk of damage to hearing is low, there is still a risk. SNH therefore advised that the proposed mitigation, which specifies that piling will only commence if porpoises and other marine mammals are not observed within a 400m radius for 20 minutes, will reduce the risk further.
- 8.8 SNH further advised that although noise levels generated from the Works also have the potential to disturb porpoise outwith Loch Maddy, the sheltered nature of the bay and the islands surrounding will reduce the likelihood of noise propagation outwith Loch Maddy into the Inner Hebrides and the Minches SAC.
- 8.9 SNH concluded that given the localised nature of the works, the limited time period, and the enclosed nature/filtering effect of the bay and islands surrounding the Works it is unlikely that noise levels generated into the Inner Hebrides and the Minches SAC would disturb porpoise to the extent that it

would reduce the condition of the habitat or change the distribution of porpoise in the SAC, or how they use it and therefore the proposed activities will not adversely affect the integrity of the site.

- 8.10 MS-LOT concurs with the conclusions of SNH, that there will be no adverse effect on the site integrity of the Loch nam Madadh SAC or the Inner Hebrides and Minches SAC from the CnES proposal in isolation, subject to the implementation of the condition set out in Section 4. The condition requires CnES to adhere to the CEMD, which incorporates the mitigation measures set out in the EIA report.

## **9 In-combination assessment**

- 9.1 MS-LOT has carried out an in-combination assessment to ascertain whether the CnES proposal will have a cumulative effect with other plans or projects which, in-combination, would have the potential to affect the qualifying interests of the Loch nam Madadh SAC or the Inner Hebrides and the Minches SAC.

- 9.2 MS-LOT is not aware of any projects which currently have an active marine licence and/or consent under Section 36 of the Electricity Act 1989 (as amended) where LSE was identified on the qualifying interests of the Loch nam Madadh SAC.

- 9.3 MS-LOT is aware of the following projects which currently have an active marine licence and/or consent under Section 36 of the Electricity Act 1989 (as amended) and where LSE was identified on the qualifying interests of the Inner Hebrides and the Minches SAC. Each project has been considered as to whether it will have an in-combination effect with the CnES proposal.

### **9.4 Sgeir Mhor (Salmon) Ltd – Finfish Farm – Uig Bay, Isle of Skye**

- 9.4.1 The project involves the installation of a finfish farm consisting of 8 ring cages, 16 grid moorings, 15 buoys and 1 feed barge and was granted a marine licence on 12 October 2017.

- 9.4.2 The AA for this project concluded that there would be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC providing the proposal is undertaken in strict accordance with the predator control plan, detailed within the Environment Management Plan.

- 9.4.3 Provided that the Sgeir Mhor proposal is undertaken in accordance with the conditions set out in the AA and in accordance with the conditions set out in

the planning permission and the CnES proposal is undertaken in accordance with the condition in this AA, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Sgeir Mhor (Salmon) Ltd project.

## **9.5 Grieg Seafood - Finfish Farm - Loch Snizort East, Isle of Skye**

9.5.1 The project consists of an existing finfish farm, for which a marine licence was granted in 2016. The finfish farm consists of 10 ring cages of 120m circumference, 18 grid moorings, 18 buoys and 1 feed barge. The marine licence was subsequently varied to amend the licence to ensure consistency with the planning permission and an AA was undertaken by The Highland Council, which concluded that the proposal would not adversely affect the integrity of the Inner Hebrides and the Minches SAC.

9.5.2 An in-combination assessment was subsequently carried out by MS-LOT. Provided the conditions attached to the planning permission for the finfish farm and the condition in this AA are both adhered to, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Grieg Seafood project.

## **9.6 Mowi Scotland Ltd - Finfish Farm – Bagh Dail Nan Ceann**

9.6.1 The project consists of an existing finfish farm, for which a marine licence was granted in 2015. The finfish farm consists of 10 ring cages of 120m circumference, 24 grid moorings, 1 boat mooring and 1 feed barge. The marine licence was subsequently varied to install two additional 120m circumference cages and to move the feed barge. An AA was undertaken by Argyll and Bute Council, which concluded that the proposal would not adversely affect the integrity of the Inner Hebrides and the Minches SAC.

9.6.2 An in-combination assessment was subsequently carried out by MS-LOT. Provided the conditions attached to the planning permission for the finfish farm and the condition in this AA are both adhered to, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Mowi Scotland Ltd project.

## **9.7 Mowi Scotland Ltd - Finfish Farm – Poll na Gille**

- 9.7.1 A marine licence for the existing finfish farm was granted on 02 August 2016 and consists of 16 cages, 28 grid moorings, 1 permitted boat mooring and 1 feed barge. Planning permission was granted by Argyll and Bute Council on 08 March 2012.
- 9.7.2 A request was subsequently submitted to vary the existing marine licence to replace 16 100m circumference cages with 12 120m circumference cages and increase the moorings area. A varied marine licence was granted for the deposit of a marine farm consisting of 12 cages, 21 grid moorings, 1 raft and 1 feed barge.
- 9.7.3 An AA was undertaken by Argyll and Bute Council which concluded that the proposal would not adversely affect the integrity of the Inner Hebrides and the Minches SAC. An in-combination assessment was subsequently carried out by MS-LOT. Provided the conditions attached to the planning permission for the finfish farm and the condition in this AA are both adhered to, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Mowi Scotland Ltd project.

## **9.8 Mowi Scotland Ltd - Finfish Farm – Stulaigh Island, South Uist**

- 9.8.1 A marine licence for the existing finfish farm was granted on 30 August 2018 and consisted of 12 cages, 26 grid moorings, 3 permitted boat moorings and 1 feed barge. Planning permission was granted by CnES on 14 December 2015.
- 9.8.2 A variation was subsequently requested to replace 12 100m circumference cages with 14 120m circumference cages. The number of pens will be increased by filling in the existing matrix gap between the two original cage groups. Therefore, there will be no change to the moorings grid or the extent of the moorings area. A varied marine licence was granted for the deposit of a marine farm consisting of 14 cages, 26 grid moorings, 3 permitted boat moorings and 1 feed barge.
- 9.8.3 An AA was undertaken by Argyll and Bute Council which concluded that the proposal would not adversely affect the integrity of the Inner Hebrides and the Minches SAC. An in-combination assessment was subsequently carried out by MS-LOT. Provided the conditions attached to the planning permission for the finfish farm and the condition in this AA for the CnES proposal are both adhered to, MS-LOT concludes that there will be no adverse effect on the site

integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Mowi Scotland Ltd project.

### **9.9 Mowi Scotland Ltd – Finfish Farm – Sconser Quarry, Isle of Skye**

9.9.1 The project consists of the installation of a new finfish farm consisting of 12 cages, 34 grid moorings, 3 permitted single point moorings, 1 feed barge and 1 raft. An AA was undertaken by Argyll and Bute Council, which concluded that the works would not adversely affect the integrity of the Inner Hebrides and the Minches SAC. Planning permission was granted on appeal by Argyll and Bute Council on 29 November 2018.

9.9.2 An in-combination assessment was subsequently carried out by MS-LOT. Provided the conditions attached to the planning permission and the condition in this AA for the CnES proposal are both adhered to, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Mowi Scotland Ltd project.

### **9.10 The Scottish Salmon Company – Wellboat Discharge – Portree Outer Fish Farm, Loch Portree, Isle of Skye**

9.10.1 The project consists of discharge of used chemicals from wellboats. An AA was undertaken by SEPA, which concluded that the works would not adversely affect the integrity of the Inner Hebrides and the Minches SAC. A CAR licence was granted by SEPA on 07 March 2017 and a variation was subsequently granted on 25 April 2017. MS-LOT adopted the AA on 29 January 2019 and a marine licence was granted on 19 February 2019.

9.10.2 Provided the condition in this AA is implemented, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Scottish Salmon Company project.

### **9.11 The Scottish Salmon Company – Finfish Farm – Loch Odhairn**

9.11.1 A marine licence for the existing finfish farm was granted on 30 October 2014 consisting of 10 cages, 22 grid moorings, 1 feed barge and 2 permitted boat moorings. A variation was subsequently requested to add 2 cages, 18 grid moorings and a raft onto the existing licence. The varied licence was granted on 25 September 2019. An AA was undertaken by CnES, which concluded that the works would not adversely affect the integrity of the Inner Hebrides and the Minches SAC providing that mitigation measures were implemented

regarding the use of acoustic deterrent device's. Planning permission was granted on 20 August 2018.

9.11.2 An in-combination assessment was subsequently carried out by MS-LOT. Provided the conditions attached to the planning permission and the condition in this AA for the CnES proposal are both adhered to, MS-LOT concludes that there will be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the Scottish Salmon Company project.

## **9.12 Caledonian Maritime Assets Ltd ("CMAL"), upgrade to Tarbert ferry terminal including construction and dredging.**

9.12.1 The CMAL project is to upgrade the existing ferry terminal at Tarbert including the following components:

- Pier demolition, reconstruction and extension;
- Dredging and deposit of dredged substances or objects; and
- Extension of marshalling area through land reclamation, including construction of a rock armour revetment.

9.12.2 The existing pier will be demolished and temporary fendering will be installed with shore braces for support. The reconstructed and extended pier will be approximately 100m long and will be supported on approximately 50 new vertical and raked steel piles. The new pier will incorporate the existing inner and outer dolphins and sacrificial cathodic protection will be included to help to protect the pier structure from corrosion.

9.12.3 A capital dredge of 50,000 cubic metres will be undertaken across three dredge areas and all dredged substances or objects will be deposited at the designated Stornoway deposit site. An area of 13,000m<sup>2</sup> of land will be reclaimed by placing rock fill onto the firm gravel or rock of the seabed, exposed by the dredging activities. A rock armour revetment will be constructed to protect the reclaimed areas. Where access is limited, it is proposed to utilise grout filled mattresses instead of rock armour to ensure slope scour protection.

9.12.4 A full project description can be found [here](#).

9.12.5 The AA for this project concluded that there would be no adverse effect on the site integrity of the Inner Hebrides and the Minches SAC provided the condition in the AA is implemented. MS-LOT conclude that providing the CnES proposal project is undertaken in accordance with the condition in this AA there will be

no adverse impact on the Inner Hebrides and the Minches SAC as a result of the CnES proposal in-combination with the CMAL project.

## **10 MS-LOT Conclusion**

- 10.1 MS-LOT conclude that the CnES proposal will not adversely affect the site integrity of the Loch nam Madadh SAC or the Inner Hebrides and the Minches SAC in isolation or in combination with other plans or projects providing the condition set out in Section 4 is adhered to.**

## **SECTION 4: CONDITIONS**

### **11 Requirement for conditions**

- 11.1 The following condition is required to ensure the project will not adversely affect the site integrity of the Loch nam Madadh SAC or the Inner Hebrides and the Minches SAC:
- 11.1.1 The licensee must ensure that the works are carried out in accordance with the Construction Environmental Management Document (“CEMD”) (issue 1, dated 22 April 2019) submitted to the licensing authority, or any subsequent version, approved for the purpose by the licensing authority. In the event that the licensee wishes to update or amend the CEMD, the licensee must submit, in writing, details of proposed updates or amendments to the licensing authority for their written approval, no later than two months or at such a time as agreed with the licensing authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approvals. The CEMD must remain consistent with the application and supporting information.



Appendix 4. Berth, manoeuvring and caisson dredge areas.

