

Kirsty Windle  
Scottish Water  
[Redacted]

03 February 2025  
Our ref: CLC178678

Dear Kirsty,

**Scottish Water 5030630000 Maryburgh Trunk Main Diversion**

Thank you for your pre-application consultation on redirecting the trunk water main at Maryburgh, dated 18 November 2024.

**Summary**

- Conon Islands Special Area of Conservation (SAC) - There are natural heritage interests of international importance on the site, but our advice is that these will not be adversely affected by the proposal.
- Cromarty Firth Special Protection Area (SPA) - There are natural heritage interests of international importance on the site, but our advice is that these will not be adversely affected by the proposal.

**Appraisal**

**Conon Islands Special Area of Conservation (SAC)**

The proposal is within Conon Islands Special Area of Conservation (SAC) protected for its alder woodland on floodplains.

Our advice is that this proposal is likely to have a significant effect on the alder woodland on floodplains of Conon Islands SAC. Based on the information provided so far, our conclusion is that the proposal will not adversely affect the integrity of the site. Our assessment considered the impact of the proposals on the following factors:

- The preferred HDD contractors propose to use ecofriendly bentonite for the drilling activity. We welcome this however we remind the applicant that ecotoxicity refers to the biological, chemical, and physical effects on ecosystems.
- If there was a break-out, there would be a risk of damage to the feature. The nature and extent of this risk would depend on the nature and extent of the leak - if the bentonite

settled on the river bottom, or was washed downstream of the woodland feature, then it might affect the instream features, but wouldn't directly affect the woodland. However, if it broke out within the woodland itself, then it could smother woodland ground flora, leading to localised loss of habitat and potentially loss of typical species of the habitat.

- The entry/exit points are far enough from the SAC that it is unlikely that splashing of drilling muds will impact the woodland feature.
- The likelihood of breakout of drilling fluids depends on factors including depth of drilling, and the substrate that is being drilled through. We understand that drilling will take place below the estimated sandstone level which is >10m below the riverbed. The potential presence of historical boreholes along the proposed pipeline, and roots on the riverbanks and the island, introduce weaknesses which may be potential breakout points.
- In the event of a breakout, clean up may require access to the river. We advise that the contingency plan considers access points that will not damage alder woodland on the riverbanks.

### **Cromarty Firth Special Protection Area (SPA)**

The proposal could affect Cromarty Firth Special Protection Area (SPA) protected for its osprey, bar-tailed godwit, common tern, greylag goose, whooper swan, and waterfowl assemblage.

Our advice is that this proposal is likely to have a significant effect on the foraging habitats of the protected bird species of Cromarty Firth SPA. Based on the information provided so far, our conclusion is that the proposal will not adversely affect the integrity of the site. Our assessment considered the impact of the proposals on the following factors:

- Proposed works are >500m upstream from Cromarty Firth SPA. Outbreak of drilling fluids could impact on foraging habitat of qualifying species.
- Factors such as river discharge, salinity and tidal patterns as well as the amount of fluid released, and mud particle size all impact the ability of the river to disperse the sediment before it reaches the SPA.
- Many of the SPA bird species are wintering waterfowl. HDD works are proposed to start in spring 2026, and most likely last approx. 3 weeks. Therefore, reducing the likelihood of affecting the wintering species.
- The SPA is a large site, and that birds will be able to move away from the affected areas. It is likely that any impacts are temporary and reversible.

### **Additional Points**

To further reduce the impact in the event of breakout, we advise that you include a contingency plan with your final application. We are aware Scottish Water cannot provide detailed construction documents or a contingency plan until sub-contractors have been appointed. We would be happy to review these documents when they become available, and before construction begins, if this would be useful.

With regards to more specific timings of the works, SEPA may be able to advise on the best time of year to avoid the smolt and salmon runs.

Please see our standing advice on applying for a protected species licence for works that might affect freshwater pearl mussels: <https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/freshwater-pearl-mussels-and-licensing>.

Our comments are given without prejudice to a full and detailed consideration of the impacts of the proposal, should it be submitted as a formal application.

Yours sincerely,

Emily Milner-Smith  
Operations Officer / Central Highland  
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