

Defence Infrastructure Organisation

Sermpezi R (Rania)

From: DIO-Safeguarding-Offshore (MULTIUSER) <DIO-Safeguarding-Offshore@mod.gov.uk>
Sent: 23 May 2018 15:09
To: MS Major Projects
Subject: RE: 20180523-06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation-DIO 10043356-O

Good Afternoon Vikki,

Further to your e-mail below and after our investigation regarding the above development, I can confirm that the MOD has No Objection to this activity in the locations specified. I hope this information is sufficient for your purposes.

Regards

Mike

Michael Billings

Safeguarding Assistant
Estates – Safeguarding

**Defence
Infrastructure
Organisation**

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Read DIO's blog: <https://insidedio.blog.gov.uk/>



Defence Infrastructure Organisation

Historic Environment Scotland



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: MS.majorprojects@gov.scot

Marine Scotland (Aberdeen Office)
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: AMN/16/H
Our case ID: 300028692
Your ref: 06708 & 06709

14 June 2018

Dear Ms Bell

[Marine \(Scotland\) Act 2010, Part 4 Marine Licensing](#)
[The Marine Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 \(As Amended\)](#)
[Port of Cromarty Forth, Phase 4 Development, Invergordon Service Base](#)

Thank you for your consultation which we received on 22 May 2018. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from the relevant local authority archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We note that our historic environment issues have been scoped out of the EIA assessment and that there is no cultural heritage chapter within the EIA Report. However, we have considered the information contained in the submitted Protocol for Archaeological Discoveries (part of the Construction Environment Management Document) relating to the proposed development as Historic Environment Scotland (HES) is named in the Protocol. We can confirm that the document follows accepted guidelines and standards and is what we would expect in such a case. We can therefore advise that we consider it to be acceptable.

However, we note that there are a number of references in the document to consulting HES if unexpected discoveries or issues arise (Point 9.3 and Figure 9.1). We are uncertain whether HES should be consulted directly in such cases but we are aware that in similar instances Marine Scotland has been named as the first point of contact, as the regulatory body. We therefore seek clarification from Marine Scotland on this matter. It would also be helpful to inform the applicant accordingly.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

I can also confirm that we do not wish to object to the proposed development.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Urszula Szupczynska who can be contacted by phone on 0131 668 8653 or by email on Urszula.Szupczynska@hes.scot.

Yours sincerely

Historic Environment Scotland

Sermpezi R (Rania)

From: Denholm L (Laura) <laura.denholm@hes.scot>
Sent: 16 August 2018 13:22
To: MS Major Projects
Subject: RE: 06708/06709 - Port of Cromarty Firth - Planning ES Consultation - HES Response

Many thanks Louise, I've passed this onto the officer dealing with the case.

Laura

-----Original Message-----

From: Louise.Wilcox@gov.scot [mailto:Louise.Wilcox@gov.scot] On Behalf Of ms.majorprojects@gov.scot
Sent: 15 August 2018 14:06
To: Denholm L (Laura) <laura.denholm@hes.scot>; ms.majorprojects@gov.scot
Cc: Victoria.Bell@gov.scot
Subject: RE: 06708/06709 - Port of Cromarty Firth - Planning ES Consultation - HES Response

Dear Laura,

In follow up to our telephone conversation, I can confirm that it is most appropriate for HES to be the point of contact for any archaeological discoveries on this project as they have the expertise to be able to provide appropriate advice.

In cases where there is a specific concern which requires a condition on the licence, MS-LOT may wish to be contacted however for this project, this is not necessary.

Kind Regards,

Louise

Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB General Queries: +44 (0)300 244 5046

Email: ms.majorprojects@gov.scot

Website: <http://www.scotland.gov.uk/marinescotland>

Health & Safety Executive

Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Chemical Explosives
Microbiologist Hazards Division

Kirsten Laidlaw
CEMHD Unit 1 HOU & Support

59 Belford Road
Edinburgh
EH4 3UE

Tel: 020 3028 2380
kirsten.laidlaw@hse.gov.uk

<http://www.hse.gov.uk/>

Principal Inspector:
Mr. Greg Haywood

Our ref: EIA/Port of Cromarty/Phase 4/5.2.1.772.

Date: 25 May 2018

Dear Sirs,

**ENVIRONMENTAL ASSESSMENT FOR PROPOSED DEVELOPMENT AT PORT OF CROMARTY
FIRTH, PHASE 4 DEVELOPMENT.**

Thank you for your email of 22 May 2018, enclosing a copy of the environmental statement for the proposed development by Affric Limited at Port of Cromarty, Highlands.

Environmental Impact Assessments are concerned with projects which are likely to have significant effects on the environment. HSE's principal concerns are the health and safety of people affected by work activities. HSE has no comments on this environmental statement.

Yours faithfully



Kirsten Laidlaw
Administration

Maritime and Coastguard Agency

Sermpezi R (Rania)

From: navigation safety <navigationsafety@mcga.gov.uk>
Sent: 19 June 2018 15:47
To: MS Major Projects
Subject: RE: 06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation - Response due by 24 June 2018

Dear Marine Scotland,

**06708 – Port of Cromarty Firth – Phase 4 Development – Quayside Construction – Invergordon Service Base And
06709 – Port of Cromarty Firth – Phase 4 Development – Capital Dredging & Deposit of Dredged Spoil –
Invergordon Service Base**

Thank you for the opportunity to comment on the potential impact of the above proposed works on the safety of navigation.

The Marine Licence application and supporting documentation have been considered by Navigation Safety Branch. On this occasion, the Maritime and Coastguard Agency (MCA) has no objection to consent being granted provided all maritime safety legislation is followed and the conditions below are applied:

Conditions:

1. The Licencee must ensure that HM Coastguard, in this case nmoccontroller@hmcg.gov.uk, The National Maritime Operations Centre is made aware of the works prior to commencement.
2. The Licencee must notify the UK Hydrographic Office to permit the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.
3. Any consented cable/pipeline protection works must ensure existing and future safe navigation is not compromised. The MCA would accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum but under no circumstances should depth reductions compromise safe navigation.

Advice:

1. The Consent Holder should ensure suitable bunding, storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.
2. Any jack up barges / vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.
3. The site is within port limits and the applicant should gain the approval/agreement of the responsible local navigation authority or the Harbour Authority/Commissioners/Council. They may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.
4. Licensees are reminded of their legal obligation, under part 9 of the Merchant Shipping Act 1995, to report all recoveries of wreck material to the Receiver of Wreck. This must be done within 28 days of recovery. Failure to report the recovery of wreck material to the Receiver is a criminal offence. Additional information and a report of wreck and salvage form can be found at www.gov.uk/guidance/wreck-and-salvage-law.

If you require any further information please let me know.

Yours sincerely,

Navigation Safety
Maritime and Coastguard Agency

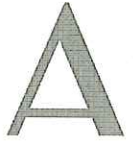
Northern Lighthouse Board

Northern Lighthouse Board

Your Ref: 06708/06709
Our Ref: GB/OPS/ML/C8_02_087

Ms Vikki Bell
Marine Licensing Casework Manager
Marine Scotland – Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
ABERDEEN
AB11 9DB

84 George Street
Edinburgh EH2 3DA
Switchboard: 0131 473 3100
Fax: 0131 220 2093
Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk



07 June 2018

Dear Vikki

MARINE (SCOTLAND) ACT 2010 – PART 4 MARINE LICENSING – THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED) : PORT OF CROMARTY FIRTH (PER LEAPMOOR LLP) – PHASE IV DEVELOPMENT QUAYSIDE CONSTRUCTION AND CAPITAL DREDGING AND DEPOSIT OF DREDGED SPOIL AT INVERGORDON SERVICE BASE

Thank you for your e-mail correspondence dated 22 May 2018 regarding the proposal by **Port of Cromarty Firth (per Leapmoor LLP)** to undertake phase IV development at the Invergordon Service Base, Cromarty Firth, to provide additional laydown and berthing for larger vessels and a capital dredging campaign in support of the construction.

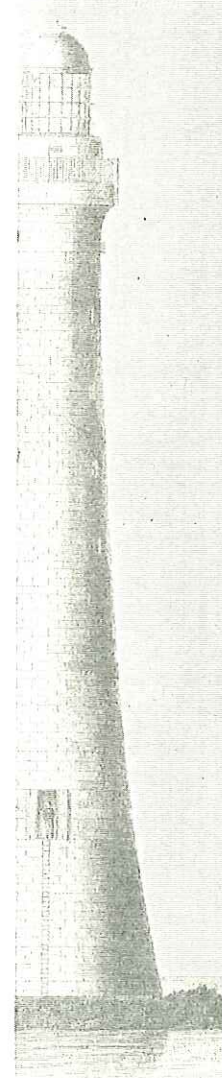
Northern Lighthouse Board has no objections to the proposed works or capital dredging and deposit of dredged spoil, and recommend the following:

Quayside Construction (06708)

- During the construction we would require that adequate notice is given to the mariner using Notice to Mariners clearly stating the nature and duration of the works.
- **Port of Cromarty Firth** should review the existing and future AtoN (Aid to Navigation) requirement for the phase IV development.
- If there is a requirement to permanently relocate the existing navigation lights; the Statutory Sanction of the Northern Lighthouse Board must be sought prior to the alteration. "Application for Statutory Sanction" forms are available on request from navigation@nlb.org.uk, the applicant should complete the form and return it to the Northern Lighthouse Board for processing.
- UK Hydrographic Office (sdr@ukho.gov.uk) should be notified of the revised layout of the proposed berthing structure including the position of the navigation lights in order that chart BA1889 can be revised accordingly.

For the safety of

Certified to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS



07 June 2018

Capital Dredging and Deposit of Dredged Spoil (06709)

- Marine safety information as considered appropriate is issued prior to the commencement of the dredging campaign.
- **Port of Cromarty Firth** should inform the UK Hydrographic Office (sdr@ukho.gov.uk) of the revised water depths.

Yours sincerely



Peter Douglas
Navigation Manager

Royal Society for the Protection of Birds Scotland

Marine Planning & Policy

Marine Scotland

By email: ms.majorprojects@gov.scot

Date: 19/06/2018

Dear Sir or Madam,

06708 – Port of Cromarty Firth (per Leapmoor LLP) – Phase 4 Development - Quayside Construction, Invergordon Service Base

I write on behalf of RSPB Scotland in response to the above application for the Phase 4 construction of the Invergordon service base. RSPB has **no objection** to the application but wishes to make the following comments.

In our previous scoping comments we raised concerns regarding the construction and operational disturbance that this development may cause, especially for breeding terns. Arctic and common terns are both listed under Annex 1 of the Birds Directive and are on the amber list of Bird of Conservation concern. Common tern are also a qualifying interest of the Cromarty firth SPA, contributing to at least 2.4% of the British population.

We are satisfied that the Breeding Bird Species Protection Plan (BBSPP) will act to protect nesting birds during construction if strictly adhered to. We are pleased that the removal of the rock armour is planned to take place out with the main breeding season. We recommend that the same measures listed in the BBSPP are applied to the removed rock, as we don't think the suggested fencing will prevent nesting attempts.

Further rock armour installation may result in greater numbers of breeding terns at the port which would be a positive outcome of this development however we are aware the presence of these colonies can lead to conflicts between the birds and the port's operations. We know the authority has trialled several techniques for the management of terns at Invergordon with varied success; we therefore recommend that if the development is granted planning permission a condition is imposed for the creation and

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IV2 3BW
rspb.org.uk

Tel 01463 715000
Fax 01408 715315

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Patron: Her Majesty the Queen **Chairman of Council:** Professor Steve Ormerod, FIEEM **President:** Miranda Krestovnikoff
Chairman, Committee for Scotland: Professor Colin Galbraith **Director, RSPB Scotland:** Anne McCall **Regional Director:** George Campbell

The RSPB is a registered charity in England and Wales 207076, in Scotland SCO37654

implementation of a management plan, agreed with SNH, for the management of the overall site positively for these important tern species. RSPB Scotland is happy to be consulted in the creation of such a plan.

I hope you find my comments useful. Please do not hesitate to contact me if RSPB can be of any further assistance.

Yours faithfully

Phil Dowling

Assistant Conservation Officer, North Scotland.

**North Scotland
Office** **Tel** 01463 715000
Fax 01408 715315
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Beechwood Park
Inverness
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Patron: Her Majesty the Queen **Chairman of Council:** Professor Steve Ormerod, FIEEM **President:** Miranda Krestovnikoff
Chairman, Committee for Scotland: Professor Colin Galbraith **Director, RSPB Scotland:** Anne McCall **Regional Director:** George Campbell

The RSPB is a registered charity in England and Wales 207076, in Scotland SCO37654

Sermpezi R (Rania)

From: Phil Dowling <Phil.Dowling@rspb.org.uk>
Sent: 07 August 2018 11:02
To: MS Major Projects
Subject: RE: RSPB response - Quayside Construction, Invergordon Service Base

Hi Vikki,

Thank you for contacting me regarding these changes to the application's documents, I can confirm that these updates address the comments made in the response sent from RSPB Scotland in June 2018.

Kind regards,
Phil.

From: Victoria.Bell@gov.scot <Victoria.Bell@gov.scot> **On Behalf Of** ms.majorprojects@gov.scot
Sent: 07 August 2018 10:45
To: Phil Dowling <Phil.Dowling@rspb.org.uk>
Subject: RE: RSPB response - Quayside Construction, Invergordon Service Base
Importance: High

Good morning Phil

Further to my previous email, in regards to your recommendation "*that the same measures listed in the BBSP are applied to the removed rock*" the applicant has proposed the following text to be added to the BBSP:

"Pre-construction surveys will take place for breeding birds before any rock armour on the west side of Phase 3 is removed. The pre-construction surveys must take place no more than 48 hours before the rock armour removal is due to take place. If rock armour has been stockpiled and left undisturbed for a period exceeding seven days during the bird breeding season (March-August), the stock piles will be surveyed prior to use."

Again, I should be grateful if you would please confirm if this addresses your comments.

Kind regards

Vikki

From: Bell V (Victoria) **On Behalf Of** MS Major Projects
Sent: 06 August 2018 17:33
To: Phil Dowling <Phil.Dowling@rspb.org.uk>
Subject: RE: RSPB response - Quayside Construction, Invergordon Service Base
Importance: High

Good afternoon Phil

Thank you for your response.

In reference to your comments regarding breeding terns the applicant has inserted the following text into sections 11.2.5 and 14 of the updated CEMD (attached):

"During the Operation of the Phase 4 Development, PoCF will remain vigilant for signs of terns utilising the Phase 4 area. If terns are observed utilising the area, PoCF will consult with SNH and

RSPB to develop appropriate mitigation measures to minimise potential impacts on terns which may result from the operation of the Phase 4 facilities.”

The marine licence will include a condition which requires the licensee to adhere to all commitments made within the CEMD/SoM including the above.

I should be grateful if you would please confirm if this addresses your comments. We are looking to make a determination on this application imminently and would therefore appreciate a response as soon as possible.

Kind regards

Vikki

Victoria Bell
Marine Licensing Casework Manager

Marine Scotland - Marine Planning & Policy – Licensing Operations Team – Major Projects
Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Dial: +44 (0)131 244 3451
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Email: ms.majorprojects@gov.scot
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

Frequently
Asked
Questions

Royal Yachting Association

Sermpezi R (Rania)

From: Pauline McGrow <Pauline.McGrow@ryascotland.org.uk>
Sent: 24 May 2018 15:36
To: MS Major Projects
Subject: RE: 06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation - Response due by 24 June 2018



Hi Vikki,

I write to inform you that RYA Scotland has no objections to this application.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Tel: 0131 317 4611

Royal Yachting Association Scotland
T: 0131 317 7388
E: pauline.mcgrow@ryascotland.org.uk



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
T: 0131 317 7388, Fax: 0844 556 9549



Scottish Environment Protection Agency

Our ref: PCS/159241
Your ref: 06708 & 06709

If telephoning ask for:
Susan Haslam

23 May 2018

Vikki Ball
Marine Scotland
Aberdeen

By email only to: ms.majorprojects@gov.scot

Dear Ms Ball

Marine (Scotland) Act 2010

**The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Phase 4 Development, Cromarty Firth Port Authority, Shore Road, Invergordon,
IV18 0HD**

(1) Quayside Construction, Invergordon Service Base

(2) Capital Dredging & Deposit of Dredged Spoil, Invergordon Service Base

Thank you for your consultation email which SEPA received on 23 May 2018. We thank the applicant for also sending us the information.

Advice for the determining authority

In line with our email of 12 February 2018 following the meeting of 6 February 2018 we refer you to our Standing Advice for this development.

If there are any specific issues which are not covered by our standing advice that you would like advice on then please feel free to re-consult us on those aspects, highlighting the advice required.

Regulatory advice for the applicant

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If required you should seek an amendment to your PPC / CAR authorisation to cover changes in drainage.

If you are unable to find the advice you need, or which to discuss your drainage issues further then please contact a member of the regulatory team in your local SEPA office at: Graesser House, Fodderty Way, Dingwall Business Park, Dingwall, IV15 9XB - Tel: 01349 862021.

Should you wish to discuss this letter please do not hesitate to contact me on 01349 860359 or planning.dingwall@sepa.org.uk.

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

ECopy to: Fiona.Henderson@affriclimited.co.uk; phase4@pocf.co.uk

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Scottish Natural Heritage



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

By email: ms.majorprojects@gov.scot

29th June 2018
Our ref: A2663398

For the attention of Victoria Bell

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (AS AMENDED)
06708 – PORT OF CROMARTY FIRTH (PER LEAPMOOR LLP) – PHASE 4
DEVELOPMENT - QUAYSIDE CONSTRUCTION, INVERGORDON SERVICE BASE
06709 – PORT OF CROMARTY FIRTH (PER LEAPMOOR LLP) – PHASE 4
DEVELOPMENT - CAPITAL DREDGING & DEPOSIT OF DREDGED SPOIL,
INVERGORDON SERVICE BASE**

Thank you for consulting us on the above proposal.

SUMMARY

There are natural heritage interests of international importance on the site, but in our view, these will not be adversely affected by the proposal.

BACKGROUND

We have had multiple meetings with the developer and their agents on this development proposal over the last 3 years. As a result of these pre-application discussions the current proposal has been modified so that it no longer results in the direct loss of intertidal habitat. This will significantly reduce impacts on the Cromarty Firth Special Protection Area (SPA). The current proposal has also built on the monitoring and assessment of earlier phases of work at Invergordon (most notably Phase 3) and this has resulted in a better understanding of likely impacts and has enabled mitigation to be tailored to the current proposal.

OUR ADVICE

The proposal is close to and could affect a number of European designated sites including:

- Moray Firth Special Area of Conservation (SAC)
- Dornoch Firth and Morrich More SAC
- Cromarty Firth SPA and Ramsar site
- Moray Firth proposed SPA (pSPA)
- The proposal is also close to the Cromarty Firth Site of Special Scientific Interest (SSSI) and European Protected Species (cetacean and otter) are present in the area.

Scottish Natural Heritage, Fodderty Way, Dingwall Business Park, Dingwall, Ross-shire. IV15 9XB
Tel: 01463 701610 Website: www.nature.scot

Dualchas Nàdair na h-Alba, Slighe Fodhraidh, Pàirc Gnìomhachas Inbhir Pheofharain, Inbhir Pheofharain,
Siorrachd Rois. IV15 9XB
Fòn: 01463 701610 Làrach-lìn: www.snh.gov.uk/gaelic

Further information on the special features and conservation objectives for these designated sites and protected species can be found on our [website](#).

The sites' status mean that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply. Consequently, the Marine Scotland is required to consider the effect of the proposal on these designations before it can be consented. Our website has a summary of the [legislative requirements](#).

APPRAISAL OF IMPACTS

Moray Firth SAC – bottlenose dolphins

The Sutors is the most used location for the most dolphins within the entire SAC and the North East Scotland dolphin population as a whole. The dolphins use the Sutors seasonally, but they occur there year round. Vessel movements associated with this proposal (and in combination with other activities in the Cromarty Firth and close by) could result in disturbance to the dolphins. Vibro and percussion piling will be deployed - the impacts on dolphins of underwater noise associated with piling are well documented. Dredge disposal operations may result in the direct injury to animals should they be within the immediate vicinity of the vessel when materials are being disposed of.

In our view, this proposal is therefore likely to have a significant effect on the bottlenose dolphin interest of site. Consequently, Marine Scotland, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives. To help you do this we advise that whilst there will be a likely significant effect, the proposal will not adversely affect the integrity of the site.

In relation to vessel movements we advise the proposal will not adversely affect the integrity of the site because the developer has provided information in the Environmental Impact Assessment Report (EIAR) that demonstrates vessels will be managed to safeguard the dolphin interest, in accordance with Port of Cromarty Firth (PoCF) protocols. Whilst this information is already present within the application documentation, we have agreed with the applicant that, for clarity, this should be pulled together into a Vessel Management Plan (VMP). Specifically the applicant has agreed that a VMP will be prepared and included in the next revision of the Construction Environment Management Plan. Unless otherwise stated, the provisions within the VMP will apply to vessels exceeding 10m in length and include the following:

1. Vessel descriptions and expected times.
2. Agreement that upon entering PoCF's Port Limits, vessels will transit to the Phase 4 development using the main navigational channel, unless otherwise required for reasons of safe navigation.
3. Agreement that vessels will maintain constant speed and direction when transiting between the Phase 4 development and the disposal ground, unless otherwise required for reasons of safe navigation.
4. Agreement that vessels will adhere to set routes (in accordance with the general requirements of PoCF) between the Phase 4 development and the disposal ground.
5. All vessels, including vessels under 10m in length, will adhere to the general principles in the [Scottish Marine Wildlife Watching Code](#) when undertaking their activities.

In addition to these points, we recommend that, as far as is practically possible, the PoCF coordinate movements of vessels related to the Phase 4 development alongside other developments and activities taking place at the same time. The aim of this should be to spread out vessel activity as far as possible so that it does not occur simultaneously as the number of vessels operating at the same time is a key factor in determining the likelihood and level of disturbance.

In relation to piling and underwater noise we advise the proposal will not adversely affect the integrity of the site because the developer has committed to adhere to the mitigation measures described in the Piling Marine Mammal Mitigation/Piling Marine Mammal Protocol Construction and Environment Management Document (CEMD). The mitigation measures described in these documents should be included as conditions in any marine licences granted. Please note this includes adherence to [JNCC's piling guidance](#), including the use of soft start/ramp up.

As part of the consultation process we contacted the applicants' agent to highlight that the maximum predicted Permanent Threshold Shift (PTS) impact ranges of 690m for Low Frequency and High Frequency cetaceans (see EIAR main report, Table 12.5.5) should be reflected in the mitigation zone in order to prevent an animal being within the PTS impact range. The applicant subsequently provided a justification as to why the proposed 500m mitigation zone was considered to be appropriate and we have accepted their justification. We do however recommend that the applicant monitor actual sound levels at 500m and 690m from the noise source.

In relation to dredge disposal we advise the proposal will not adversely affect the integrity of the site because the developer has committed to adhere to the mitigation measures described in the Dredged Spoil Disposal Marine Mammal Mitigation /Dredging for Sea Disposal Protocol CEMD. These mitigation measures should be included as conditions in any marine licences granted.

Moray Firth SAC – subtidal sandbanks

This proposal has the potential to have a significant effect on the subtidal sandbank interest of the Moray Firth SAC due to the redistribution of sediments. An appropriate assessment is therefore required to determine if the proposal will have an adverse impact on the integrity of the SAC. To help you do this, we advise that, based on the information provided the proposed disposal campaign will not adversely affect the integrity of the subtidal sandbanks or associated features such as horse mussel beds. This is because the coastal processes are substantially unchanged as far as this feature is concerned. The Sutors disposal site has experienced dredging and disposal operations for decades (and before designation of the SAC) with most of the previous depositions being in excess of the volumes involved in this particular proposal and there have not been any apparent lasting adverse impacts.

You may wish to carry out further appraisal before completing the appropriate assessment.

Dornoch Firth and Morrich More SAC – common seals

In our view, this proposal is likely to have a significant effect on the common seal interest of site. There is a [designated haulout](#) for common seals in the Cromarty Firth (see [MF-005](#)). This is within 50km from the Dornoch Firth and Morrich More SAC and there is therefore connectivity between that SAC and the common seals that occur in the Cromarty Firth. Seals using this haulout will be transiting past the development area and have the potential to be disturbed as a result of increased vessel traffic and underwater noise from piling. Consequently, Marine Scotland, as competent authority, is required to carry out an

appropriate assessment in view of the site's conservation objectives. To help you do this we advise that whilst there will be a likely significant effect, the proposal will not adversely affect the integrity of the site. This is because the developer has committed to adhere to the mitigation measures described in the Piling Marine Mammal Mitigation/ Piling Marine Mammal Protocol CEMD. These mitigation measures should be included as conditions in any marine licences granted. In addition the Dredged Spoil Disposal Marine Mammal Mitigation and Vessel Management Plan will also help to minimise disturbance to common seals.

Cromarty Firth SPA and Moray Firth pSPA

In our view, this proposal is likely to have a significant effect on the Cromarty Firth SPA (and Ramsar site) and the Moray Firth pSPA. These effects relate to disturbance and habitat changes associated with vessel movements and activity (including noise and visual disturbance) and construction/operation activity. Consequently, Marine Scotland, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for the qualifying bird species. To help you do this we advise that whilst there will be a likely significant effect, the proposal will not adversely affect the integrity of the site. Detailed assessment of individual species in relation to site conservation objectives are set out in Annex 1, but a summary of our advice for each SPA is provided below.

Cromarty Firth SPA - species for the Cromarty Firth SPA can be aggregated into specific groups: wintering waders using intertidal habitats; wintering waterfowl (seaduck and swans) which may use shallow water and deeper water habitats, depending on species ecology and residual species, including common tern (breeding) and osprey (breeding).

The main area for intertidal waders that is likely to be affected is the Dalmore Bay section of the Cromarty Firth SPA. In general, numbers across this area are relatively small and most of the sections are a sufficient distance from the proposed lay-down area for disturbance (noise and visual) to be minimal. Only sections A and B are within generally accepted disturbance distances for many waders using intertidal habitats, and numbers in both these sections, though regular in occurrence are small in number. Predictions from current and sediment modelling suggest only very minor habitat amendment. It is accepted that all the conservation objectives for these species will be met.

As far as wintering waterfowl are concerned, there is less clarity for these species (including pintail, wigeon, red-breasted merganser, whooper swan, greylag goose and scaup). Of these species, wigeon, greylag goose and whooper swan are likely to be using shallow water habitats, especially those within Nigg and Udale Bays. Data suggest this is where the majority of these species occur. Red-breasted merganser, pintail and scaup are likely to use deeper water habitats. It is believed that the main scaup flock is located away from the development site and the main vessel channels. It is less clear where the main flocks for red-breasted merganser and pintail occur though larger pintail flock are generally recorded in Nigg Bay. It is accepted that all the conservation objectives for these species will be met.

There is a significant colony of common terns at the Invergordon Service Base. Despite this, the proposed works are not expected to impact directly on the common terns as the construction area is located away from the colony by Berth 4 and at the end of the Queen's Dock. It is likely that the colony is already subject to a relatively high level of disturbance, and is therefore likely to be tolerant/habituated to this. No adverse impact on water quality and therefore feeding conditions is likely. Terns can move at least several hundred meters away from breeding site to forage, and may extend foraging range even further, which suggests that any localised effects from dredging round the proposed expansion of the lay-down area will be negligible.

Osprey do not use the site for breeding but feed in shallow waters on fish, such as flounders. The proposed works at the port are very unlikely to affect shallow water feeding areas (e.g. those in Nigg and Udale Bays) used by feeding osprey.

Please note our advice in relation to the Cromarty Firth SPA also applies to the Cromarty Firth SSSI.

Moray Firth pSPA - The Moray Firth pSPA is currently regarded as being important for a range of wintering seaduck, grebes and divers. The distribution of waterfowl species in the Moray Firth pSPA suggest that the likely increase in vessel traffic will not have an adverse effect on wintering waterfowl populations. There is a significant colony of breeding shag at the entrance to the Cromarty Firth. Shags are visual feeders and loss of visibility may have an effect on feeding, most of which is done within short distance of colony in reasonably shallow water (up to about 30-40m). The disposal of dredge material here could affect shag given that this could result in a change to the benthos and/or an increase in water turbidity. However, the timing of the dredging and the relative volume of material to be disposed of is unlikely to have an adverse impact and the effect of increased turbidity due to sediment disposal will be transient in nature.

EUROPEAN PROTECTED SPECIES (EPS)

Cetaceans

There are a number of cetacean EPS species present in the Moray Firth. The main species, in addition to the dolphins, are porpoise and minke whale. Others (including humpback whales and orcas) may be in the vicinity but are likely to be transient in nature, occur in low numbers.

We therefore advise that an EPS license is required for both the dredging and construction activities. However, in our view, the proposal will not impact on Favorable Conservation Status for any cetacean species, provided the mitigation set out in EIAR and CEMD and the VMP is applied.

Otter

We note that otter will be included with the Species Protection Plan and this species is included in the CEMD. We also note that an Environmental Clerk of Works will be appointed to oversee construction and that a pre-construction otter survey will be carried out to understand up to date activity levels in the area and potential for holts and layups within 200m of the construction site. An EPS licence will be applied for if required, depending on the outcome of the surveys.

CONCLUDING COMMENTS

Please contact me if you have any questions or require further clarification on this letter.

Yours sincerely,

Ben Leyshon
Operations Officer
South Highland
Ben.leyshon@nature.scot

cc: ms.majorprojects@gov.scot

ANNEX 1

CROMARTY FIRTH SPA AND MORAY FIRTH pSPA SPECIES ASSESSMENT

| | | | |
|---|--|-------------|---|
| Site: | Cromarty Firth SPA | | |
| Species: | Bar-tailed godwit (Limosa lapponica), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Very few individuals use intertidal habitats close to the development site |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most intertidal areas are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for bar-tailed godwit will all be met. | | |

| | |
|--|--|
| Site: | Cromarty Firth SPA |
| Species: | Curlew (<i>Numenius arquata</i>), non-breeding |
| <p>To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> | |

| Conservation objective | Phase | Met/not met | Impact and effect |
|---|---|-------------|---|
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Very few individuals use intertidal habitats close to the development site. Birds do not appear to use site for roosting, |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most intertidal areas are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for curlew will all be met. | | |

| | | | |
|---|--|-------------|---|
| Site: | Cromarty Firth SPA | | |
| Species: | Dunlin (<i>Calidris alpina alpina</i>), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Very few individuals use intertidal habitats close to the development site. Small numbers may occasionally roost on site but displacement from site activities very unlikely, |

| | | | |
|---|---|-----|---|
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most intertidal areas are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for dunlin will all be met. | | |

| Site: | Cromarty Firth SPA | | |
|---|--|-------------|---|
| Species: | Greylag goose (<i>Anser anser</i>), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Geese do not appear to use site for roosting. The main areas for nocturnal roosts are likely to be the extensive mud flats of Nigg and Udale Bays. Feeding inland during the day. |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal habitats |

| | | | |
|---|--|-----|--|
| No significant disturbance of the species | Construction/ Operation | Met | Roost areas are a sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for greylag goose will all be met. | | |

| | | | |
|---|---|-------------|---|
| Site: | Cromarty Firth SPA | | |
| Species: | Knot (Calidris canutus), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Very few individuals use intertidal habitats close to the development site. Birds do not appear to use site for roosting, |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most intertidal areas are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for knot will all be met. | | |

| | | | |
|-----------------|---|--|--|
| Site: | Cromarty Firth SPA | | |
| Species: | Osprey (<i>Pandion haliaetus</i>), breeding | | |

| <p>To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> | | | |
|--|---|-------------|---|
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Osprey use the Cromarty Firth for feeding. None of the proposed activities will affect potential feeding areas for osprey. |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal or other habitats over which osprey feed. |
| No significant disturbance of the species | Construction/ Operation | Met | Osprey do not use the areas affected by the proposed development. |
| Summary | Conservation objectives for osprey will all be met. | | |

| | | | |
|---|--|-------------|------------------------------|
| Site: | Cromarty Firth SPA | | |
| Species: | Oystercatcher (<i>Haematopus ostralegus</i>), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |

| | | | |
|---|--|-----|--|
| Distribution of the species within site | Construction/ Operation | Met | Reasonable numbers of oystercatcher use intertidal habitats close to the development site, for feeding and occasional roosting. However, it is not expected that development activity will lead to displacement of oystercatcher from these areas. |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most intertidal areas along Dalmore Bay are sufficient distance away from the lay-down area to limit potential for disturbance for oystercatcher. |
| Summary | Conservation objectives for oystercatcher will all be met. | | |

| Site: | Cromarty Firth SPA | | |
|---|---|-------------|---|
| Species: | Pintail (<i>Anas acuta</i>), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | There is a significant flock of pintail within the Cromarty Firth. Main flocks appear to occur in the Nigg Bay area, so any effect arising from construction and increased shipping movements is likely to be negligible. |

| | | | |
|---|--|-----|--|
| Distribution and extent of habitats supporting the species | Construction/Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/Operation | Met | Most intertidal areas are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for pintail will all be met. | | |

| | | | |
|---|---|-------------|--|
| Site: | Cromarty Firth SPA | | |
| Species: | Red-breasted merganser (<i>Mergus serrator</i>), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/Operation | Met | Historic data suggests red-breasted mergansers are widely distributed within the Cromarty Firth, with substantial concentrations in the inner Cromarty Firth and along the southern shore, especially Udale Bay and eastwards. |
| Distribution and extent of habitats supporting the species | Construction/Operation | Met | No significant effect on habitat likely |

| | | | |
|---|---|-----|---|
| Structure, function and supporting processes of habitats supporting the species | Construction/Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/Operation | Met | Relatively low numbers recorded around Invergordon and offshore from Dalmore. Disturbance from construction and operation of the expanded lay-down area is likely to be negligible, an increased vessel traffic will not adversely affect red-breasted merganser. |
| Summary | Conservation objectives for red-breasted merganser will be met. | | |

| | | | |
|---|---|-------------|---|
| Site: | Cromarty Firth SPA | | |
| Species: | Redshank (Tringa totanus), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/Operation | Met | Few individuals use intertidal habitats close to the development site. Birds do not appear to use site for roosting consistently. |
| Distribution and extent of habitats supporting the species | Construction/Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal habitats |

| | | | |
|---|---|-----|--|
| No significant disturbance of the species | Construction/Operation | Met | Most intertidal areas are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for redshank will all be met. | | |

| | | | |
|---|--|--------------------|---|
| Site: | Cromarty Firth SPA | | |
| Species: | Scaup (Aythya marila), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/n ot met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Most scaup appear to use an offshore area between Jemimaville and Cromarty, which is well away from vessel traffic. |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Vessel traffic will take place away from main scaup flock. |
| Summary | Conservation objectives for scaup will all be met. | | |

| | | | |
|-----------------|---|--|--|
| Site: | Cromarty Firth SPA | | |
| Species: | Whooper swan (<i>Cygnus cygnus</i>), non-breeding | | |

| <p>To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> | | | |
|--|---|-------------|---|
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |
| Distribution of the species within site | Construction/ Operation | Met | Whooper swan do not use the development site nor do they occur within the main vessel movement channel(s). |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most areas used by wintering whooper swan in the Cromarty Firth are likely to be a sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for whooper swan will all be met. | | |

| | | | |
|---|---|-------------|------------------------------|
| Site: | Cromarty Firth SPA | | |
| Species: | Wigeon (<i>Anas penelope</i>), non-breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species predicted |

| | | | |
|---|---|-----|---|
| Distribution of the species within site | Construction/ Operation | Met | Very few individuals use intertidal habitats close to the development site. Main areas for wigeon are Nigg & Udale Bays, where wigeon fed in shallow, intertidal and supra-tidal areas. |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat likely |
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are not expected to significantly change intertidal habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most areas used by whooper swan are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for whooper swan will all be met. | | |

| Site: | Cromarty Firth SPA | | |
|---|----------------------------|--------------------|---|
| Species: | Waterfowl assemblage | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/n ot met | Impact and effect |
| Population of the species as a viable component of the site | Construction/ Operation | Met | No loss of species contributing to the assemblage is predicted |
| Distribution of the species within site | Construction/ Operation | Met | Very few individuals contributing to the assemblage use intertidal and deeper water habitats close to the development site. |
| Distribution and extent of habitats supporting the species | Construction/ Operation | Met | No significant effect on habitat used by contributing species is likely |

| | | | |
|---|---|-----|---|
| Structure, function and supporting processes of habitats supporting the species | Construction/ Operation | Met | Sedimentation and other effects are note expected to significantly change intertidal and deeper water habitats |
| No significant disturbance of the species | Construction/ Operation | Met | Most intertidal and deeper water areas used by main species contributing to the waterfowl assemblage are sufficient distance away to limit potential for disturbance. |
| Summary | Conservation objectives for the waterfowl assemblage will all be met. | | |

| | | | |
|---|---|-------------|---|
| Site: | Moray Firth (pSPA) | | |
| Species: | Shag (<i>Phalacrocorax aristotelis</i>), breeding | | |
| To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained: and To ensure for the qualifying species that the following are maintained in the long term: | | | |
| Conservation objective | Phase | Met/not met | Impact and effect |
| Population of the species as a viable component of the site | Construction/maintenance dredging | Met | Dredging disposal work is unlikely to lead to loss of individuals. |
| Distribution of the species within site | Construction/maintenance dredging | Met | The potential foraging area overlaps with the dredge dumping site. Part of the dredging will take place November and December 2018 so will not affect breeding shag. Remaining dredging will take place in 2019 (but not May 2019). |
| Distribution and extent of habitats supporting the species | Construction/maintenance dredging | Met | The use of potential foraging area that overlaps with the dredge dumping site. Temporal overlap will be minimal and dredge volumes, relatively small. |
| Structure, function and supporting processes of habitats supporting the species | Construction/maintenance dredging | Met | Loss of habitat (smothering) and increased turbidity could both lead to loss of foraging efficiency for breeding shag. However dredge volumes are relatively small and timing is largely outwith sensitive times for breeding shag. |

| | | | |
|---|---|-----|--|
| No significant disturbance of the species | Construction/maintenance dredging | Met | There is unlikely to be significant disturbance from presence of additional vessel traffic into and out of the Cromarty Firth, and vessels dumping dredged material. |
| Summary | There is potential for an impact on breeding shag through disposal of dredged material which may overlap with breeding shag foraging areas. Although this effect is not assessed in the EIAR, there are two factors which suggest that the effect will be small. Timing – dredging of some areas and disposal will take place in November and December 2018 and for remaining areas, no dredging will occur in May 2019 (May is a key part of shag breeding season). Secondly, dredge volumes will be relatively small compared to previous volumes, so it is considered reasonable to expect that any effect on breeding shag will be small. | | |

Sermpezi R (Rania)

From: Ben Leyshon <Ben.Leyshon@nature.scot>
Sent: 19 July 2018 10:42
To: MS Major Projects
Cc: Karen Hall
Subject: RE: 06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation - Response due by 24 June 2018

Dear Rania

Thank you for your email re. the above.

For clarification our comments about the 690m mitigation zone comes from table 7.5.9 in the main EIAR document:

7.5.3.1.2 Cumulative SEL (SELcum)

The noise from impact piling is a multiple pulse source and as such cumulative SEL values have been calculated assuming piling lasting 1 hour (based on 3600 strikes at 1s intervals). Table 7.5.9 presents the impact ranges for marine mammals assuming an animal fleeing away from the piling at a speed of 1.5m/s.

Table 7.5.9 Maximum Ranges to NMFS [2016] Weighted SELcum Injury Criteria for Marine Mammals from Impact Piling Noise from 2m Diameter Piles (500kJ) Assuming a Fleeing Animal (1.5m/s) and 1 Hour of Piling Based on the Maximum Level in the Water Column

| Threshold | Criteria SELcum (weighted) | Impact Piling (500 kJ) SELcum (1 hour) Maximum Range | Bearing of Maximum Range (degrees) | Area of Exceedance (km2) |
|------------------|----------------------------------|--|--|--------------------------------|
| LF | 168dB re | 7.0km | 088 | 7.34 |
| Cetaceans TTS | 1μPa2s | | | |
| MF Cetaceans TTS | 170dB re 1μPa2s | < 10m | < 0.01 | |
| HF Cetaceans | 140dB re | 2.7km | 086 | 2.75 |
| TTS | 1μPa2s | | | |
| PW Pinnipeds | 170dB re | 690m | 084 | 0.46 |
| TTS | 1μPa2s | | | |
| LF Cetaceans | 183dB re | 690m | 084 | 0.12 |
| PTS | 1μPa2s | | | |
| MF Cetaceans PTS | 185dB re 1μPa2s | < 10m | < 0.01 | |
| HF Cetaceans | 155dB re | 690m | 084 | 0.12 |
| PTS | 1μPa2s | | | |
| PW Pinnipeds | 185dB re | 90m | 066 | < 0.01 |
| PTS | 1μPa2s | | | |

7.5.3.2.2 Cumulative SEL (SELcum)

The noise from impact piling of sheet piles has been calculated assuming piling lasting 1 hour (based on 3600 strikes at 1s intervals).

Table presents the impact ranges for marine mammals assuming an animal fleeing away from the piling at a constant speed of 1.5m/s.

Table 7.5.13 Maximum Ranges to NMFS [2016] Weighted SELcum Injury Criteria for Marine Mammals from Impact Piling Noise from Sheet Piles (120kJ) Assuming a Fleeing Animal (1.5m/s) and 1 Hour of Piling Based on the Maximum Level in the Water Column

HF Cetaceans TTS 140dB re 1μPa2s 690m 084 0.41
HF Cetaceans PTS 155dB re 1μPa2s 280m 066 < 0.01

So for impact piling of cylindrical piles the injury (PTS) zone is 690m; for sheet piling its 280m (note however that TTS for both is much higher and that there is a lot of discussion that TTS should also be considered injury). We advise that noise monitoring is undertaken in order to confirm that the applicants' statements in the EIAR are correct particularly their justification about cumulative SEL, ie *"As the animal starts fleeing from 500m, as opposed to adjacent to the piling source, it will only need to travel 190m to escape the 690m impact range, compared to 690m. Hence assuming the 1.5ms-1 swim speed and pile strike interval of 1s remain constant, the animal will only be exposed to approximately 30% of the number of piles strikes, compared to an animal starting to flee from adjacent to the works."* We recall that PoCF did similar monitoring to justify changing the seal mitigation zone distance for the phase 3 development.

I hope that helps to clarify our earlier comments, but if not then let me know.

Best wishes,

Ben

Ben Leyshon | Operations Officer

Scottish Natural Heritage | Dingwall | Fodderty Way | Dingwall Business Park | Dingwall | IV15 9XB | t: 01349 860645
| dd: 01463 701613 | [REDACTED]

Inbhir Pheofharain | Slighe Fhodhratidh | Pàirc Gnothachais | Inbhir Pheofharain | Inbhir Pheofharain | IV15 9XB
[nature.scot](#) – Connecting People and Nature in Scotland – [@nature_scot](#)

From: ms.majorprojects@gov.scot [mailto:ms.majorprojects@gov.scot]

Sent: 18 July 2018 10:22

To: Ben Leyshon

Subject: RE: 06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation - Response due by 24 June 2018

Dear Ben,

Thank you for your consultation response.

In your appraisal of the effects on the Moray Firth SAC, you recommend that actual sound levels are monitored at 500 and 690m from the sound source. Please can you provide some more details on which sound sources this would apply to and what you would anticipate the outcome of this monitoring to be?

Kind Regards,

Rania Sermpezi
Marine Licensing Casework Officer
Marine Scotland - Marine Planning & Policy

The Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

PLEASE NOTE I ONLY WORK MORNINGS.

Direct Line: +44 (0) 1312 443 741

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Email: rania.sermpezi@gov.scot
ms.majorprojects@gov.scot

Website: <http://www.scotland.gov.uk/marinescotland>



Sermpezi R (Rania)

From: Ben Leyshon <Ben.Leyshon@nature.scot>
Sent: 02 August 2018 10:58
To: Jonathan Ashburner
Cc: Bell V (Victoria); 'Fiona Henderson'; Karen Hall
Subject: RE: Phase 4 Underwater Noise Monitoring

Dear Jon

Thank you for your email.

I can confirm that your proposal below to monitor sound levels at 500m and 690m from piling operations at the proposed Phase 4 development is satisfactory and fit for purpose and addresses the earlier comments we made to MS-LOT on this issue.

Best regards,

Ben

Ben Leyshon | Operations Officer

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From: Jonathan Ashburner [mailto:Jonathan.ashburner@affriclimited.co.uk]
Sent: 01 August 2018 15:42
To: Ben Leyshon
Cc: Victoria.Bell@gov.scot; 'Fiona Henderson'
Subject: Phase 4 Underwater Noise Monitoring
Importance: High

Hi Ben,

Marine Scotland have asked me to confirm with you whether our proposed wording for underwater noise monitoring in the CEMD is satisfactory to you. It is to address the following point in your response to MS-LOT:

"The applicant subsequently provided a justification as to why the proposed 500m mitigation zone was considered to be appropriate and we have accepted their justification. We do however recommend that the applicant monitor actual sound levels at 500m and 690m from the noise source."

Please can you review the wording below and confirm whether this addresses your requirements:

Underwater noise monitoring will be conducted in order to verify the predictions made by the underwater noise model, and ascertain whether the Piling Marine Mammal Protocol provides an appropriate degree of mitigation. A portable dipping hydrophone system will be utilised to measure underwater noise emissions from marine piling operations at the following points:

- *Source (as close as safely possible to the piling works);*
- *500m from the piling works; and*
- *700m from the piling works.*

Noise monitoring will be conducted for impact piling of each different pile type. The results of the noise monitoring will be provided to MS-LOT and SNH.

Many thanks,

Jon

Jon Ashburner

**Senior Environmental Consultant
Affric Limited**



The Highland Council

By Email only to ms.majorprojects@gov.scot

Please ask for: Dorothy Stott
Direct Dial: 01349 868426
E-mail: dorothy.stott@highland.gov.uk
Our Ref: 18/02294/PREAPP
Your Ref: 06708 and 06709
Date: 29 June 2018

Dear Sir/Madam

PHASE 4 DEVELOPMENT - SITE WEST OF QUEENS DOCK, SHORE ROAD, INVERGORDON

I refer to your consultation email of 22 May in respect of the above Marine Licence applications.

The Highland Council wishes to make the following comments.

Coastal Planning Officer Response

Much of the concerns are the same as for Phase 3 i.e. piling, dredging and the disposal of the dredge spoil and increased marine traffic in relation to protected habitats and species in the numerous designated sites in the firth.

The work undertaken at Phase 3 should have provided sufficient information to allow a detailed assessment of likely impacts. However, as this remit is covered by SNH, SEPA and MS/MSS, they will provide the appropriate information.

Whilst the EIAR notes sediment plumes can affect water clarity and can smother shellfish, no assessment of potential impacts appears to be made on the existing shellfish sites within Cromarty Bay. The "Cromarty Bay Shellfish Area" is mentioned in the EIAR, but it does not appear to take the commercial shellfish farms within, and adjacent to it, into consideration.

Note the correct term for the designated area is the Cromarty Bay Shellfish Water Protected Area (SWPA). There are two small oyster sites within the SWPA and a major shellfish site c.4.5km from the proposal and c. 5.3km from the dredge disposal site, just immediately north outwith the SWPA. However, whilst permissions for some of these shellfish sites may be in place, the sites appear to be dormant or have not yet been fully developed. The developer should consider these aspects when taking the proposal forward.

Environmental Health Officer Response

It is recommended that the following conditions should be attached to any licences issued:

1. No development shall commence until a Noise Impact Assessment has been submitted to, and approved in writing by, the Highland Council. The assessment shall be carried out by a suitably

qualified and competent person and shall assess the likely impact of noise emanating from the development on neighbouring properties. Furthermore, the following should comprise part of the assessment:-

- i. A description of the proposed development in terms of noise sources and the proposed locations and operating times of the same;
- ii. A description of any noise mitigation methods that will be employed. The effect of mitigation methods on the predicted levels should be reported where appropriate;
- iii. A detailed plan showing the location of noise sources, noise sensitive premises and survey measurement locations;
- iv. A survey of current ambient (LAeq) and background (LA90) noise levels at appropriate locations neighbouring the proposed site;
- v. A prediction of noise levels resultant at neighbouring noise sensitive premises, for the operational phase of the proposed development. The raw data and equations used in the calculations should be provided; and
- vi. An assessment of the predicted noise levels in comparison with relevant standards.

Development shall progress in accordance with the approved Noise Impact Assessment and all approved mitigation measures shall be implemented prior to the first occupation/use of the development, or as otherwise may be agreed in writing by the Planning Authority.

2. No development shall commence on site until a scheme for protecting properties adjacent to the development site from dust has been submitted to, and approved in writing by, the Highland Council. The approved scheme shall be implemented before any part of the development is brought into use and thereafter be maintained.

3. No development, including any demolition works, shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the Highland Council.

The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction; and a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period.

4. No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Highland Council. Such details shall include full details of the location, type, angle of direction

and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Landscape Officer Response

Largely in agreement with the identification of significant effects on the landscape and visual resource. However, the LVIA does not draw together the influence of the range of effects on the wider sense of place, which is where I find this proposal runs into potential difficulties.

The significant visual impacts which will affect the greatest number of receptors are those arising from Scenario 4.

Scenario 4 – Off-shore renewables is described as having a worst case scenario of component delivery coinciding with partially assembled units being loaded out, towers being under assembly and the laydown area full of components. It is noted that ships loading in and out simultaneously will be a rare occurrence and that the number of components on site will vary.

It is apparent that the height and visual solidity of partially assembled towers and other components in the laydown area creates a feature which, for its duration, becomes a pivotal, focal feature in the spatial and scenic appreciation of the contained landscape of the Cromarty Firth. This is a product of both the height of assembled towers at 90m and the visual density which increases focus on the components as it blocks visibility of the landscape beyond.

This variable and temporary nature of the impacts is key in rendering them an acceptable addition to the landscape of the firth, therefore realistic time limits should be set for the full occupation of the assembly and laydown areas, and possibly on maximum height of assembled components. The objective of such limits being to ensure that those receptors living with the development continue to appreciate it as a transient and dynamic feature in the landscape, as presently with the rigs which come and go, without the presence of a solid block of constructed towers becoming a longer term static feature. Reasonable limits would have to be set by discussion with the developers. Height should be limited by condition to ensure that the impacts anticipated by this LVIA remain the worst case scenario under any consent.

Transport Planning Officer Response

Transport Planning has no objection to the development proposals subject to the conditions summarised below and detailed in the body of this response.

Conditions

1. That a formal joint working group (between Council as Roads Authority and the Trust Port) be set up to regularly monitor and manage parking, transport and road safety issues on the local road network arising from both the construction phase and from ongoing port operations including the Travel Plan and the Construction Traffic Management Plan.

2. For submission to and approval in writing by the Council of a Travel Plan prior to the development being brought into operation.
3. For submission to and approval in writing by the Council and the Trunk Road Authority of a Construction Traffic Management Plan prior to the commencement of construction of the development.

Road Safety

This is considered in section 12 of the TA.

The Community have longstanding concerns about the Tomich Road junction onto the A9 which is significantly below current standards; historically there was a fatal accident and there are anecdotal accounts of frequent near misses. The Inner Moray Firth Local Development Plan indicates that this junction will be subject to developer contributions but at present no improvement scheme has been included in the capital programme and there is no protocol for contributions. Two injury and nine damage only collisions are recorded over the 5 year monitoring period.

There are a higher number of injury collisions at the Dalmore junction onto the A9 near Alness with 5 recorded over the 5 year monitoring period, one of which was serious.

Both of these are trunk road junctions and the Council are not the Roads Authority. Therefore Transport Scotland and their agents are best placed to give advice on any road safety implications at these locations.

It is noted that no injury accidents occurred in the vicinity of the port accesses and none of the collisions recorded in the area involved pedestrians or cyclists.

There have been concerns over the last two years about undisciplined parking of coaches on the B817 due to the recent increase in cruise ships and passengers. These vehicles do not pay to be affiliated to the port and are therefore not allowed into the harbour area. The parking was causing problems for through traffic and raising concerns about pedestrian safety for passengers walking out from the port to access these vehicles. Informal joint working between the Trust Port and the Council as Roads Authority over the last year has reduced this problem. However it should be kept under review due to the rapid growth in the cruise ship market and the extension of the docking facilities for the larger vessels at the port.

The commitment of the Port to continual road safety review in section 12 of the TA is noted and welcomed however it is considered that a formal arrangement is required. It is therefore requested that the liaison arrangements be formalised and a condition be imposed requiring a joint working group (between Council as Roads Authority and the Trust Port) to be set up to monitor and manage transport and road safety issues on the local road network arising from port operations. It is envisaged that the Council input to the meetings would be facilitated by the Roads Operation Manager for the Area (based at Dingwall) and would be officer led as it would consider operational issues impacting on the local roads and the Trust Port have their own requirements to consult with the community directly where appropriate. Initially it is proposed that the group shall meet once per

quarter but the frequency should be reviewed once the construction of the new facilities is complete and they have been fully operational for a year.

Parking Requirements

At the time of the previous expansion of the port, problems with car parking were experienced in Invergordon close to the harbour due to a lack of spaces for port customers, leading to conflict with residents. The Council raised the issue in 2013 and these were addressed by the Consent process including the provision of an additional 94 spaces by construction of the Shore Road Car Park. Following this there has been a significant down turn in the oil and gas industry reducing the work force at the port and hence the demand for parking. No problems are currently experienced and the parking survey results in chapter 13 confirm this observation.

The proposed customer for phase 4 is an offshore renewables operation who has indicated that they require 50 car parking spaces and 15 visitor spaces. The TA states that no additional car parking is required for the increase in cruise ship activity and this is accepted.

The parking survey results show at least 168 spaces available in 2018 at all times. Therefore at this time no additional parking is required. However the requirements of the Port may change over time as they have done in the past and it is considered reasonable that these be managed by the Port to mitigate impact on the traveling public and local residents.

Therefore it is requested that the scope of the Travel Plan be extended to include monitoring of the parking by customers, contractors and staff of the Port and development of suitable management proposals to address any problems. The Travel Plan is proposed to be reviewed by the Joint Working Group.

Active Travel – Walking and Cycling

This is considered in section 6 and 12.5 of the report. The port is in a good location for active travel as it is close to Invergordon, with access to the local facilities, train station and bus links. The report concludes that there is a reasonable level of accessibility to the facilities in the town via the existing public road network and this is accepted. However I would note that there are problems such as a lack of footways and a limited number of dropped kerbs and tactile paving along the B817. In particular there is no footway on the southern side of the B817 from the main access west to the High Street junction and between the eastern side of the port to the tourist booth at Ken's Garage. Some passengers were observed walking along the road.

It is not considered that any additional infrastructure is required at present to support the proposed development but that the adequacy of the pedestrian and cycling links to the town should be kept under review and any safety issues arising due to any increase in tourism related to the port considered for action by the joint working group requested above.

The TA includes a framework Travel Plan in Appendix E which is in line with national planning policy and is welcomed. The plan includes mode share targets and the appointment of a site wide travel plan co-ordinator by the Port which are appropriate. It is considered that an annual travel to

work survey and monitoring of the mode share is appropriate once the construction works are complete and the expansion is operational in the first instance although this would be subject to review as part of the ongoing development of the Travel Plan. The results of the monitoring and development of the Travel Plan should be reviewed by the joint working group on an annual basis. A condition is requested to ensure; the appointment of a Site Wide Travel Plan Co-ordinator; the ongoing development of a Travel Plan (including monitoring of mode share for travel to work at the Port, the monitoring of parking by customers, contractors and staff and development of suitable objectives and targets for managing parking) and the review of the Plan on an annual basis once the expansion is operational by the joint working group. Following the first three years of full operation of the development the frequency of subsequent reviews would then be agreed by the working group.

Baseline Data

Limited data was collected on the existing network for the TA. Automated traffic counts (ATC) were done on the B817 east and west of the main port access points over the fortnight between Saturday 16th January and Friday 29^h January 2016.

Turning counts were carried out at three locations on Tuesday 19th January 2016 between 07:30 and 09:30 and 16:30 and 18:30. These were at the B817 / High Street Junction, the main access to the port (the central access) and the port office / facilities access (the eastern access).

The automated traffic count data (ATC) shows that the lunchtime and evening peak hours have higher flows than the morning peak and that the evening peak between 16:30 to 17:30 is the period of highest traffic on the B817 with a two way traffic flow on 19th January of around 186 east of the port and 222 west of the port (taken from the ATC figures for that day). The ATC counts showed a weekday average traffic flow of 2261 vehicles west of the port and 2068 east of the port. The totals for the day the manual count was taken are 2218 and 2007 respectively. These are within a 10% tolerance and show no abnormal features over the day validating the turning counts.

The average speed for all vehicles on the B817 west of the port was measured at 33mph with an 85th percentile speed of 38mph.

The vehicle type data collected from the ATCs shows a high percentage of Light Goods Vehicles (LGV). West of the port for the weekday average the daily figures are; 929 cars, 1172 LGVs and 160 HGV / OGV and buses. East of the port for the weekday average the daily figures are 385 cars, 646 LGVs and 83 HGV / OGV and buses.

Transport Scotland provided data from the two permanent ATCs along the A9 in the vicinity of the Alness (Dalmore) and Tomich Junctions with annual average daily flows of around 11000 and 5500 respectively shown on figures 3-3 and 3-4.

Existing Port Traffic

The weekday average number of service base users surveyed between the 24th and 31st January by the port authority was 320. This generated 480 two way daily movements. Around 75% of

facility users drive to the service base with 15% by sustainable travel modes. The total number of two way vehicle movements during the pm peak was 125.

In addition there were on average 46 deliveries (17 HGV movements and 20 LGV).

No data was collected on abnormal load movements. The Council's Abnormal Load officer confirms that there are around 212 notices to and from Invergordon per year, the majority of which are to and from the port (particularly Ainscough on the service base). Some of these are multiple movements; the team estimate around 20 movements to / from the port per month i.e. around 4 per week.

Buses to service cruise ships. The average number of buses on days that cruise ships used the port during the core months (May to September) was 30 within the port and 10 outwith. Translating this to vehicle movements this gives approximately 160 two way movements per day. These movements do not generally occur in the peak hours.

Operational Vehicle Trip Generation

The proposed customer for phase 4 is an offshore renewables operation who has indicated that they require 50 car parking spaces and 15 visitor spaces. This has been taken to generate 100 (staff) plus 46 visitor movements per day (two way).

Roughly checking this against the existing facilities; at present there is a laydown area of 50,000 sqm (section 4.1). The proposed additional laydown area is 45,000 sqm. The capacity of the port for laydown storage will almost double.

The increase in daily port user vehicle movements predicted is 146 and the existing number is 480 which represents a 30% increase. This seems proportionate since there are already service facilities on the port which it is assumed the new operations will utilise so an increase in size of storage will not relate directly to the volume of traffic.

However it has been assumed that there will be no increase in deliveries to the port due to the new operations by vehicle and this assumption does not seem justified. Although the proposed use is offshore renewables there will be a requirement for land based deliveries even if all the larger items are delivered by sea. In addition this area may not always be used for this purpose and allowing for servicing arrangements more in line with the remainder of the base seems reasonable. The increase in port users predicted is 30% of existing. As a very rough estimate applying this to the existing deliveries would give an additional 14 movements per day of which 5 would be HGVs.

The TA proposes that there will be no increase in the number of passengers using the port from the cruise ships on any single day rather there will be an increased number of days that ships will visit. However it is acknowledged that an increased number of larger ships will visit; this would increase the number of buses required to service the passengers on a daily basis. There has been recent rapid growth in the cruise ship market (using the existing facilities); from 97,993 passengers and 64 ships stated in the annual review for 2016 to 150,588 and 90 ships in 2017 stated in the TA

(fig 5-3 and 5-2). The average number of passengers per ship was therefore 1531 in 2016 and 1673 in 2017. This equates to an increase of around 140 passengers on each vessel. The TA has assumed 75% take bus tours giving around 105 additional bus passengers per ship over the year and an additional 2 buses and 8 vehicle movements over the last year. The assumptions relating to the number of bus trips generated by the larger docking facility are very low with only 1 additional bus and 2 additional movements predicted.

Operational Trip Distribution and Traffic Assignment

General port user traffic has been distributed onto the local network using the existing traffic movements from the base and assuming that all traffic exiting to the east will use the Tomich junction route onto the A9 and all traffic exiting to the west will use the Dalmore junction onto the A9. No detailed analysis was undertaken and it has been assumed that there will be no traffic increase on the High Street. Given the relatively low overall numbers this approach is acceptable but it is only an approximation.

As noted above it is considered that there will be an increase in goods vehicle movements due to the development and these should be assigned using the general port traffic distribution.

It has been assumed that no traffic will use the temporary access. Using table 10-1; 94/146 exit to the west (64.5%) and 52/146 (35.5%) to the east. If the estimated additional goods vehicles are allocated using this approach this equates to an additional 9 vehicles (3 HGVs) to the west and 5 vehicles (2 HGVs) to the east.

The coach traffic from the cruise ships has been distributed using anecdotal information and an arbitrary 75% allocated to Dalmore and 25% to the Kildary junction on the A9. Given the relatively low overall numbers of vehicles this represents this approach is acceptable but again this is only an approximation.

Although the additional number of bus movements generated by the development appears low all of these have been added as additional traffic; this is robust and acceptable.

The increase in vehicular traffic onto the local network is (table 10-1) plus the goods vehicles as estimated above;

1. B817 west of port (link 2); $182 + 9 = 191$
2. B817 east of port (link 5); $99 + 5 = 104$
3. C1063 (to Tomich Junction, link 7); $51 + 5 = 56$
4. B817 east of Saltburn (link 9); 48

Traffic Impact on the Local Network

Therefore the weekday threshold increase in traffic against the measured average flows is

1. B817 west of port (link 2); $191 / 2261 = 8.5\%$
2. B817 east of port (link 5); $104 / 2068 = 5.0\%$
3. C1063 (to Tomich Junction, link 7); 56 / no data
4. B817 east of Saltburn (link 9); $48 / 1973$ (data from Highland Council ATC 2014) = 2.4%

The lack of data regarding the link to the Tomich junction is a concern as there are significant community concerns about safety at this junction onto the A9. However this is a Trunk Road Junction and the proposed daily increase of 56 vehicles is modest. Since the Council are not the Roads Authority for this junction Transport Planning consider that Transport Scotland are best placed to advise on the acceptability of any impact.

The afternoon peak figures are given in table 11-2 of the TA although these do not include any goods vehicle movements. These indicate that the maximum threshold increase is 9.3% on the B817 west of the port. This is marginally below the threshold value of 10% agreed. It is also agreed that there is no evidence that the local network is near capacity and the conclusion that the increase in traffic indicated by the TA will not have a significant impact on the capacity of the road network is acceptable.

Construction Traffic Management Plan

Construction traffic is considered in section 14 of the TA. Significant numbers of HGV movements are required particularly for revetment construction. It is these vehicles which have the largest impact on the condition of the local road network and the measure of any significance should be related to the increase in HGV movements. It is therefore considered that construction of the works will generate significant levels of HGV traffic. A framework construction traffic management plan (CTMP) has been submitted in Appendix F. Whilst this is welcomed a condition on any consent is requested requiring a CTMP to be submitted and agreed in writing by both the Council and the Trunk Road Authority prior to any work commencing on the site.

The disposal of dredged / excavated material is noted in 14.6 as generating HGV activity but no details of vehicle movements are given. These movements could have a very significant effect on the local road network; these and any other proposed HGV movements during construction shall be included and considered in the Construction Phase Traffic Management Plan.

A baseline condition survey of the HGV routes on local roads will be required to be undertaken and agreed with the Council prior to commencement on site as part of the CPTMP. Monthly monitoring of routes will also be required and a final condition survey required within a month of completion of the works all to be agreed in writing by the Council. Depending on the condition and nature of the routes and the volume of HGV traffic proposed a Wear and Tear agreement may be required (Section 96 of the Roads Scotland Act.)

The routing of all HGVs for the construction phase is proposed to the site via the Dalmore junction onto the A9. Although this junction is to a higher standard than the alternative nearby Tomich junction the results of the Collision record are noted and this routing should be approved by Transport Scotland or their agents in addition to the Council.

The CTMP should include appropriate temporary signage to assist routing of construction vehicles. This should be pole mounted due to the length of the construction period.

It is noted and will be required that parking, deliveries and material storage for the construction phase will be provided within the Service Base near to the construction site area and shall not occur on the public road.

It is noted that the temporary access to the west of the main access points to the port is proposed to be used during the construction phase. This was the case for the previous expansion and is supported.

During the construction phase it is requested that the joint working group monitor and review the CTMP.

Access points onto the B817

For the operational phase, all traffic has been routed via the main and port office access junctions. The increase in traffic at these two junctions is significant however they are of an appropriate standard to cater for this increase in vehicular traffic, no operational problems have been reported to the Council and therefore no mitigation is required. It is presumed that the temporary access will not be required for the permanent operation of the base. Only temporary permission has been granted for this access. Any permanent requirement for use of this access requires planning permission and is therefore not considered as part of this response.

Response Summary

The Highland Council has no over-riding objections to the licence applications, subject to the body of conditions summarised below being attached. Please note that if the conditions are not attached then a **holding objection** is lodged pending the Council's review of the reasons for non inclusion and any additional information which may be submitted.

We are aware that a Noise Assessment has been submitted as part of the Environmental Statement and therefore would ask that this is formally submitted (with any updates as necessary) to the Council's Environmental Health Officer for review prior to any start on site to ensure that the condition can be discharged: chris.ratter@highland.gov.uk Unfortunately as the EHO is currently on annual leave, I have included the relatively standard condition 1 he initially requested.

With regard to the two landscape conditions recommended at 8 and 9, we are content that the wording of such conditions is finalised through discussion with the developers however would ask that the Highland Council is consulted as part of this process.

Recommended Conditions

1. No development shall commence until a Noise Impact Assessment has been submitted to, and approved in writing by, the Highland Council. The assessment shall be carried out by a suitably qualified and competent person and shall assess the likely impact of noise emanating from the

development on neighbouring properties. Furthermore, the following should comprise part of the assessment:-

- i. A description of the proposed development in terms of noise sources and the proposed locations and operating times of the same;
- ii. A description of any noise mitigation methods that will be employed. The effect of mitigation methods on the predicted levels should be reported where appropriate;
- iii. A detailed plan showing the location of noise sources, noise sensitive premises and survey measurement locations;
- iv. A survey of current ambient (LAeq) and background (LA90) noise levels at appropriate locations neighbouring the proposed site;
- v. A prediction of noise levels resultant at neighbouring noise sensitive premises, for the operational phase of the proposed development. The raw data and equations used in the calculations should be provided; and
- vi. An assessment of the predicted noise levels in comparison with relevant standards.

Development shall progress in accordance with the approved Noise Impact Assessment and all approved mitigation measures shall be implemented prior to the first occupation/use of the development, or as otherwise may be agreed in writing by the Planning Authority.

2. No development shall commence on site until a scheme for protecting properties adjacent to the development site from dust has been submitted to, and approved in writing by, the Highland Council. The approved scheme shall be implemented before any part of the development is brought into use and thereafter be maintained.

3. No development, including any demolition works, shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the Highland Council.

The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction; and a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period.

4. No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Highland Council. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct

illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

5. No development shall commence until a formal joint working group (between The Highland Council as Roads Authority and the Trust Port) has been set up to regularly monitor and manage parking, transport and road safety issues on the local road network arising from both the construction phase and from ongoing port operations including the Travel Plan and the Construction Traffic Management Plan. For the avoidance of doubt, the remit of the Working Group shall be to promote effective communication and to discuss and resolve local transport issues. The Working Group shall meet for the first time prior to the commencement of any development on the site and shall thereafter meet every 3 months, or other such time period as may be agreed by the members of the group, for the duration of the construction period and every twelve months thereafter or other such time period as may be agreed by the members of the group.

6. No operations within the extended Phase 4 area shall take place until a Travel Plan has been submitted to, and approved in writing by, the Highland Council after consultation with Transport Scotland. The approved Travel Plan shall thereafter be implemented as approved (unless amended with the written approval of The Highland Council, in consultation with Transport Scotland).

7. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Highland Council. The approved CTMP shall be adhered to throughout the construction period.

8. Reasonable timescale limits for component transient elements should be set by discussion with the developers to ensure that such elements do not take on the appearance of permanent features in the coastal landscape.

9. Similarly, total height of any individual component elements should be limited by condition to ensure that the impacts anticipated by the LVIA (which forms part of the Environmental Statement) remain the worst case scenario under any consent.

Yours faithfully

Dorothy Stott

Dorothy Stott
Principal Planning Officer

Sermpezi R (Rania)

From: Dorothy Stott <Dorothy.Stott@highland.gov.uk>
Sent: 15 August 2018 11:53
To: MS Major Projects
Cc: Bell V (Victoria); Julie Ferguson; Rose M (Malcolm) (MARLAB); Richard Gerring; Jane Bridge; Anne Cowling
Subject: RE: 18/02294/PREAPP Port of Cromarty Firth - Phase 4 Development - Response to consultation comments

Hello all

I can confirm that the Conditions relating to transport, as set out by Vikki in her email of 24 July are considered acceptable to the Council.

With regard to the proposals relating to the storage of turbines, set out by the Port of Cromarty Firth and contained within Vikki's email of 7 August, we have difficulty accepting what is proposed. The heights and volume of components being mooted appears excessive and therefore if such proposals were agreed, it hardly seems worthwhile to have such an agreement at all – i.e. under such agreement the Port could have up to 12 turbines vertically stored to 120m all the time and up to 20 to the same height for up to 8 weeks at a time... which could be several times a year.

It is also not apparent how obvious the difference between 10 and 20 vertically stored towers might be. Depending how the storage is laid out, they could look exactly the same from key vantage points e.g. if they effectively line the perimeter of the laydown area with towers there may then be little difference if they also fill up the middle or not. Would there be any way to define an area of the larger site (for example the eastern section of the laydown area closest to the existing harbour and built development) which would be used for that purpose?

I would suggest, assuming that they have no flexibility over the maximum height of 120m (which is quoted in the LVIA), that any such storage (up to 10 turbines say) should not exceed 8 weeks in any 4 month period for example; and intensive storage (up to 20 turbines say) should not exceed 8 weeks in any 12 month period. Otherwise it would not appear as if the resultant storage of large kit will be that of a transient nature. There could of course be something written into the agreement to the effect that we could agree to deviation from this in exceptional circumstances.

Kind regards

Dorothy

From: Bell V (Victoria) **On Behalf Of** MS Major Projects
Sent: 24 July 2018 23:59
To: 'Dorothy Stott'
Cc: MS Major Projects; Wilcox L (Louise)
Subject: RE: Port of Cromarty Firth - Phase 4 Development - Response to consultation comments

Good afternoon Dorothy

Thank you for your response.

Further to my telephone conversation with Richard Gerring yesterday, as discussed I have drafted the below marine licence conditions to collectively address points 5, 6 & 7. You will note that the conditions come into effect relative to the licence date and not the date of commencement of construction. This is proposed to ensure PoCF establishes a regular on-going dialogue with The Highland Council (Local Roads Authority) and Transport Scotland (Trunk Roads Authority) as soon as possible post licence issue, to enable matters of concern to be addressed as efficiently and effectively as practicable both prior to and post commencement of the works.

- Within 14 days of the date of this licence the licensee must invite The Highland Council (Local Roads Authority) and Transport Scotland (Trunk Roads Authority) to form a Joint Working Group ("JWG") to regularly monitor and manage parking, transport and road safety issues on the local road network arising from both the construction phase and from on-going port operations connected to the licensed activities. The remit of the JWG shall be to promote effective communication and to discuss and resolve local transport issues including the on-going review and agreement of the Construction Traffic Management Plan ("CTMP"). Construction must proceed in accordance with the Framework CTMP or any subsequent CTMP agreed by the JWG.
- Within 14 days of the date of this licence the licensee must invite The Highland Council (Local Roads Authority) and Transport Scotland (Trunk Roads Authority) to attend the first meeting of the JWG, prior to the commencement of the works. Thereafter, the licensee must invite the members of the group to meet every 3 months, or other such time period as may be agreed by the members of the group, for the duration of the construction period and every twelve months thereafter, or other such time period as may be agreed by the members of the group.
- The licensee must develop an appropriate Travel Plan ("TP"), subject to the agreement of the JWG. Port operations associated with the licensed construction must proceed in accordance with the agreed TP.

I should be grateful if you could please confirm if you are content that these conditions effectively address points 5, 6 & 7 of your response.

In regards to points 8 & 9 the applicant is currently in the process of drafting appropriate condition wording which will be forwarded to The Highland Council in due course for your consideration.

Kind regards

Vikki

Victoria Bell
Marine Licensing Casework Manager

Marine Scotland - Marine Planning & Policy – Licensing Operations Team – Major Projects
Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Dial: +44 (0)131 244 3451
General Queries: +44 (0)300 244 5046
Email: ms.majorprojects@gov.scot
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

Frequently
Asked
Questions

From: Dorothy Stott [<mailto:Dorothy.Stott@highland.gov.uk>]

Sent: 20 July 2018 14:06

To: MS Major Projects; Bell V (Victoria); Wilcox L (Louise)

Cc: Shona Turnbull; Transport Planning; Jane Bridge; Richard Gerring; Dafydd Jones; Chris Ratter; Robin Fraser;

Hello folks

I have now received advice from colleagues in Environmental Health (EHO), Transport Planning and Landscape and can provide the following response in relation to the Conditions outlined in the table provided by the Port of Cromarty Firth:

1. We are satisfied that Condition 1, requiring a noise assessment has been met. The construction noise assessment has identified mitigation and it is expected that the developer/contractor will utilise the best practicable measures to minimise any impact of noise. Ultimately, the main enforcement tool for construction noise is Section 60 of the Control of Pollution Act 1974 if complaints arise.

With regard to operational noise, the Council's EHO has commented in responses to previous consultations that the normal method of comparing background noise levels to predicted noise levels is not really appropriate in this case given that the background noise is mainly arising from other parts of the same premises. However, neither would it be fair to consider the complete absence of noise from the Service Base considering the length of time it has been in place. It has been previously suggested that an appropriate fixed target for the Port Authority to work towards would be 55dB 1 hour LAeq daytime and 45-50db LAeq 15mins night time. Whilst the EHO doesn't suggest a condition to this effect, he advises that this should be used as a guide to reduce the likelihood of a Statutory Nuisance arising. Other considerations such as tonality, impulsivity and intermittency may also come into any considerations. The report concludes that these guideline figures can be met with no mitigation. From previous experience, there will likely be occasions when a particularly noisy vessel or rig is in the Service Base which will throw these predicted levels off and could give rise to complaints. It is the Port Authority's responsibility to ensure the cumulative noise levels from their premises will not give rise to a Nuisance.

2. We are satisfied that Condition 2, requiring a Dust Management Scheme, has been met. A dust management scheme has been drawn up and mitigation measures identified. It is expected that these will be implemented as required.
3. We are satisfied that the Environmental Health aspects of Condition 3, requiring a Construction Method Statement, have been satisfied, albeit not in a single document. There are matters which shall require to be covered in detail or cross-referenced within the CTMP (Condition 7) relating to parking; loading and unloading and storage of plant and materials; wheel washing facilities; and waste disposal.
4. Condition 4 has not been met as the details of the lighting installation are not available. The EIA states that "the PoCF would be happy to share the detailed lighting design with The Highland Council once it is available. This will be prior to lighting installation but not prior to the start of construction works, in order to meet the project's tight construction timeline. Hence it is proposed that the recommended condition wording should start: No operation shall commence..." We are satisfied with this recommendation by the Port Authority and look forward to receiving such details in due course at which time I will re-consult with the Council's Lighting Engineer and EHO.
5. The response which the Port Authority has given within the table appears a reasonable approach but with the suggested change to the wording modified to read : 'No development shall commence until the PoCF has invited the Highland Council (Local Roads Authority) and Transport

Scotland (Trunk Roads Authority) to form a Joint Working Group'; subject to the further statements provided by the PoCF which will ensure that the first meeting of this group will take place prior to any works starting on site and meetings shall take place every three months thereafter, or such other time period as may be agreed by members of the group.

6. We are satisfied with the response that this Condition (Requirement for Travel Plan) has been included in the Marine Licence.
7. Unfortunately we are unable to confirm that we are satisfied with the issue of Construction Traffic Management Plan(CTMP) as outlined by PoCF in the table. In the absence, due to annual leave, of the Transport Planning Officer dealing with the case, her manager has reiterated the need for the detailed Traffic Management Plan, involving the Highland Council as Local Roads Authority and Transport Scotland as Trunk Roads Authority. It is noted that the PoCF has confirmed that the framework CTMP will be updated once a construction contractor has been appointed and that this will be provided to the Council for comment. This is welcomed, but the Council would wish a more robust condition which requires approval of the CTMP by the Local Roads Authority and Trunk Roads Authority prior to works commencing. The CTMP requires to be regularly reviewed by the Working Group referred to at Condition 5.
8. and 9. We note that the PoCF is happy to include such condition/s to cover timescale and height of transient elements to be positioned on site, following its construction.

In summary therefore, subject to the points made above, the Highland Council is generally satisfied with the Port Authority's response and the only outstanding matter appears to relate to the Council as Roads Authority's role with approval of the finalised CTMP Construction Traffic Management Plan and those elements of the Construction Method Statement which relate to transport issues. The need for those matters to be subject to scrutiny through the Working Group, which must include the Council as Roads Authority, is reinforced.

I note the additional comment made regarding the Shellfish Water Protection Area and the PoCP's response seems logical. I have copied in our Coastal Planning Officer to allow her to contact you directly on her return from leave next week if she has any additional comments.

Kind regards

Dorothy

From: Dorothy Stott
Sent: 16 July 2018 16:48
To: 'ms.majorprojects@gov.scot'
Cc: 'Victoria.Bell@gov.scot'; Dafydd Jones
Subject: RE: Port of Cromarty Firth - Phase 4 Development - Response to consultation comments

Hello Louise

I can confirm that I have forwarded the Port of Cromarty Firth's response to the relevant internal consultees to allow them to respond.

Unfortunately, the Council's Coastal Planning Officer is on leave until 23 July, the Transport Planning Officer is on leave until 30 July and the Environmental Health Officer is due back from leave tomorrow after a month's annual leave. I have asked the Services involved if they can provide a timescale for

response and will get back to you as soon as I receive this. I'm sure you will appreciate that there is no point setting up a tele-conference with myself or Dafydd unless we have technical back up from Transport Planning and Environmental Health, as most recommended conditions relate to issues they have raised.

I will be in touch again in early course.

Kind regards

Dorothy

From: Louise.Wilcox@gov.scot [<mailto:Louise.Wilcox@gov.scot>] **On Behalf Of** ms.majorprojects@gov.scot
Sent: 10 July 2018 10:07
To: Dorothy Stott; Dafydd Jones
Cc: Victoria.Bell@gov.scot
Subject: GSX: Port of Cromarty Firth - Phase 4 Development - Response to consultation comments

Dear Dorothy/Dafydd,

Please find attached the applicant's response to the concerns raised by the Highland Council in response to the consultation on the proposed phase 4 development at the Port of Cromarty Firth. In addition, the following response has been provided in response to the shellfish water protected area:

With regard to the Highland Council Coastal Planning Officer response about shellfish farms and sediment plumes: If there are any sediment plumes they will be very localised and as such would not reach the Cromarty Bay Shellfish Water Protection Area, nor the shellfish farms due to the distance from the construction, dredging and dredging disposal sites, hence they were not specifically assessed within the EIAR.

Due to the proposed timescales for this project, the applicant has proposed a tele-conference with yourselves and Marine Scotland to work through the concerns and hopefully reach a resolution. I understand that Dorothy is out of the office until Thursday however would you be able to propose a suitable date for such a meeting as soon as possible?

Kind Regards,

Louise

Louise Wilcox
Marine Licensing Casework Officer
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

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ms.majorprojects@gov.scot
Website: <http://www.scotland.gov.uk/marinescotland>

Sermpezi R (Rania)

From: Dorothy Stott <Dorothy.Stott@highland.gov.uk>
Sent: 22 August 2018 12:19
To: 'Fiona Henderson'
Cc: MS Marine Licensing; MS Major Projects
Subject: RE: PoCF Phase 4

Hello Fiona

I have now had an opportunity to review your email and can confirm that whilst up to 8 complete towers was previously agreed on the basis of your own advice in relation to the cycle of operations – and which we would much prefer - we are prepared reluctantly to accept up to 12 (but would hope that this would not be a normal occurrence as is implied.) The last bullet point should read 'up to 16'

I have copied in Marine Scotland to confirm this to them also.

Kind regards

Dorothy

From: Fiona Henderson [mailto:Fiona.Henderson@affriclimited.co.uk]
Sent: 20 August 2018 16:44
To: Dorothy Stott
Cc: 'Phase 4 Project'
Subject: PoCF Phase 4

Dear Dorothy,

Further to our discussion last week the port have been in discussion with their client. They have proposed a few changes to the conditions, to those outlined below:

Unless otherwise agreed in writing with Marine Scotland in consultation with THC...

- *Up to 4 full height towers can be stored awaiting load out on the quayside under normal conditions for no more than 10 days.*
- *There will normally be no more than 12 complete towers in the assembly locations at any one time.*
- *Storage of 16 complete towers in the assembly area at the same time should not exceed 8 consecutive weeks in any 6 month period, except in exceptional circumstances.*

Are these acceptable to yourself? I'm at my desk the rest of the day if you would like to discuss.

Kind regards,

Fiona Henderson

**Managing Director
Affric Limited**



Sermpezi R (Rania)

From: Dorothy Stott <Dorothy.Stott@highland.gov.uk>
Sent: 24 August 2018 09:07
To: 'Joanne Allday'; 'Fiona Henderson'
Cc: 'Calum Slater'; 'Phase 4 Project'; MS Marine Licensing
Subject: RE: Marine Licence Condition Wording

Hi Joanne

I can confirm that I am content with this wording.

Kind regards

Dorothy

From: Joanne Allday [mailto:joanne@cfpa.co.uk]
Sent: 24 August 2018 08:41
To: Fiona Henderson; Dorothy Stott
Cc: Calum Slater; Phase 4 Project
Subject: Marine Licence Condition Wording

Good morning Dorothy,

Many thanks once again for your time on the phone the other day. I appreciate your patience and guidance.

Following discussions with the customer, they have agreed your revised wording for the third condition, as follows:

- *Storage of 13-16 complete towers in the assembly area at the same time should not exceed 8 consecutive weeks in any 6 month period, except in exceptional circumstances.*

Fiona – could you advise Marine Scotland of the revised agreed conditions, as follows:

Unless otherwise agreed in writing with Marine Scotland in consultation with The Highland Council...

- *Up to 4 full height towers can be stored awaiting load out on the quayside under normal conditions for no more than 10 days.*
- *There will normally be no more than 12 complete towers in the assembly locations at any one time.*
- *Storage of 13-16 complete towers in the assembly area at the same time should not exceed 8 consecutive weeks in any 6 month period, except in exceptional circumstances.*

I'm hoping that's everything and that they can now issue the Marine Licences, but could you confirm that for us and advise when we can expect to see the Marine Licences? (If Marine Scotland would like to alter any of the above conditions, could you ask them to let us know, so that we can inform the customer?)

Many thanks,
Joanne Allday
Marketing & PR Manager



UK Chamber of Shipping

Sermpezi R (Rania)

From: Robert Carington <RCarington@ukchamberofshipping.com>
Sent: 31 May 2018 10:55
To: MS Major Projects
Subject: RE: 06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation - Response due by 24 June 2018

Dear Sir or Madam,

Thank you very much for your mail and the relevant information and documents regarding the request for Marine Licenses for the proposed quayside construction, dredging and dredged spoil deposit activities associated with the Phase 4 Development at Invergordon Service Base, Port of Cromarty Firth

The Chamber has reviewed the requests and supports the need for the planned additional berthing of 215m of extra quayside and laydown space to enable the port to increase its ability to accommodate larger vessels and to achieve its overall aim to diversify its market sector portfolio and attract more customers from the cruise and offshore renewables sector. Additionally the Chamber supports the plans to increase dredging campaigns in the channel and surrounding area to improve navigation channels which keeps in line with the key objectives of the Scottish National Marine Plan to safeguard access to ports and to encourage the sustainable growth of ports to maximise the potential of other sectors.

The Chamber would like to stress the need for minimum disruption during all the phases of construction and dredging works and that when further information is released on the programme of works at the end of 2018 and 2019 which will cause temporary disruption, that all stakeholders and users of the area who will be affected be consulted with and given the relevant information so as to make sure the works cause minimal disruption to their own commercial interest.

If you would like any further information from the Chamber on our observations, please do not hesitate to contact us.

Kind regards,

Robert

Robert Carington

Policy Advisor

UK Chamber of Shipping

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Whale and Dolphin Conservation

Sermpezi R (Rania)

From: Fiona Read <fiona.read@whales.org>
Sent: 28 June 2018 09:34
To: MS Major Projects
Cc: Sarah Dolman
Subject: RE: 06708/06709 - Port of Cromarty Firth (per Leapmoor LLP) - Phase 4 Development - Construction, Capital Dredging and Dredged Spoil Deposit Marine Licence Applications & EIA Consultation

Dear Vikki,

Thank you for including WDC in the consultation for the construction, dredging and dredged spoil deposit activities associated with the Phase 4 Development at Invergordon Service Base, Port of Cromarty Firth.

Overall, we are content with the documents and agree with Table 12.9.1 (Summary of Marine Mammal Impacts). MMOs and PAM should be used in conjunction at all times. We are pleased to note that vibro-piling will be as much as possible. Overall, provided that the proposed mitigation methods are followed, we are content that the impact of underwater noise will be sufficiently mitigated.

We would be happy to discuss any of these points further.

Best wishes,

Fiona

Fiona Read
Policy officer
End Bycatch


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