

**Marine Directorate - Licensing Operations Team
Scoping Opinion**

**Scoping Opinion adopted by the Scottish Ministers
under Part 4 of The Marine Works (Environmental
Impact Assessment) (Scotland) Regulations 2017**

Muirhall Energy Ltd

Glen Ullinish Coastal Delivery Project

July 2024

Contents

1. Introduction	3
1.1 Background	3
2. The Proposed Works	4
2.1 Introduction	4
2.2 Description of the Proposed Works	4
2.3 Onshore/Planning/Harbour Revision Order	5
2.4 The Scottish Ministers' Comments	5
3. Contents of the EIA Report	8
3.1 Introduction	8
3.2 EIA Scope	8
3.3 Mitigation and Monitoring	8
4. Consultation	10
4.1 The Consultation Process	10
4.2 Responses received	11
5. Interests to be considered within the EIA Report	12
5.1 Introduction	12
5.2 Air Quality	12
5.3 Landscape, Seascape and Visual Amenity	12
5.4 Cultural Heritage and Marine Archaeology	13
5.5 Terrestrial Ecology	13
5.6 Marine Ecology	14
5.7 Intertidal & Terrestrial Ornithology	14
5.8 Airborne Noise & Vibration	15
5.9 Ground Conditions & Land Quality	16
5.10 Coastal Processes & Geomorphology	16
5.11 Water & Sediment Quality	16
5.12 Flood Risk, Drainage & Coastal Protection	17
5.13 Socio Economics	17
5.14 Traffic and Transport	18
5.15 Commercial and Recreational Navigation	18
5.16 Climate and Greenhouse Gases	19
5.17 Risk of Major Accidents	19
5.18 Natural Resource Usage & Wastage	20
5.19 Population & Human Health	20

5.20	In Combination and Cumulative Effects	21
6.	Application and EIA Report.....	22
6.1	General	22
7.	Multi-Stage Regulatory Approval.....	23
7.1	Background	23
	Appendix I: Consultation Responses & Advice.....	24
	Appendix II: Gap Analysis	25

1. Introduction

1.1 Background

- 1.1.1 On 14 February 2024, the Scottish Ministers received a scoping report (“the Scoping Report”) from Muirhall Energy Ltd (“the Applicant”) as part of its request for a scoping opinion relating to Glen Ullinish Coastal Delivery Project (“the Proposed Works”). In accordance with regulation 14 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”) the Scottish Ministers considered the content of the Scoping Report to be sufficient.
- 1.1.2 This scoping opinion is adopted by the Scottish Ministers under the 2017 MW Regulations (“the Scoping Opinion”) in response to the Applicant’s request and should be read in conjunction with the Scoping Report. The matters contained in the Scoping Report have been carefully considered by the Scottish Ministers and use has been made of professional judgment, based on expert advice from stakeholders and Marine Directorate in-house expertise and experience. This Scoping Opinion identifies the scope of impacts to be addressed and the method of assessment to be used in the Environmental Impact Assessment Report (“EIA Report”) for the Proposed Works. The Scottish Ministers, in adopting this Scoping Opinion, have, in accordance with the 2017 MW Regulations, taken into account the information provided by the Applicant, in particular, information in respect of the specific characteristics of the Proposed Works, including its location and technical capacity and its likely impact on the environment. In addition, the Scottish Ministers have taken into account the representations made to them in response to the scoping consultation they have undertaken. In examining the EIA Report, and any other environmental information, the Scottish Ministers will seek to reach an up to date reasoned conclusion on the significant effects on the environment from the Proposed Works. This reasoned conclusion will be considered as up to date if the Scottish Ministers are satisfied that current knowledge and methods of assessment have been taken account of. For the avoidance of doubt, this Scoping Opinion does not preclude the Scottish Ministers from requiring the Applicant to submit additional information in connection with any EIA Report submitted with applications for marine licence/s under the Marine (Scotland) Act 2010 (“the 2010 Act”). In the event that the Applicant does not submit applications for marine licence/s under the 2010 Act for the Proposed Works within 12 months of the date of this Scoping Opinion, the Scottish Ministers strongly recommend that the Applicant seeks further advice from them regarding the validity of the Scoping Opinion.

2. The Proposed Works

2.1 Introduction

2.1.1 This section provides a summary of the description of the Proposed Works provided by the Applicant in the Scoping Report together with the Scottish Ministers' general comments in response. The details of the Proposed Works in the Scoping Report have not been verified by the Scottish Ministers and are assumed to be accurate.

2.2 Description of the Proposed Works

2.2.1 The purpose of the Proposed Works is to construct a new quay facility to facilitate the construction, maintenance and decommission of the Glen Ullinish II Wind Farm and other wind farm projects in the region. The site of the Proposed Works is located approximately 3 kilometres northwest of the proposed site of Glen Ullinish II Wind Farm on the eastern shore of Loch Caroy, Isle of Skye. The Proposed Works will involve construction and possibly dredging works.

2.2.2 The Applicant has proposed three possible locations for the quay facility within the site. All three options will require land reclamation and construction of a quay. Dredging, including rock removal and deposit of dredge material, may also be required. Dredge amounts for each option are estimated to be as follows:

Option A: 400m³

Option B: 1605m³ including rock removal

Option C: 0m³

Dredging would be via a long reach excavator operating from a barge. Dredge material would be loaded on to a split hopper barge for sea deposit at one of two possible deposit sites: HE034 Loch Snizort or HE070 Sound of Sleat. Both sites are around 40 nautical miles from the site of Proposed Works

2.2.3 The quay structure is estimated to be approximately 94m long and 40m wide with either a solid infilled or open piled concrete deck, dependant on more detailed design and surveys. One design approach will be confirmed and assessed with the EIA report.

2.2.4 The open piled quay would be built from the shore extending seawards. It consists of a substructure of a 6m x 6m grid of piles with precast concrete U beams spanning the gap between the piles. Concrete will be poured to create composite crosshead beams, which will be connected to the piles. Precast

concrete would form a deck 300mm thick and the structure would be capped with 500mm thick poured concrete.

- 2.2.5 The solid infilled quay would consist of a quay wall constructed of heavy steel tubes with sheet piles between the tubes. A reinforced concrete capping beam and tie rods will secure the structure to a sheet pile anchor wall.
- 2.2.6 The land reclamation would consist of placing rockfill from the terrestrial works on the foreshore, reclaiming an area of 5000m² – 6500m². The area would then form the laydown area for the site and would tie into the quay deck level. The area would be capped with a 500mm layer of Type 6F2.
- 2.2.7 It is envisaged that both dredging and land reclamation down to -5m chart datum could be achieved by using a long reach excavator. The excavator would access the area below Mean High Water Springs (“MHWS”) via specially constructed rock bunds. Below -5 chart datum, the excavator would operate from a barge.

2.3 Onshore/Planning/Harbour Revision Order

- 2.3.1 The Scottish Ministers are aware the Applicant has sought a separate scoping opinion from The Highland Council for the associated onshore construction works. It is essential that the EIA Report concerning onshore works will be available at the time that the EIA Report for the Proposed Works is being considered so that all the information relating to the project as a ‘whole’ is presented. The EIA Report for the Proposed Works must consider the cumulative impacts with the onshore works.
- 2.3.2 The Scottish Ministers advise that the EIA Report must explicitly detail the licensable marine activities to be carried out below MHWS as part of the Proposed Works and identify which activities overlap with The Highland Council remit.

2.4 The Scottish Ministers’ Comments

Description of the Proposed Works

- 2.4.1 The Scottish Ministers note that the Applicant proposes to source material for the land reclamation from the terrestrial cuttings being undertaken as part of the onshore works. The Scottish Ministers advise that if there is any doubt as to the suitability of this material for deposit below MHWS the worst case scenario must be assessed and all of the land reclamation material would be

required to be sourced from a suitable alternative location and transported to site.

- 2.4.2 The Scottish Ministers note that the Applicant proposes to dredge a maximum of 1605m³ of material as part of the works, with the material to be considered for sea deposit. The Scottish Ministers advise that if there is any doubt as to the suitability of the dredge material for sea deposit the worst case scenario must be assessed including deposit of the dredge material at an alternative land-based location. The Applicant must set out the best practicable environmental option for the dredge material which must clearly detail all options that have been considered.

Design Envelope

- 2.4.3 The Scottish Ministers advise that if the Applicant intends to apply a 'Design Envelope' approach, where the details of the Proposed Works cannot be defined precisely, the Applicant will apply a worst case scenario.
- 2.4.4 The Scottish Ministers advise that the Applicant must make every attempt to narrow the range of options. Where flexibility in the design envelope is required, this must be defined within the EIA Report and the reasons for requiring such flexibility clearly stated. At the time of application, the parameters of the Proposed Works should not be so wide-ranging as to represent effectively different projects. To address any uncertainty, the EIA Report must consider the potential impacts associated with each of the different scenarios. The criteria for selecting the worst case and the most likely scenario, together with the potential impacts arising from these, must also be described. The parameters of the Proposed Works must be clearly and consistently defined in the application/s for the marine licence/s and the accompanying EIA Report.
- 2.4.5 The Scottish Ministers will determine the application/s based on the worst case scenario. The EIA will reduce the degree of design flexibility required and the detail may be further refined in a Construction Method Statement ("CMS") to be submitted to the Scottish Ministers, for their approval, before works commence. Please note however, the information provided in Section 7 below regarding multi-stage regulatory approval. The CMS will 'freeze' the design of the project and will be reviewed by the Scottish Ministers to ensure that the worst case scenario described in the EIA Report is not exceeded.
- 2.4.6 It is a matter for the Applicant, in preparing the EIA Report, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. If the Proposed Works or any

associated activities materially change prior to the submission of the EIA Report, the Applicant may wish to consider requesting a new Scoping Opinion.

Alternatives

- 2.4.7 The EIA Regulations require that the EIA Report include ‘a description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the Applicant, which are relevant to the proposed works and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects’. The Scottish Ministers acknowledge section 2.4 of the Applicant’s Scoping Report setting out the consideration of alternatives to date together with the planned activities that are proposed to inform the EIA Report further.
- 2.4.8 For the avoidance of doubt, the Scottish Ministers advise that the EIA Report must include an up to date consideration of the reasonable alternatives studied as the parameters of the Proposed Works have been refined. The Scottish Ministers expect this to comprise a discreet section in the EIA Report that provides details of the reasonable alternatives studied across all aspects of the Proposed Works and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.

3. Contents of the EIA Report

3.1 Introduction

3.1.1 This section provides the Scottish Ministers' general comments on the approach and content of information to be provided in the Applicant's EIA Report, separate to the comments on the specific receptor topics discussed in Section 5 of this Scoping Opinion.

3.2 EIA Scope

3.2.1 Matters are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Scottish Ministers. The matters scoped out should be documented and an appropriate justification noted in the EIA report.

3.3 Mitigation and Monitoring

3.3.1 Any embedded mitigation relied upon for the purposes of the assessment should be clearly and accurately explained in detail within the EIA Report. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The EIA Report must identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.

3.3.2 The EIA Report should clearly demonstrate how the Applicant has had regard to the mitigation hierarchy, including giving consideration to the avoidance of key receptors. The Scottish Ministers advise that where the mitigation is envisaged to form part of a management or mitigation plan, the EIA Report must set out these plans or the reliance on these in sufficient detail so the significance of the residual effect can be assessed and evaluated. This should also include identification of any monitoring and remedial actions (if relevant) in the event that predicted residual effects differ to actual monitored outcomes. Commitment to develop plans, without sufficient detail, is not considered to be suitable mitigation in itself.

3.3.3 The EIA Report must include a table of mitigation which corresponds with the mitigation identified and discussed within the various chapters of the EIA Report and accounts for the representations and advice attached in Appendix I.

3.3.4 Where potential impact on the environment have been fully investigated but found to be of little or no significance, it is sufficient to validate that part of the assessment by detailing in the EIA Report, the work that has been

undertaken, the results, what impact, if any, has been identified and why it is not significant.

4. Consultation

4.1 The Consultation Process

4.1.1 Following receipt of the Scoping Report, the Scottish Ministers, in accordance with the 2017 MW Regulations, initiated a 30 day consultation process, which commenced on 29 February 2024. The following bodies were consulted, those marked in bold provided a response and those marked in italics sent nil returns or stated they had no comments:

- Community Council
- Communities Inshore Fisheries Alliance
- Crown Estate Scotland
- **Defence Infrastructure Organisation (“DIO”)**
- Fisheries Management Scotland
- Fishery Office: Portree
- **Heritage and Environment Scotland (“HES”)**
- Health and Safety Executive
- Highland Ferries
- Marine Safety Forum
- **Maritime and Coastguard Agency (“MCA”)**
- National Trust for Scotland
- **NatureScot (operating name of Scottish Natural Heritage)**
- **Northern Lighthouse Board (“NLB”)**
- Ports and Harbours (Transport Scotland)
- **Royal Society for the Protection of Birds (“RSPB”)**
- **Royal Yachting Association (“RYA”)**
- Scottish Creel Fishermen's Federation
- **Scottish Environment Protection Agency (“SEPA”)**
- *Scottish Fishermen's Federation*
- Scottish Fishermen's Organisation
- **Scottish Water**
- Scottish Whitefish Producers Organisation
- Scottish Wildlife Trusts
- **Skye & Lochalsh Fisheries Trust**
- Surfers Against Sewage
- The Highland Council
- North West Coast Regional Inshore Fisheries Group
- ***UK Chamber of Shipping***
- Visit Scotland
- Whale and Dolphin Conservation

- 4.1.2 Specific advice was sought from the Marine Directorate – Marine Analytical Unit (“MAU”) and Transport Scotland (“TS”).

4.2 Responses received

- 4.2.1 From the list above a total of twelve responses were received. Advice was also provided by MAU and TS. The purpose of the consultation was to seek representations to aid the Scottish Ministers’ consideration of which potential effects should be scoped in or out of the EIA Report.
- 4.2.2 The Scottish Ministers are satisfied that the requirements for consultation have been met in accordance with the 2017 MW Regulations. The sections below highlight issues which are of particular importance with regards to the EIA Report and any marine licence applications. The representations and advice received are attached in Appendix I and each must be read in full for detailed requirements from individual consultees.

5. Interests to be considered within the EIA Report

5.1 Introduction

5.1.1 This section contains the Scottish Ministers' opinion on whether the impacts identified in the Scoping Report are scoped in or out of the EIA Report. The Scottish Ministers advise that the representations from consultees and advice from MAU and TS must be considered in conjunction with the Scoping Opinion and with the expectation that recommendations and advice as directed through this Scoping Opinion are implemented.

5.2 Air Quality

5.2.1 The Applicant considers air quality in Section 4 of the Scoping Report. It studies potential impact on air quality in Section 4.2 and proposes mitigation measures in Section 4.5. The Scottish Ministers are content with the baseline assessment given and are satisfied that all receptors have been identified.

5.2.2 The Scottish Ministers agree with the elements to be scoped in and out for further assessment within the EIA Report for the construction and operational phases as detailed in Table 4.3.

5.3 Landscape, Seascape and Visual Amenity

5.3.1 The Applicant details the potential effects on landscape, seascape and visual amenity during the Proposed Works in Section 5 of the Scoping Report, with specific details on the baseline description given in section 5.2. The Scottish Ministers agree with the Applicants proposed scope of assessment detailed in Section 5.4 and note the inclusion of potential impacts in section 5.5 and mitigation measures in Sections 5.6.

5.3.2 In their representation, NatureScot advise that further consideration of the extent of the study area is required in the EIA report. NatureScot further advise that additional viewpoints are included and night time visualisations should be produced for floodlighting. In addition, the effect of cargo vessel traffic on the experience of the area during the operational phase must be considered in the EIA report.

5.3.3 The Scottish Ministers agree that landscape, seascape and visual amenity is scoped in for further assessment within the EIA Report for construction and operational phases. The Scottish Ministers direct the Applicant to the NatureScot representation in Appendix I and advise that it is fully addressed within the EIA Report.

5.4 Cultural Heritage and Marine Archaeology

- 5.4.1 The Applicant considers the potential impact of the Proposed Works on cultural heritage and marine archaeology in Section 6 of the Scoping Report, with due consideration of the impacts during the construction and operational phases in Section 6.6. The Scottish Ministers are content with the baseline assessment given in Section 6.2.
- 5.4.2 In their representation, HES advise that further consideration of the methodology for the marine archaeological assessment is required in the EIA report. HES further advise adherence to Crown Estate guidance and standards when undertaking marine archaeological assessments.
- 5.4.3 The Scottish Ministers agree that cultural heritage is scoped in for further assessment within the EIA Report for construction and operational phases. The Scottish Ministers direct the Applicant to the HES representation in Appendix I and advise that it is fully addressed within the EIA Report.

5.5 Terrestrial Ecology

- 5.5.1 The Applicant considers the potential impact of the Proposed Works on terrestrial ecology in Section 7 of the Scoping Report. The Scoping Report identifies the receptors likely to be affected by the Proposed Works in Table 7.1 and states if they are to be scoped in or out for each phase of the works.
- 5.5.2 The Applicant has stated that all receptors, except wild deer, will be scoped in for both construction and operation phases of the Proposed Works. Wild deer will be scoped out for the operational phase. The Scottish Ministers are content that all the appropriate receptors have been identified by the Applicant via baseline surveys detailed in Section 7.2 and agree with the potential impacts and mitigation measures detailed in Sections 7.6 and Section 7.5
- 5.5.3 In their representation, NatureScot advise that the most up to date version of peatland guidance be used to inform the EIA report. NatureScot further advised that other assessments should consider both terrestrial disturbance and underwater noise displacement from the Proposed Works.
- 5.5.4 To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree with the receptors scoped in and out for further assessment within the EIA Report for construction and operational phases.

The Scottish Ministers direct the Applicant to the NatureScot representation in Appendix I and advise that it is fully addressed within the EIA Report.

5.6 Marine Ecology

- 5.6.1 The Applicant considers the potential impacts of the Proposed Works on marine ecology in Section 8 of the Scoping Report. The Scottish Ministers agree with the proposed scope of assessment detailed in Section 8.3 and are content that all receptors have been identified. The Scottish Ministers note that a number of receptors detailed in Table 8.14 have been scoped out from further assessment.
- 5.6.2 In their representation, NatureScot advise that the extent of Priority Marine Feature habitats and the scale of impacts should be assessed against known sensitivities of Priority Marine Feature habitats. Consideration must also be given to any impacts at the dredge deposit site. NatureScot further advised that it is likely that an EPS licence will be required for disturbance and that sufficient information should be provided in the EIA Report to support an EPS licence application. NatureScot also advised that due to the recorded presence of seals in the vicinity of the Proposed Works, the potential for disturbance of seals should be scoped in.
- 5.6.3 In their representation, the Skye & Lochalsh Rivers Trust confirm the presence of eels in the Rivers Ose and Drynoch, in the vicinity of the Proposed Works. They request further evidence in the EIA report with regards the assumed absence of sea trout in the location of the Proposed Works. In relation to Atlantic salmon, they advise reference to the West Coast Tracking Project to inform impacts on salmon migration routes.
- 5.6.4 The Scottish Ministers agree that marine ecology should be scoped in for further assessment within the EIA Report. The Scottish Ministers direct the Applicant to the NatureScot and Skye and Lochalsh Rivers Trust representations in Appendix I and advise that they are fully addressed within the EIA Report.

5.7 Intertidal & Terrestrial Ornithology

- 5.7.1 The Applicant considers the potential impacts of the Proposed Works on intertidal and terrestrial ornithology in Section 9 of the Scoping Report. The Applicant acknowledges that this section should be considered in conjunction with Sections 7, 8 and 12, with further details given in Section 9.1.13.

- 5.7.2 The Scottish Ministers note that the site specific surveys detailed in Section 9.4 are of one year duration, commencing in April 2023 and concluding in March 2024. In their representation, the RSPB advise a two-year survey period to fully assess the substantial change of use and subsequent impacts of the Proposed Works. The RSPB also advise monitoring of White-tailed Eagle in the location of the Proposed Works. They further advise revision of viewsheds in relation to intertidal areas and extending breeding bird survey buffers beyond the red line boundary. Intertidal surveys should also be examined on a wider scale than 500m.
- 5.7.3 The Scottish Ministers note that introduction of light has been scoped out of further assessment in Table 9.9. In their representation, the RSPB advise that light is scoped in due to the potential impacts on seabirds including Manx Shearwaters and White-tailed Eagle.
- 5.7.4 The Scottish Ministers also note that cumulative impacts for both construction and operational phases have been scoped out of further assessment by the Applicant. In their representation, the RSPB advise that cumulative effects in relation to intertidal and terrestrial ornithology be scoped in due to the number of large proposals in the vicinity of the Proposed Works and the potential cumulative impacts should construction timescales for these overlap.
- 5.7.5 In their representation, NatureScot advise the developer consider guidance for marine renewables development and apply the appropriate principles to the Proposed Works.
- 5.7.6 The Scottish Ministers agree that intertidal and terrestrial ornithology should be scoped in for further assessment within the EIA Report. The Scottish Ministers advise that introduction of light and cumulative impacts in relation to intertidal and terrestrial ornithology should be scoped in. The Scottish Ministers direct the Applicant to the RSPB and NatureScot representations in Appendix I and advise that they are fully addressed within the EIA Report.

5.8 Airborne Noise & Vibration

- 5.8.1 The Applicant identifies the potential impacts of airborne noise and vibration in Section 10 of the Scoping Report, noting that there is the potential for elevated noise and vibration for receptors in the immediate vicinity of the Proposed Works during the construction phase, predominantly from construction, plant movement and piling. During the operation phase, vessels, heavy goods vehicles and mobile plant using the port will create additional noise, however, no significant sources of vibration are expected.

- 5.8.2 The Scottish Ministers agree with the content and approach to the assessment of airborne noise and vibration proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that airborne noise and vibration for both operation and construction phases is scoped in.

5.9 Ground Conditions & Land Quality

- 5.9.1 The Applicant considers the potential impacts of the Proposed Works on ground conditions and land quality in Section 11 of the Scoping Report. The Applicant considers the potential effects on soil, geology, hydrogeology and contamination and concludes that all should be scoped out except soils.
- 5.9.2 The Scottish Ministers agree with the approach to the assessment of ground conditions and land quality proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that ground conditions and land quality, with the exception of soils, can be scoped out from further assessment. Soils should be scoped in for further assessment within the EIA Report.

5.10 Coastal Processes & Geomorphology

- 5.10.1 The Applicant considers the potential impacts of the Proposed Works on coastal processes and geomorphology in Section 12 of the Scoping Report. The Applicant acknowledges that this section should be considered in conjunction with Sections 8 Marine Ecology, 13 Water and Sediment Quality, 14 Coastal Protection, Flood Defence and Drainage, and 17 Commercial and Recreational Navigation, with further details given in Section 12.1.2.
- 5.10.2 The Scottish Ministers agree with the approach to the assessment of coastal processes and geomorphology proposed in the Scoping Report and are content that all receptors have been identified in the baseline description. The Scottish Ministers agree that coastal processes and geomorphology is scoped in for assessment within the EIA Report.

5.11 Water & Sediment Quality

- 5.11.1 The Applicant considers water and sediment quality in Section 13 of the Scoping Report and studies potential effects at both construction and operational phases in Section 13.7. The Scottish Ministers note the proposed

scope of the assessment includes designated water bodies, bathing waters, shellfish waters and other designated areas.

- 5.11.2 The Scottish Ministers agree that water and sediment quality should be scoped in for further assessment within the EIA Report.

5.12 Flood Risk, Drainage & Coastal Protection

- 5.12.1 The Applicant considers flood risk, drainage and coastal protection in Section 14 of the Scoping Report, studies potential impacts in Section 14.6, and details potential mitigation in Section 14.5.
- 5.12.2 Specifically, the Applicant has considered flooding from a variety of sources including fluvial flooding, pluvial flooding, coastal flooding, ground water flooding and sewer flooding. The Scottish Ministers note that flooding from sewers is not currently an issue as the single property on the site of Proposed Works is not connected to the sewerage system. However, the Applicant has chosen not to scope out flooding from sewers.
- 5.12.3 The Applicant acknowledges that the site of Proposed Works is crossed by three unnamed watercourses. In their representation, SEPA advise that the Applicant consider the footprint of the Proposed Works in relation to these watercourses to ensure that they are not directly impacted by the Works.
- 5.12.4 The Scottish Ministers agree with the content and approach to the assessment of flood risk, drainage and coastal protection proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that flood risk, drainage and coastal protection be scoped in for further assessment. The Scottish Ministers direct the Applicant to the SEPA representation in Appendix I and advise that it is fully addressed within the EIA Report.

5.13 Socio Economics

- 5.13.1 The Applicant considers socio economics in Section 15 of the Scoping Report, with the proposed scope of assessment detailed in Section 15.4.
- 5.13.2 In their representation, MAU advise that the Applicant gives consideration to the social impacts of the Proposed Works and encourages the Applicant to undertake engagement and consultation with local communities. With regards to economic impacts the MAU advise consideration of a number of additional issues including displacement and substitution. They further

advise detailing a list of data sources used to assess socio economic impacts.

- 5.13.3 The Scottish Ministers agree that socio economics should be scoped in to the EIA Report and advise that full consideration must be given to the social impacts of the Proposed Works. The Scottish Ministers direct the Applicant to the guidance and principles detailed in the MAU advice in Appendix 1 and advise that all concerns contained within the MAU representation must be fully addressed within the EIA Report.

5.14 Traffic and Transport

- 5.14.1 The Applicant considers the potential impacts on traffic and transport in Section 16 of the Scoping Report, with the proposed scope of assessment detailed in Section 16.4 and potential mitigation proposed in Section 16.5.
- 5.14.2 In their representation, Transport Scotland advise that further consideration of road user and pedestrian safety, and driver delay effects, is required. They advise conducting a screening exercise to determine significant potential environmental impacts associated with increased traffic on the trunk road network and suggest the most current data sources for traffic information for inclusion in the EIA report.
- 5.14.3 The Scottish Ministers agree with the content and approach to the assessment of traffic and transport proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that traffic and transport be scoped in for further assessment. The Scottish Ministers direct the Applicant to the Transport Scotland representation in Appendix I and advise that it is fully addressed within the EIA Report.

5.15 Commercial and Recreational Navigation

- 5.15.1 The Applicant has considered commercial and recreational navigation in Section 17 of the Scoping Report and has identified that the potential impacts are significantly different for construction and operational phases of the Proposed Works in Section 17.6.
- 5.15.2 The Scottish Ministers note that the Applicant has proposed the creation of a Navigational Risk Assessment (“NRA”) as part of the proposed scope of assessment in Section 17.4. The Scottish Ministers are satisfied with

stakeholder engagement proposed to inform the NRA of the anticipated hazards and potential impacts of the Proposed Works.

- 5.15.3 The Scottish Ministers agree that commercial and recreational navigation for both the construction and operational phases be scoped in. The Applicant is directed to the MCA, NLB and RYA representation in Appendix I and advise that these should be given full regard within the EIA Report.

5.16 Climate and Greenhouse Gases

- 5.16.1 The Applicant considers the risk of impacts on climate change as a result of greenhouse gas emissions from the Proposed Works in Section 18 of the Scoping Report.

- 5.16.2 The Scottish Ministers are content that Climate Change has been scoped in by the Applicant. The Scottish Ministers broadly agree with the Applicant's proposed assessment methodology however advise that the IEMA Environmental Impact Assessment Guide "Assessing Greenhouse Gas Emissions And Evaluating Their Significance" ("IEMA GHG Guidance") was updated and published in February 2022 and the Applicant's approach should be updated accordingly. The Scottish Ministers advise that the GHG Assessment included within the EIA Report should be based on a Life Cycle Assessment ("LCA") approach and notes that the IEMA GHG Guidance provides further insight on this matter. The Scottish Ministers highlight however that this Assessment should consist of the pre-construction, construction, operation and decommissioning phases, as well as benefits beyond the life cycle of the Proposed Works.

5.17 Risk of Major Accidents

- 5.17.1 The Applicant considers risk of major accidents and/or disaster in Section 19.2 of the Scoping Report. However, the Scottish Ministers do not consider that the Applicant has provided sufficient information to justify scoping out the risk of major accidents and/or disaster. Consequently, it must be scoped in for further assessment in the EIA Report in respect of the construction phase of the project.

- 5.17.2 In doing so, the Applicant should make use of appropriate guidance, including the IEMA 'Major Accidents and Disasters in EIA: A Primer', to better understand the likelihood of an occurrence and the Proposed Works' vulnerability to or ability to cause a potential accident or disaster.

- 5.17.3 The Scottish Ministers advise that existing sources of risk assessment or other relevant studies should be used to establish the baseline rather than collecting survey data and note the IEMA Primer provides further advice on this. This should include the review of the identified hazards from your baseline assessment, the level of risk attributed to the identified hazards and the relevant receptors to be considered.
- 5.17.4 The assessment must detail how significance has been defined and detail the inclusions and exclusions within the assessment. Any mitigation measures that will be employed to prevent, reduce or control significant effects should be included in the EIA Report.

5.18 Natural Resource Usage & Wastage

- 5.18.1 The Applicant discusses the potential impacts of natural resource usage and wastage in Section 19.3 of the Scoping Report. The Applicant states that a Site Waste Management Plan (“SWMP”) will be employed for dealing with all waste produced by the Proposed Works during the construction phase and that waste will be minimised through the implementation of good design and best practice. A low level of waste arising from office and welfare units is expected at the site of the Proposed Works during the operational phase.
- 5.18.2 The Scottish Ministers agree with the content and approach to the assessment of natural resource usage and wastage proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that natural resource usage and wastage for both operation and construction phases can be scoped out from further assessment.

5.19 Population & Human Health

- 5.19.1 The Applicant considers the potential impact of the Proposed Works on Population and Human Health in Section 19.1 of the Scoping Report. The Applicant has concluded that impacts on population will be considered within socio economics, and human health will be considered in air quality, airborne noise and vibration, and within pollution prevention for hydrology. As such, the Applicant has scoped population and human health for both construction and operation phases out of any further assessment.
- 5.19.2 The MAU representation notes that the Scoping Report proposes to scope out the assessment of population and human health as it is included within the socio economic section. The MAU advise that the socio economic chapter did not address population health and this must be addressed as

either a stand alone chapter in air quality, air quality, airborne noise and vibration, and within pollution prevention for hydrology, or within socio economics, however, it must be scoped in to the EIA Report.

- 5.19.3 The Scottish Ministers advise that population and human health should be scoped in. The applicant is directed to the MAU advice in regard to the scoping of impacts and that this advice should be fully considered in the EIA Report.

5.20 In Combination and Cumulative Effects

- 5.20.1 The Applicant considers the in-combination and cumulative effects of the Proposed works in Section 19 of the Scoping Report and proposes that in-combination and cumulative effects are scoped in.
- 5.20.2 The Scottish Ministers agree with the Applicants identification of potential in-combination and cumulative effects on receptors in the vicinity of the Proposed Works, and with the content and approach to the assessment of in-combination and cumulative effects proposed in the Scoping Report.
- 5.20.3 The Scottish Ministers advise that in-combination and cumulative effects for both phases be scoped in.

6. Application and EIA Report

6.1 General

- 6.1.1 The EIA Report must be in accordance with the 2017 MW Regulations and the Scottish Ministers draw your attention in particular to, regulation 6. In accordance with the 2017 MW EIA Regulations, the Scottish Ministers advise that the EIA Report must be based on this Scoping Opinion.
- 6.1.2 The Scottish Ministers note the need to carry out an assessment under The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). This assessment must be coordinated with the EIA in accordance with the 2017 MW Regulations.
- 6.1.3 A gap analysis template is attached at Appendix II to record the environmental concerns identified during the scoping process. This template should be completed and used to inform the preparation of the EIA Report. As part of the submission of the EIA Report the Scottish Ministers advise that Applicant must provide confirmation of how this Scoping Opinion is reflected in the EIA Report.

7. Multi-Stage Regulatory Approval

7.1 Background

- 7.1.1 The 2017 MW Regulations contain provisions regulating the assessment of environmental impacts. A multi-stage approval process arises where an approval procedure comprises more than one stage; one stage involving a principal decision and one or more other stages involving implementing decision(s) within the parameters set by the principal decision. While the effects which works may have on the environment must be identified and assessed at the time of the procedure relating to the principal decision, if those effects are not identified or identifiable at the time of the principle decision, assessment must be undertaken at the subsequent stage.
- 7.1.2 The definition in the 2017 MW Regulations is as follows: “application for multi-stage regulatory approval” means an application for approval, consent or agreement required by a condition included in a regulatory approval where (in terms of the condition) that approval, consent or agreement must be obtained from the Scottish Ministers before all or part of the works permitted by the regulatory approval may be begun”.
- 7.1.3 A marine licence, if granted, by the Scottish Ministers for the Proposed Works, may have several conditions attached requiring approvals etc. which fall under this definition, for example the approval of a CMS. When making an application for multi-stage approval the Applicant must satisfy the Scottish Ministers that no significant effects have been identified in addition to those already assessed in the EIA Report.
- 7.1.4 If during the consideration of information provided in support of an application for multi-stage regulatory approval the Scottish Ministers consider that the works may have significant environmental effects which have not previously been identified in the EIA Report (perhaps due to revised construction methods or updated survey information), then information on such effects and their impacts will be required. This information will fall to be dealt with as additional information under the 2017 MW Regulations, and procedures for consultation, public participation, public notice and decision notice of additional information will apply.

Signed

Gerry Millar
25 July 2024

Authorised by the Scottish Ministers to sign in that behalf

Appendix I: Consultation Responses & Advice

Marine Directorate - Licensing Operations Team
MD.MarineLicensing@gov.scot

27 June 2024

Highland Council Planning
epc.Planning@highland.gov.uk
FAO: Mark Harvey

MD ref: SCOP-0041
THC ref: 24/00606/SCOP

Dear Sir or Madam,

**EIA scoping for Glen Ullinish Coastal Delivery – Proposed quay and turbine laydown area, Loch Caroy, Loch Bracadale, Isle of Skye
Marine (Scotland) Act 2010 and the Marine Works (Environmental Impact Assessment) Regulations 2017 (as amended)
The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017**

Thank you for your consultations requesting our EIA scoping advice on the above proposal.

Background

We attended a Major Pre-applications meeting with the developer, THC and other consultees on 14 February 2024. However, the EIA scoping report does not take into account the advice provided at that meeting. We also had some earlier correspondence with consultants regarding ornithology surveys.

A single scoping document has been submitted including both terrestrial and marine aspects. We are therefore providing a single response to both competent authorities regarding all significant elements of the proposals as they relate to our remit.

The Proposed Development would accommodate vessels in excess of 1,350 tonnes and is therefore a Schedule 1 development in terms of EIA Regulations (i.e. an EIA is required).

Summary

The submitted scoping report covers most of the key natural heritage issues, although it contains more detail on some aspects than others. Key natural heritage issues arising from this development which will need to be considered in the EIA include:

- Seascape, landscape and visual impact assessment to include specific consideration of the regionally distinctive landscape/seascape of Loch Bracadale. Cumulative assessment should include submitted, consented (and ideally scoping stage) wind farms which would form the backdrop to many of the key views of the development.
- Assessment of Priority Marine Features in the area that may be affected by the proposals.

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- Effect of underwater noise on marine mammals, particularly cetaceans, including harbour porpoise within Inner Hebrides and the Minches candidate Special Area of Conservation. Specialist modelling and assessment is required to inform Habitats Regulations Appraisal and likely EPS disturbance license application. An appropriate suite of mitigation measures should be considered.
- Assessment of increased large boat traffic on Minke Whale and Basking Shark within Sea of the Hebrides MPA. This should focus on cumulative operational use of the facility and include production of a vessel management plan.
- Consideration of impacts on seals, especially those with connectivity to Ascrib, Isay and Dunvegan SAC.

Annex A of this letter provides further detailed comments to assist with the EIA process.

Should you have any queries about this letter, or require any further advice, please contact me at the address above.

Yours sincerely

Alex Turner
Operations Officer
Skye and Lochalsh, Central Highland
[REDACTED]

Annex A – Details to assist with the EIA for Glen Ullinish coastal development

General guidance for assessing impacts on the natural heritage

We advise the applicant to follow the latest standing advice and guidance as published on our website - <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents>

Our guidance on the EIA process is referenced in the scoping report (7.3) and is available at <https://www.nature.scot/sites/default/files/2018-05/Publication%202018%20-%20Environmental%20Impact%20Assessment%20Handbook%20V5.pdf>.

We also advise the developer to consider relevant sections of our guidance for marine renewables development - <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/renewable-energy/marine-renewables/advice-marine-renewables-development>

We have numbered and grouped the topics below in line with the scoping report.

5. Landscape, seascape and visual impact

We agree that a seascape, landscape and visual impact assessment should be undertaken by a chartered landscape architect in accordance with GLVIA3. Landscape and Coastal Character should be considered (5.1.4). Coastal character descriptions may be of assistance with informing the coastal character assessment - <https://www.nature.scot/doc/description-coastal-character-types-including-caithness>

The SLVIA should include an assessment of the regionally distinctive landscape of Loch Bracadale as described in our Glen Ullinish II wind farm planning response dated 15 March 2024:

Describing the character of the distinctive Loch Bracadale

The distinctiveness of the Loch Bracadale area we consider is most clearly expressed between Gesto Bay, south-west of Struan and Idrigill Point where it displays a complex pattern of intricate, patterned and settled coastal fringes, small scale bays, inlets, islands and coast which markedly contrasts with the larger scale open moorland towards the interior. Each have a role in contributing to the scenic diversity of the area. The coastal character description¹ states *‘this unit contains coastal and hinterland forms of different character and scale the overall complexity and naturalness of seascape form and pattern is distinctive’*. It goes on further to state that this coastal character type would be *‘highly sensitive to wind farm development’*. Drawing on the underpinning LCTs, it is clear that the Stepped Moorlands and Upland Sloping Moorland LCTs in this location play an important role in both providing a backdrop to the indented settled coast and in views over the coast. The area described will now be referred to as ‘Loch Bracadale’

In this area the stepped moorlands LCT are low-lying and merge with the Upland Sloped Moorlands. These contrast sharply with the human scale of adjoining settled landscapes of the Farmed and settled lowlands LCT which are interspersed with these moorland LCTs along the Loch Bracadale coast. This includes the islands within Loch Bracadale, which express the key characteristics of the

¹ [SNH/ NatureScot: SNH Commissioned Report 103 - An assessment of the sensitivity and capacity of the Scottish seascape in relation to windfarms](#) – superseded by [NatureScot: Description of coastal character types](#) but still of relevance to inform advice.

stepped moorland LCT landform creating a 'fragmented' island coastline². The interaction between these LCTs in this area results in a landscape with a distinctive scenic quality where the moorlands form not only the hinterland to the low-lying intricate coastal edge of Loch Bracadale but also make a key contribution to the scenic diversity of the coastal edge landscape.

We consider the Loch Bracadale landscape to exhibit a particular distinctiveness stemming from the composition of key physical characteristics and the variety of perceptual qualities expressed by this landscape³. Loch Bracadale is considered to have a distinctive regional character comprising:

Physical Characteristics

- Dynamic seascape of fragmented islands which display the distinctive stepped hills and moorland landform;
- Distinctive stepped profile where vertical faces vary in scale from low rocky outcrops to high walls of basalt rock, which form dramatic, steep basalt cliffs at the coast with arches, caves and narrow, rocky gullies;
- Vertical stepped landform appears as low outcrops or walls of rock, and form steep cliffs along coastlines with coastal rocky landform features and waterfalls;
- Complex pattern of intricate, indented coastline of settled crofting areas interspersed with moorland with strong aesthetic qualities resulting from the diversity in colour, texture and form expressed in this landscape; and
- Sharp contrast between human activity and small-scale coastal land use patterns, and the large scale mainly uninhabited moorland of simple vegetation which also provides the backcloth to the coastal landscape.

Perceptual Qualities

- Dramatic coastal panoramas with a high inter-visibility between promontories/ headlands and commanding coastal viewpoints where the dynamic composition and relationship between land and sea can be experienced;
- Strong sense of being on an island due to the close proximity of the sea;
- Sense of wild and remoteness along less accessible coastlines; and
- Visual containment afforded by the moorland landscape surrounding the coast which provides a simple and unobtrusive backdrop to the more visually complex coast and fragmented island seascape.

These characteristics and qualities are consistent across the Loch Bracadale area and have clear limits which define them as a cohesive area. They encompass part of the recognised valued landscape designated by the wider North West Skye SLA where '*one of the 'most varied and dynamic areas of scenery to be found within a Highland coastal landscape'*'⁴ can be appreciated. These characteristics are also accessed, enjoyed and appreciated by many from the coast and waters of Loch Bracadale, the A863 and coastal routes which access the peninsulas around Loch Bracadale, and promoted, popular walking routes within the area.

The Loch Bracadale area has a clear strong sense of place, where a unique composition of varied and dynamic coastal landscape scenery can be experienced. **Loch Bracadale makes a major contribution to the diverse coastal scenery of Skye, is distinctive at the regional scale, and contributes to Scotland's national landscape resource.**

² [NatureScot: Description of coastal character types \(Type 13 - Low, rocky island coast\)](#)

³ Landscape Institute Technical Guidance Note 02-21: Table 1 - Range of factors that can be considered when identifying landscape value - [LI TGN 02-21](#)

⁴ [The Highland Council: Assessment of Highland Special Landscape Areas \(June 2011\)](#)

Given that design details of the Proposed Development are currently unavailable we recommend not reducing the Study area to 5km at this stage. In the first instance wirelines from the additional viewpoints suggested below would allow us to gain a more thorough understanding of the predicted visibility of the proposal. This could be used to allow us to advise on whether photomontages would be required for these viewpoints or if the to the proposed approach for Landscape Institute Type 1 visualisations and single photomontage for viewpoint 1 (5.4.11) is appropriate.

Based on the current information we agree that 10km is a suitable study area **but advise that detailed assessment should extend beyond 5km** to consider key viewpoints such as Oronsay Island, the west coast of Loch Bracadale between Idrigill point and Loch Bharcasaig, Macleods Tables and the Fiskavaig coast.

The VP locations proposed in the scoping report are all located in close proximity around inner Loch Caroy and all located to the north and west of the site. We advise that a wider geographical spread and variety in angle of view and distance would aid assessment. We request that the following additional VPs be considered:

- the summit of Oronsay Island (NG31113590). Oronsay is a well-used coastal walk with high sensitivity receptors. It would also represent views from coastal waters.
- towards the southern end of the Harlosh peninsula – perhaps on the road corner at Balmore - NG28984140 and/or from the point - NG28154018.
- Consider VPs on the coastal path between Loch Bharcasaig and Idrigill point. This is also a well-used recreational route and provides some elevation. The headlands, islands and coastal crofting townships that make up the distinctive landscape are well represented in these views. Locations to consider include open level section of track around NG252413; plateaux around ~ NG253385; Idrigill ruins around NG252379. We would only expect visualisations to be produced if buildings or laydown areas were visible. If only the cranes are visible a wireline would be sufficient.
- Wireline or visualisations from the summit of Macleod's Tables (same VP as used for wind farm LVIA) to assess landscape context at greater distances.

We welcome the proposal to produce visualisations in accordance with our best practice guidance.

The cumulative assessment should also include operational, consented, at application and scoping wind farms within the 10km Study Area. The Highland Council are best placed to advise on schemes to be included for in the cumulative assessment. These should be presented as detailed in SNH/ NatureScot Visual Representation of Wind Farms Guidance – Version 2.2 February 2017.) This would allow comparison of current and 'worst case' scenarios. Cumulative photomontages should include consented, proposed and scoped wind farms (within the Study Area). This should be based on the latest submitted iterations of the wind farm layouts.

Given that lighting is proposed, we request that representative night time visualisations be produced, including a worst case scenario for floodlighting on the site. Wind turbine lighting should be shown in cumulative visualisations. We recommend the additional Balmore VP for this purpose.

The LVIA should also consider the effect of pile driving and dredging sounds on the perceptual qualities of the area during the construction phase, especially given the increased distance that noise is experienced over water.

The effect of cargo vessel traffic (which are significantly larger than the usual fishing boats and pleasure-craft in the area) on the experience of the area during operation of the facility should also be considered, especially since the size of the boats is one of the triggers for the EIA.

7. Terrestrial ecology

Habitats (including peatland)

We welcome the commitment to carry out an NVC habitat survey (7.2.8). This should include an assessment of condition (grazing/browsing, areas of peat cutting, erosion, burning etc). We advise that the latest version of our peatland guidance should be used (November 2023) rather than older version referenced in section 7.3 – see <https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>

The mitigation hierarchy in policy 5 of NPF4 should be followed. Given the distribution of peat shown in figure 11.1 we would expect any priority peatland habitats could be avoided.

Otters

An initial otter survey was carried out in September 2023, and feeding remains were identified, but the scoping report acknowledges limitations with the survey (7.2.7) and a further survey is proposed. We advise that the assessment should consider both terrestrial disturbance at breeding or resting sites and the effects of human activity and underwater noise on displacement of otters from feeding habitats.

Badgers are not present on Skye and the habitats in this area are not suitable so a badger survey is not required.

8. Marine ecology

Benthic habitats and species

We welcome the drop-down video surveys that have already been conducted (8.3.5). No information has been provided regarding the findings.

We agree that the review of marine data should identify any Priority Marine Features which may be affected by the proposals. The scoping report references much of the available benthic data and relevant literature. A summary of the data we are aware of in the area most likely to be affected is provided below:

Existing benthic data available for Loch Caroy area



Once the extent of PMF habitats and the scale of impacts have been predicted and quantified these can be assessed against known sensitivities of PMF habitats. A summary of current understanding regarding sensitivity to various pressures is available via FeAST (Feature Activity Sensitivity Tool) <https://feature-activity-sensitivity-tool.scot/>

Consideration should be given to any impacts at the dredge disposal site.

We agree that the potential for the spread of Invasive Non-Native Species (INNS) should be assessed as detailed in Table 8-16.

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Marine mammals and basking shark (and associated designated sites)

The southern part of the proposal (as defined by the EIA red line boundary) lies within **Inner Hebrides and the Minches candidate Special Area of Conservation (SAC)**, selected for its harbour porpoise.

We agree that existing marine mammal data sources should be used as detailed in Table 8-8. In addition we recommend reviewing the data that was used for site selection of the SAC – <https://apps.snh.gov.uk/sitelink-api/v1/sites/10508/documents/64> and <https://apps.snh.gov.uk/sitelink-api/v1/sites/10508/documents/63>

The specific location and design of the development has not yet been finalised (2.4.2). The proposals include considerable amounts of piling (marine piling and/or sheet piling), and possibly dredging and dredge disposal (2.5). These activities are likely to affect harbour porpoise. If porpoise are too close to an intense noise source when it is initiated, hearing damage can occur. Disturbance can occur over tens of kilometres from the activity. Blasting is not currently proposed but if it subsequently proves necessary further detailed assessment will be required. Further details are available in the Ports and Harbours section of the Conservation and Management Advice document at: <https://apps.snh.gov.uk/sitelink-api/v1/sites/10508/documents/59>

In addition to the EIA Regulations, the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the “Habitats Regulations”) also apply. Consequently, Marine Scotland and The Highland Council will be required to consider the effect of the proposal on the SAC before it can be consented. Our view is that this proposal is likely to have a significant effect on harbour porpoise within the SAC. Consequently, Marine Scotland and The Highland Council, as competent authorities, will be required to carry out an appropriate assessment. The EIAR needs to contain sufficient detail to support these assessments. Site-specific Conservation Objectives are available in the Conservation and Management Advice document <https://apps.snh.gov.uk/sitelink-api/v1/sites/10508/documents/59>

Other cetacean species, as listed in Table 8-12 have been recorded within and around the entrance of Loch Bracadale. Given their presence and the noise associated with piling it is likely that an EPS license will be required and sufficient information should be provided in the EIAR to support that application.

The construction methods should be clarified following site investigations including:

- Piling – what type of piles would be installed; how many; impact or vibratory piling; duration of installation.
- Dredging techniques and duration.
- Any blasting – what size of charge; how many; over what duration

The applicant has identified the need to consider the potential for mortality, injury and/or disturbance from underwater noise and vibration (8-16) but has not described how this would be carried out.

We agree that underwater noise modelling and assessment should be carried out. Noise levels for all noisy activities should be predicted and we advise that they consider the following references:

- *Good Practice Guide for Underwater Noise Measurement*, National Measurement Office, Marine Scotland, The Crown Estate, Robinson, S.P., Lepper, P. A. and Hazelwood, R.A., NPL Good Practice Guide No. 133, ISSN: 1368-6550, 2014. <https://www.npl.co.uk/gpgs/underwater-noise-measurement>
- Farcas A., Thompson P.M., Merchant N.D. (2016) Underwater noise modelling for environmental impact assessment. *Environmental Impact Assessment Review* Vol 57 pg 114-122

<https://www.sciencedirect.com/science/article/pii/S0195925515300202>

Received levels, or acoustic thresholds, at which individual marine mammals are predicted to experience changes in their hearing sensitivity (either temporary or permanent) for acute, incidental exposure to underwater anthropogenic sound should be considered. For assessment of impact to marine mammals we advise that they consider both Southall and NMFS injury thresholds:

- National Marine Fisheries Service. 2024. Update to: Technical Guidance for Assessing the 4 Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 3.0): Underwater and In5 Air Criteria for Onset of Auditory Injury and Temporary Threshold Shifts. U.S. Dept. of 6 Commer., NOAA. NOAA Technical Memorandum NMFS-OPR <https://www.fisheries.noaa.gov/s3/2024-05/NMSFAcousticGuidance-DraftTECHMEMOGuidance-3.0-FEB-24-OPR1.pdf>

Southall B.L, James J.F, Reichmuth C., Nachtigall P.E., Ketten D.R. Bowles A.E. Ellison W.T. Nowacek,D.P., & Tyack P.L. (2019) (2007) Marine Mammal Noise Exposure Criteria: Updated Scientific Recommendation. *Aquatic Mammals*, Vol 45(2), 125-232 https://www.researchgate.net/publication/302974965_Marine_mammal_noise_exposure_criteria

Disturbance should also be assessed. We advise that there is currently no agreed disturbance threshold as such, but that assessments are moving away from a fixed threshold towards using a dose response curve as used in:

- Thompson P.M., Hastie G.D., Nedwell J., Barham R., Brookes K.L., Cordes L.S., Bailey H., & McLean N. (2013) Framework for assessing impacts of pile-driving noise from offshore wind farm construction on a harbour seal population *Environmental Impact Assessment Review* Vol 43 pg 73-85.

While we expect the above guidance to be considered, the final assessment should be proportionate to the scale and risk of the works.

Appropriate mitigation should be put forward as outlined in Table 8-15, based on relevant best practice guidance <https://jncc.gov.uk/our-work/marine-mammals-and-noise-mitigation/>

Consideration should be given to the size of the piling mitigation zone and the best way to cover it. This should take into account the geography of the site and coverage for MMOs.

We agree that a vessel management plan should be developed as mitigation against potential vessel collisions (Table 8-15)

Effects on marine mammals and basking shark arising from dredge disposal should also be considered.

Sea of the Hebrides Marine Protected Area

The scoping report refers to basking shark (8.4.23) and Minke Whale (8.4.30) and briefly refers to the Sea of the Hebrides MPA (8.4.33) which extends to the mouth of Loch Bracadale and which is designated for these species (amongst other features).

The data confidence assessment (available on Sitelink <https://apps.snh.gov.uk/sitelink-api/v1/sites/10474/documents/50>) includes both sightings and modelling data for basking shark and minke whale. Activity levels are high around the mouth of the loch for both species but there are also a number of basking shark records within Loch Bracadale.

The Conservation and Management Advice is also available on the Sitelink website - <https://sitelink.nature.scot/site/10474>. A specific assessment should be made on the likely increase in boat traffic through the MPA (assuming a worst case scenario for cumulative impacts arising from construction of all of the consented, proposed and scoped wind farms). We agree that a vessel management plan should be produced.

Consideration should also be given to techniques and methods to decrease the impacts from underwater noise – this may involve noise abatement technology, pile management strategies etc. The timing of the works should also be considered.

Seals

The development site is approximately 40km from **Ascrib, Isay and Dunvegan SAC**. Satellite tracking research⁵ indicates that some seals travelled over 100 km but 50% of trips were within 25 km of a haul-out site. Satellite tracks for an individual seal tagged in Loch Dunvegan showed trips into Loch Bracadale. Therefore, there is connectivity with the SAC and we advise that this aspect this be assessed in the EIA.

Site Specific Conservation Objectives and Management advice are available in the Conservation and Management Advice document available on Sitelink - <https://sitelink.nature.scot/site/8193>

Harbour seal hauls have been recorded by SMRU during their August aerial counts hauled out on the skerries south of Ose point. While this does not appear to be used every year, upwards of 30 seals have been recorded in some years⁶⁷. We therefore disagree that disturbance can be scoped out (Table 8-14) and advise that the potential for disturbance should be assessed. If a higher resolution of data is required we recommend contacting SMRU.

9. Ornithology

We welcome the integration of our previous advice regarding data sources into the scoping report and the collection of site-specific survey data (9.4). We advise that the developer also consider our guidance for marine renewables development - <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/renewable-energy/marine-renewables/advice-marine-renewables-development>. While some of the guidance will not be relevant due to the scale and type of likely effects, similar principles should be applied.

⁵ Cunningham, L., Baxter, J. M., Boyd, I. L., Duck, C. D., Lonergan, M., Moss, S. E., & McConnell, B. (2008). Harbour seal movements and haul-out patterns: Implications for monitoring and management. *Aquatic Conservation: Marine and Freshwater Ecosystems*, 19(4), 398-407. <https://doi.org/10.1002/aqc.983>

⁶ <https://www.nature.scot/doc/naturescot-research-report-1143-aerial-survey-harbour-phoca-vitulina-and-grey-seals-halichoerus>

⁷ <https://www.nature.scot/sites/default/files/2017-07/Publication%202015%20-%20SNH%20Commissioned%20Report%20869%20-%20Surveys%20of%20harbour%20and%20grey%20seals%20on%20the%20west%20coast%20of%20Scotland%20%28Ullapool%20to%20Scarba%29%2C%20in%20the%20Moray%20Firth%20and%20in%20the%20Firth%20of%20Tay%2C%20in%20August%202014.pdf>



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Your Ref: SCOP-0041
Our Ref: AL/OPS/ML/PJMS_003_24

Mr Gerry Millar
Licensing Operations Team – Marine Directorate
Scottish Government
Marine Laboratory
375 Victoria Road
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AB11 9DB

6 March 2024

CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (“the MW EIA Regulations”)

SCOP-0041 Glen Ullinish Coastal Delivery Project (ITPEnergised for Muirhall Energy Ltd)

Thank you for your e-mail correspondence dated 29th February 2024 relating to the scoping report submitted by **ITPEnergised** on behalf of **Muirhall Energy Ltd** for the proposed construction and operation of a coastal delivery facility at Glen Ullinish, Loch Caroy, Skye.

Northern Lighthouse Board note Chapter 17 (Commercial & Recreational Navigation) within the Scoping Report, and the commitment to carry out a full Navigational Risk Assessment for inclusion within the EIA.

NLB also note Section 17.5 (Potential Mitigation) for any impacts on navigation or marine safety, including provision for navigational lighting and marking across both the construction and operational phases. NLB are willing to engage with the applicant throughout the consenting process with regard to lighting and marking, or any other element of navigational safety. This can be done via navigation@nlb.org.uk.

Northern Lighthouse Board have no objection to the content of the Scoping Report, and no suggestions for additional content.

NLB respects your privacy and is committed to protecting your personal data.
To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notices/

Yours sincerely



Peter Douglas
Navigation Manager

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To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notice/

In Salutem Omnium
For the Safety of All

13 March 2024

Gerry Millar
Marine Directorate
Scottish Government
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md.marinelicensing@gov.scot

Dear Mr Millar,

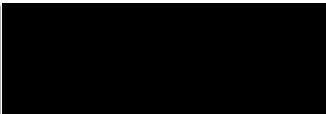
SCOP-0041 Glen Ullinish Coastal Delivery Project

I have read the scoping report on behalf of RYA Scotland and have consulted my colleagues who know this area. While the west coast of Skye is well used by recreational sailors, Loch Caroy itself is not heavily used although it does provide shelter in strong northerly winds, as mentioned in the *Ardnamurchan to Cape Wrath* volume of the *Clyde Cruising Club Sailing Directions and Anchorages*. RYA Scotland would be happy to contribute to a Navigational Risk Assessment.

I agree that, subject to further information coming to light from consultation and desk studies, the scope of the assessment is appropriate.

The book mentioned above should be considered a definitive source of information about recreational craft movements in this area. Issuing Notices to Mariners is of course important but even more important is that they are posted in places where recreational sailors will see them. RYA Scotland can advise about this.

Yours sincerely,


Dr G. Russell FCIEEM(retd) FRMetS
Planning and Environment Officer, RYA Scotland

Wednesday, 13 March 2024



Marine Licensing
375 Victoria Road

Aberdeen

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Glen Ullinish Coastal, Coastal Delivery Project, Isle of Skye, IV56 8FJ
Planning Ref: SCOP-0041
Our Ref: DSCAS-0105573-DTL
Proposal: Construction, alteration or improvement of any works

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Gerry Millar
Marine Licensing Casework Officer
Licensing Operations Team, Marine Directorate

Email: MD.MarineLicensing@gov.scot

Date: 20th March 2024



Dear Gerry,

SCOP-0041 Glen Ullinish Coastal Delivery Project

Thank you for consulting RSPB Scotland on the above request for a marine licence Scoping Opinion.

For information, RSPB Scotland objected to the Glen Ullinish II Wind Farm application on 10th October 2023 (Energy Consents Unit reference ECU00004829). This was due to very high predicted collision rates for White-tailed Eagle and Golden Eagle and disturbance and displacement impacts on both species.

We understand that this proposal is proposed to facilitate the delivery of Abnormal Indivisible Loads to the wind farm site, should consent be given. For the avoidance of doubt, we expect that this Coastal Delivery Project associated with this (and other) onshore wind farm proposals is reliant on the relevant onshore wind farm(s) gaining consent prior to a full application for the delivery project being made.

We note that there are three possible designs for the proposed development located within the red-line boundary and the final location has not yet been chosen.

The red line boundary of the proposed development overlaps the boundary of the Inner Hebrides and the Minches Special Area of Conservation (SAC), designated for harbour porpoise. Due to construction noise, dredging and land reclamation, and increased use of the area by shipping traffic during operation, the proposed development has the potential to impact on the qualifying feature of this designated site.

Therefore, there would be likely significant effects on the qualifying interests of a European site, from the proposed development alone and in combination with other

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rspb.org.uk/Scotland



The RSPB is part of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

projects. Consequently, the determining authority is required by the Conservation (Natural Habitats) Regulations 1994 to undertake an Appropriate Assessment of the effects of the proposal on the European sites and their habitats and species in light of the site's conservation objectives. The EIA Report must include sufficient information to inform the Appropriate Assessment. If the potential impacts of the proposal cannot be sufficiently mitigated and there could be adverse impacts on the integrity of these sites, then it is unlikely that the determining authority would be able to grant planning permission in accordance with the Habitat Regulations requirements.

Bird surveys

In general, we are content with the species covered by the surveys to date but are concerned that White-tailed Eagle appears to have been overlooked. Figure 9.1 Ornithology Survey Areas does not illustrate any viewsheds over the intertidal area and the breeding bird survey buffers do not extend past red-line boundary, but the Scoping Report states 500m buffers were used. This information should be included in the EIAR.

A scoping exercise should help inform survey design, and we are disappointed to note that ornithological surveys have already been undertaken prior to this exercise, and that only one year of surveys are proposed.

Although the size of the site is relatively small, the change of use is substantial and potential impacts on birds likely, and we therefore strongly recommend that two years of survey are undertaken as per NatureScot guidance¹. We also recommend that White-tailed Eagle use of the site is monitored and nest and roost sites in the locality are identified. We are aware of breeding sites within 2km of the site and that islands in Loch Caroy are used as day roosts. Data collected as part of the Glen Ullinish II wind farm EIA should be used to inform such surveys.

We are also concerned that intertidal surveys have only been undertaken in a 500m buffer from the site. The increase in shipping traffic during construction and operation may have a wider disturbance impact outwith a 500m buffer from the site. Therefore, use of Loch Caroy by birds should be examined on a wider scale to determine the expected level of impact.

Assessment of Impacts on Birds

White-tailed Eagle

¹ <https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

We have concerns regarding the construction and operational disturbance that this development may cause, especially for White-tailed Eagle.

White-tailed Eagles are afforded the highest legal protection in Scotland, being listed on Schedules 1, 1A and A1 of the Wildlife and Countryside Act which protects the birds from disturbance all year round and their nest sites from destruction. The species became extinct in the UK during the early 20th century due to illegal killing and the present population is descended from reintroduced birds. White-tailed Eagles are also amber-listed Birds of Conservation Concern with approximately 150 breeding pairs in the UK².

Construction and operation disturbance and displacement impacts on breeding, roosting and foraging should be considered in the assessment, including dredging and vessel movements in Loch Caroy.

Lighting

It is suggested that lighting be scoped out of the assessment as it will be localised. We strongly disagree with this proposal, as impacts on birds vary with design, type and strength of lighting. We are aware that lighting at ports and quays in this area of Scotland impact on seabirds such as young Manx Shearwaters, that are attracted to lighting and become grounded. This is a common issue at Mallaig. Manx Shearwaters in this area are a qualifying species of the nearby Rum SPA, and such impacts should be considered in the assessment.

Lighting may also impact on any roosting White-tailed Eagles in the vicinity, and this should also be considered in the assessment.

Cumulative impacts

We note that cumulative impacts are anticipated to be screened out "as the contribution from the Proposed Development is likely to be small" and "significant additive effects associated with simultaneous construction phases are considered unlikely based on currently available project information for other developments."

We disagree that cumulative impacts are scoped out so early in the assessment process. The purpose of a cumulative impact assessment is to examine if the effect of a number of developments in combination is significant, regardless of whether individual

² <https://www.rspb.org.uk/birds-and-wildlife/wildlife-guides/bird-a-z/white-tailed-eagle/>

proposals have a significant effect or not. We understand that cumulative construction impacts are difficult to predict, however, potential effects would be large if all proposals in this area were to be constructed at the same time/overlapping times. However, with appropriate mitigation in place for each project, significant effects could be avoided.

We strongly recommend that an ornithological cumulative assessment is presented in the EIAR including all operational, consented and in-planning onshore wind farms and the Skye Reinforcement Project.

Biodiversity Management and Enhancement Plan (BMEP) / Habitat Management Plan (HMP)

We believe that development should leave nature in a better state than before it took place and welcome NPF4's commitment to deliver positive effects for biodiversity through development.

Policy 1 of NPF4 states that 'when considering all development proposals significant weight will be given to the global climate and **nature crises**' (emphasis added). Policy 3 states that,

'Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'.

It goes on to list a number of criteria which applicants must demonstrate they have met, including 'significant biodiversity enhancements are provided, **in addition to** (emphasis added) any proposed mitigation'. Scottish Government planning guidance on biodiversity, which focuses on the implementation of Policy 3 for EIA and major development was published in November 2023³. Despite the fact that the document is labelled 'Draft Planning Guidance', it is the up-to-date expression of the Government's position on the implementation of Policy 3. The term 'draft' does not indicate a consultation document but is understood to reflect that it is "a 'living document'... that will be updated as practice beds in" (paragraph 5.1). The document should therefore be given significant material weight.

The Applicant should give early consideration to how positive effects for biodiversity would be delivered.

³ [Scottish Government \(2023\) Biodiversity: Draft Planning Guidance](#)

We note that "A Biodiversity Management and Enhancement Plan (BMEP) would be developed for the operational phase and agreed with consultees, to mitigate or enhance habitat for IEFs, promote ecological connectivity and to provide wider significant biodiversity benefits." The Scoping Report also references NPF4 Policy 3 and states (para. 3.3.15) that a Habitat Management Plan (HMP) will support the proposed development. No distinction between, nor further detail on these documents is provided.

The mitigation hierarchy must be followed, and any mitigation, compensation and enhancement measures must be clearly and separately identified within the EIA and other accompanying documents. It is RSPB Scotland's current view that biodiversity enhancement measures should not be delivered on designated sites for nature, and enhancement measures must be truly additional.

Developers also need to anticipate biodiversity enhancement becoming a requirement through the National Marine Plan 2 and respond accordingly in a way that is 'proportionate' to the scale of the development proposed.

In relation to peatland, recent NatureScot guidance⁵ states 'that restoration to achieve offsetting (i.e. compensation rather than biodiversity enhancement) would be in the order of 1:10 (lost:restored)' plus 'an additional 10% of the baseline assessment of the extent of priority peatland habitat for biodiversity enhancement'.

As much detail as possible should be provided in a BMEP or HMP prior to consent in order that the benefits be fully considered alongside the application.

We hope you find these comments helpful. Should you wish to discuss of any of the above please do not hesitate to contact me.

Yours sincerely,



Bea Ayling
Conservation Officer



[Glen Ullinish Coastal Delivery Facility](#)

Marine Analytical Unit (“MAU”) Response **Marine Directorate**

The scoping report for the Glen Ullinish Coastal Delivery Facility includes a description of a range of potential impacts. This response focuses only on the assessment of social and economic impacts.

Scoping of impacts

We disagree with scoping out population and human health. It is proposed in the scoping report that the assessment of population health is scoped out of the final assessment as it is part of the socio-economic impact assessment section. The socio-economics chapter, however, did not address population health. Population and human health can be assessed in the stand alone chapter in the air quality, noise and pollution section or in relation to socio-economic impacts.

Data Sources

Please provide a list of data sources used to assess potential socio-economic impacts (see Annex 1 for examples). Please use the most up-to-date data sources.

The scoping report states that “socio economic effects will be considered based on the guidance from Environmental Impact Assessment Handbook (NatureScot, 2018).” However no reference to NatureScot publication from 2018 was included into the bibliography. Please provide the reference to the guidance used. We have suggested guidance and other references in Annex 1.

Economic Impacts

In the full assessment please ensure that deadweight loss, leakage, displacement and substitution are taken into account. The inclusion of sensitivity analysis to account for risk, uncertainty and optimism bias would also be beneficial. The assessment of the employment impacts should focus on the years of employment and type of jobs. If it is possible to supply additional information about the types of jobs that are expected to be created (e.g. part-time, full-time, skilled, unskilled, etc) and how these compare to the existing jobs in the study area, this will add further depth to the analysis. Please see Annex 1 for more advice.

Social Impacts

Currently the potential socio-economic effects that will be considered in the assessment are limited to economic impacts. Please see Annex 1 for general advice on socio-economic impact assessments (“SEIA”) and the assessment of social

impacts. The assessment should be rigorous and proportionate to the size of the development.

Engagement with local communities

We advise that the assessment of potential socio-economic impacts would benefit from the engagement with local communities (see Methods Toolkit referenced in Annex 1). We would like to see which social and economic impacts are anticipated by local communities. This could be built into any community engagement or consultation activities the developer is planning to use. The assessment should be rigorous and proportionate to the size of the development.

Conclusions

Overall, the MAU are pleased to see that the socio-economic impacts have been scoped into the final report. However, the proposed analysis is mostly focused on economic impacts and lacks the assessment of social impacts. We expect to see a detailed description of the methodology used to assess social and economic impacts in the assessment, including specific details about the methodological approach taken and any key assumptions that underpin any findings. We encourage the developers to engage with local communities when assessing impacts. The analysis for the SEIA should be proportionate to the development size.

Annex 1: General Advice for Socio-Economic Impact Assessment

Marine Analytical Unit (MAU)

Marine Directorate

March 2024

This document sets out some suggestions for delivering socio-economic impact assessment drawing on the professional expertise of the Marine Analytical Unit (MAU), Marine Directorate.

Section 1. Some general best practice tips

- Take a proportionate approach to SEIA in line with the size of the development
- Consider offshore and onshore components of the development in the same assessment.
- Employ experts to design and carry out the assessment. The relevant expertise would include:
 - Social research and economist training, qualifications and experience
 - Familiarity and experience with appropriate methods for each discipline (including economic appraisal, social research methods such as surveys, sampling, interviews, focus groups and participatory methods)
- Consider potential secondary socio-economic impacts of any changes that affect the other relevant receptor groups covered in the wider EIA e.g. commercial fisheries, cultural heritage and archaeology and visual impacts.
- Include consideration of the cumulative impact of multiple offshore developments.
- Outline the rationale for scoping out impacts that are deemed to be minimal, including any evidence or analysis that has been used. If this is not provided it can be difficult for MAU to understand why impacts have been scoped out and we may suggest scoping them back in.

Section 2. Key components of a Socio-economic Impact Assessment

We set out below what we consider to be the key steps to an assessment. We recommend a combined approach so that social and economic impacts are covered together in the assessment, whilst acknowledging that different methodologies for social and economic impacts assessment are needed at certain stages, and that the two disciplines are distinct.

We wish to highlight the importance of stakeholder engagement throughout the assessment, and the use of social research methods (see Methods Toolkit referenced at the end of this Annex) to gather primary data and first hand perspectives from particular groups and communities that are affected. These are helpful in order to better understand the nature and degree of impacts that might be caused by changes that are expected occur. A change in itself may or may not bring about tangible impact, impacts may vary for different people or be perceived in different ways, are affected by individual values and attitudes, and conditioned by the context.

Stakeholder engagement and data collection can occur at a number of stages in the SEIA process and may involve similar methodologies but there are important differences to note. The primary aims of stakeholder engagement are to inform, consult or involve key stakeholders, and to communicate information and gather feedback. Data collection, in contrast is a more rigorous analytical process involving:

- Setting out a planned methodology in advance with clear objectives of what you wish to achieve through data collection
- Sampling strategies that take account of the demographic variations in the population and the need to include difficult to reach groups
- Robust methods to collect information from people in a neutral and unbiased way
- Awareness of how data will be analysed and reported on to obtain and disseminate robust conclusions
- Taking account of research ethics including informed consent, and data protection requirements under GDPR

The stages below are divided into the activities that we suggest are **before** the developer submits a request for a scoping opinion and those that are done **after** the scoping phase. We recommend an iterative approach which means that steps inform each other, information is built up over time, and some steps may be repeated or done in a different order.

The key steps should include:

Pre-scoping activities

- 1) Getting started:** Employ economist and social research experts and work with them to develop a plan for the SEIA that sets out data requirements, and the proposed social and economic data collection and impact assessment methodologies, timescales, any data protection considerations, risk assessment and ethical issues that might arise from the work.
- 2) Develop a detailed description** of the planned development and consider the project phases where socio-economic impacts might be experienced (covering development, construction, operation and maintenance and decommissioning phases). Start to map out potential socio-economic impacts and initial consideration of areas of impact on land that will need to be covered.
- 3) Initial scoping of impacts:** develop a broad list of potential impacts informed by experts (including social researcher, economist, local representatives from key groups, community stakeholders and others).
- 4) Define potential impact areas on land** taking into account locations and connections between activities. Different types of impacts may be experienced at different geographic levels, some in the area nearest the landfall or the nearest coastline to the development at sea, and others much further away (at Scotland level, UK level and internationally). The geographical scale at which social impacts are experienced may be different for social impacts compared with economic impacts. There may be multiple epicentres from which impacts radiate

including the site of the development, land-based areas such as landfall and grid connections, construction bases and places from which the development is visible. Activities that take place in the sea are also relevant for defining the impact area on land, for example the location of fishing activity and ports where fish are landed. The definition of the impact area will inform which communities and which sectors are included in the assessment and vice versa, so this exercise needs to be done iteratively with step 3, the initial scoping of impacts.

- 5) **Stakeholder mapping** is required to identify all the people, groups and stakeholders who may be affected by the development and is a first step in order to conduct effective stakeholder engagement. This exercise is informed by the definition of the impact area. A broad approach is recommended. Stakeholders are likely to include local communities, businesses, workers, other users of the sea, interest groups, community councils and so on.

Steps 4 and 5 may lead to a change in the list of potential impacts so this will need refined/checked.

- 6) **Stakeholder engagement (with those affected by the development, sea users, communities etc)** is a key requirement of SEIA that is done at different stages of the process. We recommend doing some initial stakeholder engagement before submitting the scoping report. Stakeholder engagement will fulfil a number of requirements:

- **Provide information about the development** so that those who might be affected are able to make an informed judgement about potential impacts
- **Present and refine list of potential impacts based on feedback** - identify impacts that are most relevant and add any additional ones that are identified
- **Collect initial data/ insights from stakeholders** on what potential socio-economic impacts (to be developed later)
- **Build relationships** with the community and key groups affected for later stages of the SEIA process so that they can understand the decisions making process and how they can influence it.

There are many **participatory methodologies** that can be used for effective stakeholder engagement that provide a deliberative space for community discussions.

This stage may also require the setting up of governance structures and a community liaison officer. **Early engagement** with those who might be affected is very important, as is meaningful and inclusive engagement where people feel that they are being listened to and that their feedback will be acted upon. It is important to set out clearly how stakeholder engagement is being done for the SEIA specifically.

- 7) **Gather contextual information** to develop a social and economic profile of the area prior to the development that will help with setting the baseline and impact

prediction, identifying potential industries and communities that might be affected and sources of data that can be used in the assessment. This might include primary data collection using social research methods (such as surveys, interviews, focus groups) as well as desk based analysis (of existing data sets such as fishing data, population data).

Primary data collection may occur alongside participatory activities (e.g. engagement events) but must be done in a rigorous and systematic fashion and the findings should be robustly analysed and incorporated into the SEIA. Impacts that are identified for the other receptors in the wider EIA may also have socio-economic consequences and so it may be important to include these in the SEIA.

8) Produce list of anticipated impacts to be covered in the scoping report

setting out the range of potential impacts that could occur, building on what has already been done using data and insights that have been collected from various activities described above. Details of the methods that have been used should be included to enable Marine Directorate to determine if the analysis is based on a robust and appropriate approach. Justification should be provided for any impacts that are scoped in or out. This could be based on suggestions made by stakeholders and the public during stakeholder engagement or an assessment based on the analysis of primary and secondary data.

It is helpful if the scoping report includes details on the approach to be used for the SEIA including methods for data collection, planned stakeholder engagement activities and data-sets to be used.

Post scoping activities for the SEIA

The scoping opinion will advise on the final list of socio-economic impacts to be assessed in the SEIA. This may require additional data collection/ social research to enable a more rigorous assessment of a narrower set of anticipated impacts. It may also require further stakeholder engagement in order to check the significance of impacts with different groups, and the acceptability of mitigation options.

The data and information that has been collected throughout the scoping phase will be used to conduct steps 9, 10 and 11 below.

9) Conduct baseline analysis to assess the situation in the absence of the development, to provide a point of comparison against which to predict and monitor change. Appropriate social and economic measures should be used for the baseline and cover relevant issues (see section 4 for suggested data sources). Key stakeholders and other interested parties including affected communities and sectors may be aware of baseline data to be included, and this can be explored in the participatory approaches described above. The findings from social research can also be included in the baseline. Note that baseline data can be presented in the scoping report but is also the first stage of the SEIA and so should be included in the SEIA report.

10) Predict impacts and assess their significance (otherwise known as impact appraisal or options appraisal)

Through analysis, estimate the social and economic changes and their expected impacts, considering any alternative development options and how significant the impacts might be. This is the core part of the assessment and forms the main part of the assessment report. Different methodologies and both primary and secondary data inform this part of the exercise.

Different phases of the development should be covered (development, construction, operation and maintenance) and also transitions between phases (if relevant).

The knock on socio-economic consequences of impacts in other parts of the EIA assessment should be assessed here, such as the impact on commercial fisheries, and impacts on related industries such as tourism could also be included.

It is important to consider distribution of impacts among different social groups (covering protected quality characteristics, socio-economic groups and geographic area where relevant to do so).

Economic impact appraisal should include consideration of:

- Direct, indirect and induced impacts;
- Leakage, displacement and substitution effects;
- Deadweight loss;
- Cumulative impacts;
- Sensitivity analysis to account for risk, uncertainty and optimism bias.

There are a range of methodologies for calculating direct, indirect and induced impacts. These include the appropriate use of multipliers, a local content methodology, stakeholder involvement and expert opinion.

Modelling approaches should be realistic, based on robust data, and avoid over promising the economic impacts.

All prices should be presented in real terms (excluding inflation) and should state which year the prices represent.

11) Development enhancement, mitigation strategy and complete SEIA report.

There may be an opportunity for adaptation or other approaches to mitigate potentially adverse impacts and to maximise positive opportunities. This may include engagement with the community to develop a strategy for enhancing benefits and mitigating against impacts; or development of a Community Benefit Agreement (CBA). Again these activities should be done collaboratively with stakeholders where relevant and appropriate.

The SEIA report should clearly set out the methods used in the assessment, justification for decision made such as scoping certain impacts in or out of the

assessment, and the approach to analysis. The report should cover the baseline analysis and results of the impact prediction or appraisal, and distributional impacts. Social and economic impacts can be set out separately (where this makes sense) and together where they overlap.

It is good practice for the report to be reviewed by the people (i.e. the wider group of stakeholders and communities) who were involved in providing data for its production.

Section 3. Examples of different types of socio-economic impacts

In the literature social and economic impacts are defined in many different ways. Sometimes social and economic impacts are covered separately, whilst other sources refer to socio-economic impacts.

The following table sets out some commonly identified socio-economic impacts.

Examples of Socio-economic Impacts from Glasson 2017¹

1. Direct economic:

- GVA
- employment, including employment generation and safeguarding of existing employment;
- characteristics of employment (e.g. skill group);
- labour supply and training; and
- other labour market effects, including wage levels and commuting patterns.

2. Indirect/induced/wider economic/expenditure:

- employees' retail expenditure (induced);
- linked supply chain to main development (indirect);
- labour market pressures;
- wider multiplier effects;
- effects on existing commercial activities (e.g. tourism; fisheries);
- effects on development potential of area; and

3. Demographic:

- changes in population size; temporary and permanent;
- changes in other population characteristics (e.g. family size, income levels, socio-economic groups); and
- settlement patterns

4. Housing:

- various housing tenure types;

¹ Glasson J (2017a) "Socio-economic impacts 2: Overview and economic impacts" in Therivel R and Wood G (eds.), *Methods of Environmental and Social Impact Assessment*, Abingdon: Routledge

- public and private;
- house prices and rent / accommodation costs;
- homelessness and other housing problems; and
- personal and property rights, displacement and resettlement

5. Other local services:

- public and private sector;
- educational services;
- health services; social support;
- others (e.g. police, fire, recreation, transport); and
- local authority finances

6. Socio-cultural:

- lifestyles/quality of life;
- gender issues; family structure;
- social problems (e.g. crime, ill-health, deprivation);
- human rights;
- community stress and conflict; integration, cohesion and alienation; and
- community character or image

7. Distributional effects:

Distributional analysis is a term used to describe the assessment of the impact of interventions on different groups in society. Interventions may have different effects on individuals according to their characteristics such as income level or geographical location, effects on specific groups in society (eg: by virtue of gender, age, religion, language, ethnicity and location); environmental justice.

Section 4: Useful Data Sources for Socio-Economic Impact Assessments

Name	Summary	Link to Source
Statistics.gov.scot	Contains a wide range of data by local authority and other geographic breakdowns. Has a search by subject and area option.	statistics.gov.scot
Marine Economic Statistics	Annual economic statistics publication including GVA and employment data for marine economy sectors.	Marine economic statistics - gov.scot (www.gov.scot)

Scottish Sea Fisheries Statistics	Provides data on the tonnage and value of all landings of sea fish and shellfish by Scottish vessels, all landings into Scotland, the rest of the UK and abroad, and the size and structure of the Scottish fishing fleet and employment on Scottish vessels.	Sea fisheries statistics - gov.scot (www.gov.scot)
Scottish Shellfish Farm Production Survey 2022	Statistics on employment, production and value of shellfish from Scottish shellfish farms.	Scottish Shellfish Farm Production Survey 2022 - gov.scot (www.gov.scot)
Scottish Annual Business Statistics 2020	Scottish Annual Business Statistics (SABS) presents estimates of employment, turnover, purchases, Gross Value Added and labour costs. Data are provided for businesses that operate in Scotland. Data are classified according to the industry sector, location and ownership of the business.	Scottish Annual Business Statistics 2020 - gov.scot (www.gov.scot)
Sub-Scotland Economic Statistics Database	The Sub-Scotland Economic Statistics Database provides economic, business, labour market and population data for Scotland, and areas within Scotland.	Sub-Scotland Economic Statistics Database - gov.scot (www.gov.scot)
Nomis Official Labour Market Statistics	Labour market statistics including data on employment, unemployment, qualifications, earnings etc.	Nomis - Official Labour Market Statistics (nomisweb.co.uk)
Economics of the UK Fishing Fleet 2020	Economic estimates at UK, home nation and fleet segment level for the UK fishing fleet. The estimates are calculated based on samples of fishing costs and earnings gathered by Seafish as part of the 2020 Annual Fleet Economic Survey.	Economics of the UK Fishing Fleet 2020 — Seafish
Scotland's Census, National Records of Scotland	Census data that provides information about the characteristics of people and households in the country.	Scotland's Census National Records of Scotland (nrscotland.gov.uk)

Scottish Index of Multiple Deprivation	Collection of documents relating to the Scottish Index of Multiple Deprivation - a tool for identifying areas with relatively high levels of deprivation.	Scottish Index of Multiple Deprivation 2020 - gov.scot (www.gov.scot)
The Green Book	HM Treasury guidance on how to appraise and evaluation policies, projects and programmes.	The Green Book: appraisal and evaluation in central government - GOV.UK (www.gov.uk)
The Magenta Book	HM Treasury guidance on evaluation. Chapter 4 provides specific guidance on data collection, data access and data linking.	The Magenta Book - GOV.UK (www.gov.uk)
Enabling a Natural Capital Approach (ENCA)	Supplementary guidance to The Green Book. ENCA resources include data, guidance and tools to help understand natural capital and know how to take it into account.	Enabling a Natural Capital Approach (ENCA) - GOV.UK (www.gov.uk)

Section 5: Further sources of guidance:

HM Treasury guidance on how to appraise and evaluate policies, projects and programmes: [The Green Book: appraisal and evaluation in central government](http://www.gov.uk)

Best practice in Social Impact Assessment according to the International Association for Impact Assessment: [Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects](http://www.iaia.org)

The project A two way Conversation with the People of Scotland on the Social Impacts of Offshore Renewables (CORR/5536) has developed elements of a conceptual framework on social values that can be used to support and inform existing processes for assessing the potential social impacts of offshore renewables plans: [Offshore renewables - social impact: two way conversation with the people of Scotland](http://www.gov.scot)

Best practice guidance for assessing the socio-economic impacts of OWF developments: [Guidance on assessing the socio-economic impacts of offshore wind farms \(OWFs\)](http://www.gov.uk)

A toolkit of methods available to assist developers, consultants, and researchers carrying out socio-economic impact assessments: [Methods Toolkit for Participatory Engagement and Social Research - gov.scot \(www.gov.scot\)](http://www.gov.scot)



Maritime &
Coastguard
Agency

Helen Duncan
Maritime and Coastguard Agency
Bay 2/24
Spring Place
105 Commercial Road
Southampton
SO15 1EG

www.gov.uk/mca

Your Ref: SCOP-0041

27th March 2024

Via email: md.marinelicensing@gov.scot

Dear Marine Directorate,

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (“the MW EIA Regulations”)**

CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MW EIA REGULATIONS

Thank you for your email dated 29 February 2024 inviting the Maritime and Coastguard Agency (MCA) to comment on the Scoping Report for the Glen Ullinish Coastal Delivery Project.

The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. The MCA would expect any works in the marine environment to be subject to the appropriate consents under Marine (Scotland) Act 2010 before carrying out any marine licensable works.

1. We note that the proposed development will be a quay facility for bringing turbine components onto northwest Skye. It will entail construction works on land and in the marine environment which includes (but is not limited to): Dredging of the seabed, including disposal and removal of rock for either Option A – 400 m³; Option B – 1,605 m³ (possible rock removal) or Option C – 0 m³;
2. A Quay structure which will be 94m long x 40 m wide; either Infilled or open piled concrete deck; up to 120 piles ; and land reclamation to facilitate structure;
3. Laydown Area including turbine component and associated equipment storage; storage and welfare buildings; and associated lighting, security fencing, drainage, and other services.
4. Land reclamation;
5. Habitat management and enhancement;
6. Landscaping; and

7. Pontoons and/or slipway for use by smaller vessels.

The Proposed Development is situated on the eastern shore of Loch Caroy although there are currently three proposed sites (A, B and C) which have not yet been selected. Moreover, the scope of dredging activities has not yet been finalised, once this has been established the dredging activities will be covered by the formal marine licensing process.

The Scoping Report has been considered by representatives of UK Technical Services Navigation and the Maritime and Coastguard Agency (MCA) would like to respond as follows:

- 1) In Chapter 17 of the Scoping Report, the applicant states their commitment to complete a Navigation Risk Assessment (NRA) to assess the likely impacts to commercial and recreational traffic within the study area and the likely associated risks to shipping and navigation, which we welcome. We also welcome the NRA following the IMO Formal Safety Assessment methodology. We note that currently the study area is anticipated to include an area extending out into Loch Bracadale. The NRA should address both the construction phase and the ongoing safe operation of the site and what is required with regards to risk mitigation.

The NRA will support the EIA application for the Proposed Development and inform the Commercial Shipping and Recreational Navigation EIA chapter. To provide local stakeholder input, a hazard identification workshop would be arranged which would bring together relevant navigational stakeholders for the area to discuss the potential impacts on navigational safety. The MCA welcomes this approach.

- 2) We note that based on the baseline information currently available and the project description that no impacts (to commercial and recreational receptors) or pathways have been scoped out at this stage. The MCA welcomes this approach as we would expect no effects to be scoped out of the assessment with regards to shipping and navigation, pending the outcome of the Navigation Risk Assessment and further stakeholder consultation.
- 3) Section 17.2.1 of the Scoping Report makes reference to the use of AIS data to assess local vessel traffic, and we would recommend the applicant to consider the use of additional data sources, such as VMS fishing vessel data, and thorough local consultation to ensure a comprehensive study of vessel traffic is completed.
- 4) We note in section 17.4.7 that as part of the NRA the applicant will assess “*whether the risks are both tolerable and risk is reduced to a point of ‘as low as reasonably practicable’ (ALARP) as required by the Port Marine Safety Code*” which we welcome. The appointment of a marine liaison officer to promulgate safety information for local vessels will help to ensure local stakeholders are kept informed of proposed works.
- 5) We note that the site does not fall within the jurisdiction of a Statutory Harbour Authority (SHA) and therefore safety of navigation falls under the jurisdiction of the MCA. The new facilities should be treated as Marine Facilities as per the Port Marine Safety Code (PMSC). The Code is applicable both to statutory harbour authorities and to other marine facilities which may not have statutory powers and duties. We welcome the statement in

section 17.5.3 “As a terminal it would be required to submit Port Marine Safety Code compliance to the regulator ensuring that the facility meets the requirements as set within the Code”.

- 6) A robust Safety Management System (SMS) should be in place for the project under this Code and we welcome the reference to a Marine SMS in Section 17.5.13. From the PMSC Guide to Good Practice, section 7 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port. Section 7.8 Regulating harbour works covers this in more detail and we have copied the extract below from the Guide to Good Practice.

7.8 Regulating harbour works

7.8.1 Some harbour authorities have the powers to license works where they extend below the high watermark and are thus liable to have an effect on navigation. Such powers do not, however, usually extend to developments on the foreshore.

7.8.2 Some harbour authorities are statutory consultees for planning applications, as a function of owning the seabed, and thus being the adjacent landowner. Where this is not the case, harbour authorities should be alert to developments on shore that could adversely affect the safety of navigation. In any case harbour authorities should ensure that the MMO or appropriate licensing authority consults them with regard to any applications for works or developments in or adjacent to the harbour area. Where necessary, consideration should be given to requiring the planning applicants to conduct a risk assessment in order to establish that the safety of navigation is not about to be put at risk. Examples of where navigation could be so affected include:

- high constructions, which inhibit line of sight of microwave transmissions, or the performance of port radar, or interfere with the line of sight of aids to navigation;*
- high constructions, which potentially affect wind patterns; and*
- lighting of a shore development in such a manner that the night vision of mariners is impeded, or that navigation lights, either ashore and onboard vessels are masked, or made less conspicuous.*

- 7) A preliminary assessment on the potential impacts to Search and Rescue (SAR) and emergency response in the area will need to be included to ensure there are no impacts on SAR operations.
- 8) Please consider this response as answering the consultee questions raised in Section 17.7.

I hope you find this information useful at this scoping stage.

Yours faithfully

[Redacted signature]

Helen Duncan
Marine Licensing Project Lead

UK Technical Services Navigation

5th April 2024

Re Glen Ullinish Coastal Delivery Facility EIA Scoping Report

To Whom It May Concern,

I have read over the Scoping Report for the proposed Glen Ullinish Coastal Delivery Facility and have a concern I hope to see addressed in the project's EIA.

SLRT feels that the document has already identified most concerns about the impacts this project could introduce to local anadromous fish populations and their migration pathways, and we look forward to seeing these items addressed fully in the EIA.

SLRT can confirm the presence of European eels in the River Ose as recently as 2023. The River Drynoch (approximately 15 km from the proposed site) contains large numbers of eels who could be migrating through the development area. We are happy to provide data from recent electrofishing surveys to confirm their presence.

We would suggest that the project also reference results from the West Coast Tracking Project (led by Atlantic Salmon Trust and the Missing Salmon Alliance) to ensure the Proposed Development is not overlapping with a known migration route of wild salmon off the west coast of Skye.

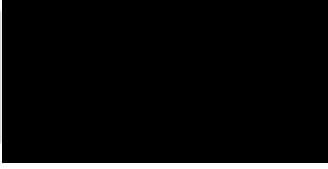
However, SLRT is concerned by the statement made in Section 8.4.24 where it is said that sea trout "are unlikely to be permanent residents within the scoping area". We would request further evidence in the EIA to support this statement.

SLRT has conducted two sea trout tracking studies in Skye in 2017 and again in 2021-2022. The results from this work demonstrate that near-shore coastal areas and estuaries are critically important habitats for both sea trout post-smolts and adult sea trout. The majority of tagged post-smolts (approximately 75%) remained in their natal sea loch for at least 3 months after they first left their natal river. The adult sea trout that were tagged also primarily remained in the sea loch that they were tagged in for multiple months. These studies suggest that the majority of local sea trout populations are choosing to remain in sheltered and nutrient-rich areas close to their natal river to feed instead of migrating to deeper water. This highlights the necessity of protecting in-shore habitats, particularly near rivers where salmonid populations are present in low densities, like Loch Caroy and the nearby River Ose.

SLRT did not receive direct notification of this development through the Marine Directorate or Highland Council, however, we would like to be added to the list of relevant stakeholders and kept up to date with the delivery of the EIA report. We are happy to engage with members of the Muirhall team if they have any questions related to wild salmonids in the Skye area.



Kind regards,



Dr Isabel Moore
Senior Biologist
Skye and Lochalsh Rivers Trust
[Redacted]

Gerry Millar
Marine Directorate
Scottish Government
Atlantic Quay
Glasgow
G2 8LU

Your ref:
SCOP-0041

Our ref:
GB01T19K05

Date:
05/04/2024

md.marinelicensing@gov.scot

Dear Sirs,

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (“THE MW EIA REGULATIONS”)**

CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MW EIA REGULATIONS

GLEN ULLINISH COASTAL DELIVERY PROJECT - SCOPING CONSULTATION REQUEST

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by ITP Energised in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

The proposed development is the Glen Ullinish Coastal Delivery Facility and dredging works, which comprises a quay facility that will entail construction works on land and in the marine environment. The site is located on the eastern shore of Loch Caroy, approximately 5.5km north-west of Struan and 7km south-east of Dunvegan in the north-west of Skye, and its location will facilitate the delivery of turbine components for the construction of Glen Ullinish II Wind Farm. The nearest trunk road to the site is the A87(T) which lies approximately 22km to the east.

Assessment of Environmental Impacts

Chapter 16 of the SR presents the proposed methodology for the assessment of Traffic and Transport. This states that the transport assessment will be based upon the guidance presented in the Environmental Assessment of Traffic and Movement (Institute of Environmental Management & Assessment (IEMA), 2023). These specify that road links should be taken forward for further assessment where the following two rules are breached:

Rule 1: Include road links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%)

Rule 2: Include road links of high sensitivity where traffic flows have increased by 10% or more.

Transport Scotland is satisfied with this approach but it is noted that “road user and pedestrian safety” and “driver delay” effects require further consideration even if the rules are not exceeded. The IEMA guidelines contain further advice on this.

We note that the proposed study area will include the A836 between Dunvegan and Sligachan. Transport Scotland would request that a screening exercise be carried out on the A87(T) to determine whether there are likely to be any significant potential environmental issues associated with increased traffic on the trunk road network, and any requirement for further trunk road assessment. Where significant changes in traffic are not noted for any link, no further assessment needs to be undertaken.

The SR states that traffic data for the A863 will be obtained from the UK Government Department for Transport (DfT) database, and National Road Traffic Forecast (NRTF) Low Traffic Growth assumptions will be used to provide a common future year baseline to coincide with the expected construction traffic peak. Transport Scotland is satisfied with this approach, but would add that an alternative source of traffic data is Traffic Scotland’s National Traffic Data System.

With regard to accident data, we note it is proposed to use Crashmap to obtain accident statistics. We would state that more up to date statistics can be obtained directly from Transport Scotland. Contact accidentdatarequests@transport.gov.scot for trunk road links.

Abnormal Loads Assessment

It is noted that abnormal indivisible loads (AIL) will be required. It should be noted that Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

A full Abnormal Loads Assessment report should be provided with the Environmental Impact Assessment Report (EIAR) that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA’s Glasgow Office can assist on 0141 343 9636.

Yours faithfully

George Smith

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.



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ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
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By email to: md.marinelicensing@gov.scot

Gerry Millar
Marine Licensing Casework Manager
Marine Directorate (Glasgow)

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300070851
Your ref: SCOP-0041
17 April 2024

Dear Gerry Millar

[The Marine Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 SCOP-0041 Glen Ullinish Coastal Delivery Project \(Per ITP Energised for Muirhall Energy Ltd\) - Marine Scoping Consultation Request Scoping Report](#)

Thank you for your consultation which we received on 29 February 2024 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

We understand that the proposed development comprises a jetty, access and associated infrastructure at Camas Mor in Skye, for the transport of turbine components for the proposed Glen Ullinish 2 Wind Farm. This consultation relates to the marine aspects of the project.

Scope of assessment

We note that the scoping report predates our response to the related Major Pre-application consultation from Highland Council and contains no material changes relevant to our interests from the information supplied at that stage. Our response to this marine scoping therefore largely reiterates the advice given within The Highland Council Major Pre-Application consultation response.

Little information has been provided in the scoping report as to the proposed methodology for the marine archaeological assessment. In particular, in paragraph 6.3.2, there is no reference to relevant guidance and standards for marine archaeology. We recommend that the following should be consulted:

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



[Crown Estate - Protocols for Archaeological Discoveries: Offshore Renewables Projects](#)
[Crown Estate – Model Clauses for Archaeological Written Schemes of Investigation](#)

We recommend that the marine aspects of the EIA should be undertaken by qualified and experienced marine archaeological contractors, and that the methodology for the work should be agreed with Historic Environment Scotland in advance.

There are no known marine archaeological features within the development boundary, and none within 1km or thereabouts of the study area. Whilst the head of the loch is likely to be shallow, the shore within the development site is rocky and fairly exposed, meaning that the potential for survival of maritime archaeology is probably limited.

The scoping report sets out that interventions below MHWS will include some dredging (400m³ for Option A, 1603m³ including rock removal for Option B, and probably none for Option C). If maritime archaeology does survive, therefore, it is more likely to be encountered at Option A and Option B where dredging is required, rather than at Option C. Limited information is set out regarding the construction of the quay, other than that it will either be open-piled deck or solid infilled; the former would probably entail a series of piles through the seabed until rock is reached, with a deck then formed across the head of the piles, and the latter may be sheet piles backfilled with rock potentially won from the adjacent hillside.

We would expect a future Marine Licence application to be informed by suitable survey of the seabed undertaken in such a way that archaeological interpretations can be drawn from it. If such a survey confirms that the nature of the seabed is such that the potential for survival of maritime archaeology is likely to be limited, then we would expect a precautionary Protocol for Archaeological Discovery (PAD) and Written Scheme of Investigation (WSI) to be submitted as part of an application. If the potential for survival was greater, then we would expect mitigation measures to be proposed.

Further information

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 on our Technical Conservation website at <https://www.englished.scot/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Mary MacLeod Rivett, who can be contacted by email on mary.macleod@hes.scot.

Yours sincerely

Historic Environment Scotland

From: [Robert Merrylees](#)
To: [MD Marine Licensing](#)
Subject: RE: SCOP-0041 Glen Ullinish Coastal Delivery Project (Per ITP Energised for Muirhall Energy Ltd) - Scoping Consultation Request
Date: 29 February 2024 13:42:51
Attachments: [image003.jpg](#)
[image004.gif](#)
[image005.png](#)
[image006.png](#)

Dear Marine Scotland,
The UK Chamber of Shipping welcomes the consultation and has no comments to make so makes a nil return.

Kind regards,

Robert

Robert Merrylees

Policy Manager (Safety & Nautical) & Analyst

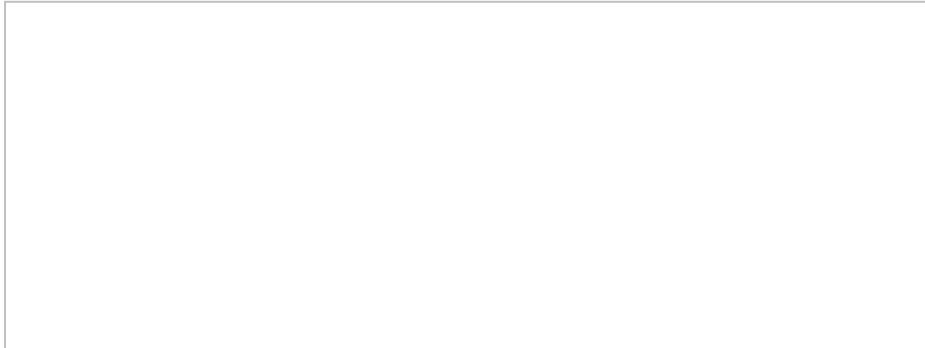
UK Chamber of Shipping

30 Park Street, London, SE1 9EQ

DD +44 (0) 20 7417 2843



www.ukchamberofshipping.com



From: [DIO-Safeguarding-Offshore \(MULTIUSER\)](#)
To: [MD Marine Licensing](#)
Subject: 20240304 SCOP-0041 Scoping consultation Glen Ullinish coastal delivery project, Muirhall Energy Ltd - Loch Caroy - DIO 10061857
Date: 04 March 2024 10:37:30
Attachments: [image001.png](#)
[image003.png](#)

Good morning

Thank you for your email below regarding the scoping consultation SCOP-0041 from Muirhall Energy Ltd for the Glen Ullinish coastal delivery project in Loch Caroy. After our review, I can confirm that the MOD has no objections regarding this activity.

Kind regards

Anne McGarva

Anne McGarva | Assistant Safeguarding Officer

Defence Infrastructure Organisation

Estates | Safeguarding

DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY

[REDACTED]

[REDACTED].uk

 Please consider the environment before printing this e-mail

Appendix II: Gap Analysis

Applicant to complete:

Consultee	No.	Point for Inclusion	EIA Report Section	Justification
	1			
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