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Inverness

(sent via email:  
[redacted] )

Date: 22 May 2023

Dear Ms Taylor,

## SCREENING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

Thank you for providing your screening document (Report No. 49\_REP\_09\_1) dated 5 April 2023 in regards to the proposed changes to dredging operations for the Ferry Terminal development, at Lochmaddy, North Uist (“the Proposed Works”). Marine Licences for dredging operations and construction at Lochmaddy Ferry Terminal were issued in November 2019 and subsequently varied on 20 December 2021 (“the Licensed Works”).

The Scottish Ministers consider the Proposed Works to fall under paragraph 13 of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”), on the basis that they constitute an extension of schedule 2 works already authorised, with the Proposed Works being carried out in a sensitive area as defined by the 2017 MW Regulations. The Licensed Works for the Lochmaddy Ferry Terminal development were an Environmental Impact Assessment (“EIA”) project. Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are an EIA project under the 2017 MW Regulations.

Under regulation 10(5) of the 2017 MW Regulations, the Scottish Ministers have consulted with NatureScot (formerly Scottish Natural Heritage) as to its view on whether the Proposed Works are an EIA project. A copy of the consultation responses received is attached for your review (at Appendix I).

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must provide their reasons in a written statement, taking into account the selection criteria set out in schedule 3 of the 2017 MW Regulations, as are relevant to the Proposed Works. This is set out below.

## Characteristics of the works

The Proposed Works are to allow the completion of the capital dredging campaign for the Lochmaddy Ferry Terminal Development. Due to unforeseen circumstances, the dredging was not completed prior to the expiry of the previous marine licence. The Proposed Works will not result in any increase in volume of dredged material from the initial licensed amount of 16,000 wet tonnes. The Proposed Works involve both plough dredging and rock breaking and dredging of hard seabed material, as well as a temporal extension of the dredging campaign.

The hard dredging, to deepen the current berthing area, will involve the removal of an estimated 500 m<sup>3</sup> of rock via the use of a breaker attached to a longreach excavator, operated from either the pier or a floating barge. The dredged material will be stored temporarily in small quantities on site and will be either placed inside a concrete caisson or taken to land for reuse on other developments. This is expected to be completed within 2 months of commencement.

The plough dredging is required to level the topography and depths of the seabed adjacent to the berthing area and will involve the redistribution of approximately 360 wet tonnes of dredged material. This will be conducted by workboat, with the plough lowered using winch wires to the required depth for redistribution and levelling of material over the dredge area. Plough dredging is expected to be completed within 2 weeks of commencement.

## Location of the works

The Proposed Works are located within the Loch nam Madadh Special Area of Conservation (“SAC”) and Site of Special Scientific Interest (“SSSI”). In addition, the Inner Hebrides and the Minches SAC and Sea of the Hebrides Marine Protected Area (“MPA”) are both within 5 kilometres of the Proposed Works.

The environmental impacts of rock removal were considered as part of the EIA for Licensed Works, and impacts on marine mammals from the associated underwater noise will be mitigated through adherence to the project Construction Environmental Management Document (“CEMD”).

NatureScot advised that the Proposed Works would not require an EIA.

## Characteristics of the potential impact

Plough dredging will result in localised sedimentation. However, chemical analysis for the material taken from the soft dredge area show that the material is suitable for redistribution using the plough dredging method and that no significant environmental impacts are anticipated. While the original project EIA did not assess plough dredging, this method will give rise to less sedimentation than the previously assessed method of backhoe dredging as the material is not lifted through the water column. Plough dredging is therefore anticipated to have a lower impact than the methods assessed within the EIA.

No environmental impacts beyond those assessed in the original EIA are anticipated as a result of the temporal extension and change in dredging method.

Relevant mitigation detailed within the project CEMD will be implemented during all dredging activities to minimise any environmental effects.

The Scottish Ministers are satisfied that the limited nature of any impacts from the Proposed Works are unlikely to result in any significant environmental effects over and above those originally assessed as part of the EIA report undertaken at the time of the original marine licence application.

## **Conclusion**

In view of the findings above, the Scottish Ministers are of the opinion that an EIA is not required to be carried out in respect of the Proposed Works under the 2017 MW Regulations.

If you increase, alter or extend the Proposed Works, you are advised to contact Marine Scotland - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to Comhairle nan Eilean Siar planning department. The screening opinion has also been made publicly available through the Marine Scotland Information website: [Screening Opinion - Lochmaddy Ferry Terminal Development - Dredging - SCR-0056 | Marine Scotland Information](#).

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely,

**Luke Frissung**

Marine Scotland - Licensing Operations Team

## Appendix I: Consultation Response

**From:** [Patrick Hughes](#)  
**To:** [MS Marine Licensing](#)  
**Subject:** RE: SCR-0056 - Comhairle Nan Eilean Siar (CnES) (per Affric) - Ferry Terminal Development - Lochmaddy, North Uist – Consultation on Request for Screening Opinion – Response Required by 04 May 2023  
**Date:** 02 May 2023 16:50:38

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Dear Luke,

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

#### **CONSULTATION UNDER PART 2, REGULATION 10 OF THE MW EIA REGULATIONS**

SCR-0056 - Comhairle Nan Eilean Siar (CnES) (per Affric) - Ferry Terminal Development - Lochmaddy, North Uist

We advise that based on the information provided and EIA would not be required.

If you need any further information please let me know.

Deagh dhùrachd,

Patrick

**Patrick Hughes | Operations officer, Outer Hebrides**

**NatureScot** | Stilligarry, South Uist, Western Isles, HS8 5RS | **[redacted]**

NàdarAlba | Stadhlàigearraidh, Uibhist a Deas, Na h-Eileanan Siar, HS8 5RS

[nature.scot](http://nature.scot) | [@nature\\_scot](https://twitter.com/nature_scot) | *Scotland's Nature Agency* | *Buidhean Nàdair na h-Alba*

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**From:** MS.MarineLicensing@gov.scot <MS.MarineLicensing@gov.scot>  
**Sent:** 13 April 2023 13:01  
**To:** ARGYLL\_OUTERHEBRIDES <ARGYLL\_OUTERHEBRIDES@nature.scot>  
**Cc:** Patrick Hughes **[redacted]**  
**Subject:** SCR-0056 - Comhairle Nan Eilean Siar (CnES) (per Affric) - Ferry Terminal Development - Lochmaddy, North Uist – Consultation on Request for Screening Opinion – Response Required by 04 May 2023

Dear Sir/Madam,

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

#### **CONSULTATION UNDER PART 2, REGULATION 10 OF THE MW EIA REGULATIONS**

SCR-0056 - Comhairle Nan Eilean Siar (CnES) (per Affric) - Ferry Terminal Development - Lochmaddy, North Uist

Scottish Ministers are required to adopt an EIA screening opinion in relation to changes to the dredging aspects of the above EIA project under the MW EIA Regulations.

I should be grateful if you would please review the information at <https://bit.ly/3MEEjV2> and, as required by regulation 10 of the MW EIA Regulations, provide your view as to whether the above proposed works are an EIA project as defined in the MW EIA Regulations. Please note that this EIA screening is to determine if an EIA is required for changes to the dredging associated with the already licenced project.

In accordance with regulation 10(6) of the MW EIA Regulations, please ensure you provide your view no later than 04 May 2023.

Kind regards,

**Luke Frissung**  
**Marine Licensing Casework Officer**  
**Marine Scotland - Marine Planning & Policy**

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

Email: [redacted]  
Website: <http://www.gov.scot/marinescotland>

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