

Joe Quinn

Caledonian Maritime Assets Limited
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Date: 1 May 2024

Dear Mr Quinn,

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

Thank you for your screening opinion request dated 1 March 2024 in regard to the proposed pier replacement works, including the construction of new slipway and removal of the existing concrete slipway along with land reclamation and dredging at Cumbrae Slipway, Isle of Cumbrae, (“the Proposed Works”).

The Scottish Ministers consider the Proposed Works to fall under paragraph 10(m) of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”), with the Proposed Works meeting the corresponding threshold described in column 2 of schedule 2. Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are an Environmental Impact Assessment (“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), the Scottish Environment Protection Agency (“SEPA”), North Ayrshire Council and Historic Environment Scotland (“HES”) as to their view on whether the Proposed Works are an EIA project. Copies of the consultation responses received are 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

A previous screening opinion was issued on the 16 August 2023 by the Marine Directorate for a temporary slipway at the same location as the Proposed Works.

The current screening Proposed Works relate to a new permanent concrete slipway, approximately 25 metres (“m”) wide and 54 m in length. The slipway will be constructed approximately 28 m south of the existing facility. The permanent slipway will be constructed using sheet pile walls with a granular fill and a concrete capping slab. The existing 20 m double width concrete slipway will be removed once the new slipway is operational.

A cofferdam is the preferred method to enable dry construction of the new permanent slipway. A perimeter of retaining walls, final design as yet unknown, will be installed creating a cell that will be backfilled with granular material.

A concrete slab will be poured in-situ to minimise the risk of concrete migrating into the water column and improve the long-term durability of the concrete surface. The upper half of the temporary slipway will be supported by rock armour revetments.

A small area of land reclamation immediately surrounding the new pier is proposed including works above and below MHWS to create a marshalling area, passenger waiting area and 3 m wide footpath. The seaward extent of the marshalling area will comprise of rock armour with geotextile material protecting a granular fill, the surface area to be finished in asphalt or block paving. A precast concrete protective wall is planned with scour protection to the toe.

Potential alterations to a water supply pipe close to the new slipway that services the Island is under discussion with Scottish Water.

The majority of the materials required will be transported to the site via barge and placed using a long reach excavator or crane on a barge.

The existing slipway will be used to maintain ferry services throughout the Proposed Works. Once the new pier is operational the existing slipway will be removed. All non-natural materials will be removed and taken above Mean High Water Springs (“MHWS”) for disposal or recycling. The seabed will be reinstated to its original profile, confirmed through the use of a bathymetric survey and divers.

The Proposed Works include dredging at the toe area of the new slipway to allow access for ferries. The total estimated dredge volume is 350 cubic m.

The total area of works below MHWS is 9740 square metres. The indicative timeframe for the Proposed Works is approximately 16 months.

Location of the works

The Proposed Works are located within the Firth of Clyde and may affect a number of important protected species, including cetaceans and otters. NatureScot identified the nearest protected site as the Ballochmartin Bay Site of Special Scientific Interest located approximately 450 m to the south of the Proposed Works and noted it to be the only designated site within 2 kilometers of the Proposed Works.

NatureScot advised that a number of European Protected Species (“EPS”), and Priority Marine Features (“PMFs”) are found within the Firth of Clyde and the impact of the Proposed Works on them needs to be evaluated. NatureScot advised that its main concerns are due to underwater noise and vibration from the piling and construction activities and the potential to disturb marine EPS, specifically cetaceans. NatureScot advised that an ecological impact assessment should be produced to enable potential impacts on protected areas, EPS, and PMFs to be evaluated and suitable mitigation measures identified if required. The Scottish Ministers agree that an ecological impact assessment should be produced to support any marine licence application and an EPS licence sought if residual impacts on cetaceans remain unmitigated.

NatureScot noted that otters (*Lutra lutra*) widely occur around the Cumbrae coastline and could be affected by the Proposed Works. An otter survey, specific to the Proposed Works, should therefore be carried out. If otter could be affected by the Proposed Works, a species specific protection plan should be prepared to support any marine licence application. You are also advised to speak to NatureScot regarding the requirement or otherwise of a licence to disturb otters.

NatureScot concluded that given the location, scale, and characteristics of the Proposed Works, potential impacts are unlikely to have a significant effect on natural heritage interests and an EIA is not required.

HES advised that the Proposed Works are unlikely to have a significant impact on its historic environmental interests at a level that would require consideration through the EIA process. HES did confirm the wreck of the Catalina flying boat is in the area surrounding the Proposed Works however, it advised that it is content the Proposed Works are at a sufficient depth and distance so that significant effects are unlikely.

Characteristics of the potential impact

North Ayrshire Council advised that it did not consider the Proposed Works as an EIA project.

In its response SEPA referred to its standing advice and indicated that it had no site-specific comments to make.

Conclusion

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

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

A copy of the screening opinion has been forwarded to North Ayrshire planning department. The screening opinion has also been made publicly available through the Marine Scotland Information website. <https://marine.gov.scot/node/25119>

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

Yours sincerely

Maureen McIntyre
Marine Directorate - Licensing Operations Team