

Attn : Robin Bryer

Crinan Boatyard Ltd,
Crinan,
Argyll and Bute
PA31 8SW

Date : 22 October 2024

Dear Mark,

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

Thank you for your screening opinion request dated 16 September 2024 regarding the breakwater and maintenance berth extension works at the Crinan Boatyard, Lochgilphead, Argyll (“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 being carried out in a sensitive area, as defined by the 2017 MW Regulations. 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”), Argyll and Bute 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

The Proposed Works at Crinan are being undertaken for the purpose of extending an existing breakwater/maintenance berth at Crinan Boatyard (grid reference NR787945) by an additional 5 metres (“m”) in length (total extension size – 75 square meters, to provide enhanced shelter to the boatyard’s two slipways and a second alternative berth at the facility for a vessel of up to 14m in length. The construction methodology will follow that used for the existing structure which is a timber frame with broken stone core topped with concrete. The Proposed Works will also include extending the rock armour along the northern face of the existing breakwater and the installation of three timber piles. The three timber piles will be

pushed into the mud of the seabed using pressure applied from mobile plant and will not involve additional noise or vibration beyond that associated with normal boat yard operations.

Location of the works

The Proposed Works are located within the Knapdale National Scenic Area (“NSA”) however, as the Proposed Works will follow the same construction methodology as the existing breakwater and will be in keeping with structures already present in the area, NatureScot advised that there will be minimal visual impacts from the Proposed Works and no adverse effect on the integrity of the Knapdale NSA.

The Proposed Works are located outwith the Inner Hebrides and the Minches Special Area of Conservation (“SAC”) however, NatureScot considers that they are within connectivity distance due to the range of its mobile qualifying species, namely its harbour porpoise (*Phocoena phocoena*). However, due to the low levels of noise and vibration associated with the Proposed Works and short duration, NatureScot advised that there is unlikely to be an impact on this species, directly or indirectly.

In addition, the Proposed Works are located approximately 500m to the west of Moine Mhor SAC, protected for its active raised bog, Atlantic salt meadows, degraded raised bog, marsh fritillary butterfly, otter, intertidal mudflats and sandflats, and western acidic oak woodland. NatureScot advised that there could be a likely significant effect on the otter qualifying interest however having considered the characteristics of the Proposed Works, concluded that any impacts are expected to be short term and recoverable and would not adversely affect the integrity of the site.

NatureScot highlighted the potential need to consider European Protected Species (“EPS”) licensing for otters and/or cetaceans and you are directed to the NatureScot response for further guidance in this regard.

The Moine Mhor Site of Special Scientific Interest also shares a boundary with the Moine Mhor SAC and is notified for several terrestrial features and also breeding bird assemblage. NatureScot advised that the risk of disturbance to the bird assemblage is low due to the distance from the Proposed Works and proposed piling methodology.

NatureScot also noted that the Proposed Works are approximately 1.3km east of the Loch Sunart to the Sound of Jura Marine Protected Area (“MPA”) however advised that there are no impact pathways identified that could affect the MPA and therefore concluded that the Proposed Works are not capable of affecting the protected features of the MPA.

NatureScot further noted that no sensitive priority marine features were identified within 500m of the Proposed Works.

In its response, NatureScot concluded that the Proposed Works will not have a significant impact on the environment, and therefore consider it not to be an EIA project for areas within its remit.

Characteristics of the potential impact

In its response, Argyll and Bute Council referred to its own screening opinion in respect of the Proposed Works where it concluded that based on its assessment, an EIA is not required.

HES advised that it has not identified any potentially significant effects on the historic environment, and does not consider the Proposed Works to require an EIA.

SEPA also confirmed that it does not consider an EIA is required for the Proposed Works in respect of its interests.

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 Argyll and Bute Council planning department. The screening opinion has also been made publicly available through the [Marine Scotland Information](#) website.

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

Yours sincerely,

Gerry Millar

Marine Directorate - Licensing Operations Team