

Evonne Maxwell
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Date: **08 September 2025**

Dear **Ms. Maxwell**,

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

Thank you for your screening opinion request dated **10 July 2025** in regards to the proposed works at Tobermory ferry terminal, including the construction of an aligning structure, installation of shore power and extension of the marshalling area, at Tobermory, Isle of Mull (“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”), 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 are to improve the port infrastructure to accommodate the new electric vessels under Caledonian Maritime Assets Ltd.’s (“CMAL”) Small Vessel Replacement Programme (“SVRP”).

The Proposed Works include the construction of an aligning structure, consisting of monopiles for the outer fenders, and the fenders closer to shore supported on concrete blocks dowelled into the rock face. The aligning structure will be approximately 90 metres (“m”) in length. At the top of the aligning structure and around the shore power arm, a 1m wide steel platform will facilitate crew access and maintenance access to the navigation light and infrastructure.

For the extension to the existing marshalling area, it is proposed to reclaim approximately 350 square metres (m²) between the Mishnish Pier and the RNLI berth, to form a 3.6m wide exit road, 2m wide walkway and 11 additional car spaces.

The installation of shore power will require the construction of a new substation and LV switchgear and will be located landward of the marshalling area. Cables will either run above or below ground to the above alignment structure, where they will be fixed to the side of the platform using cable trays.

Location of the works

The Proposed Works are to be located on the northern side of Tobermory Harbour, Isle of Mull. The Proposed Works are not within any designated sites. The Screening Report identifies the closest designated sites as the Inner Hebrides and the Minches Special Area of Conservation ("SAC") and the Loch Sunart to the Sound of Jura Marine Protected Area ("MPA").

NatureScot advised the proposal would not affect the protected features of the Loch Sunart to Sound of Jura MPA as there is no evidence to suggest that the flapper skate protected feature is impacted by underwater noise. NatureScot advised that although there is potential for disturbance of the harbour porpoise protected feature of the Inner Hebrides and the Minches SAC due to underwater noise, this would be temporary and short lived. NatureScot also noted that impacts would be managed using standard mitigation measures in line with the statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise. It also advised that a Habitats Regulation Appraisal should be undertaken to support the licence application. The applicant intends to apply for a European Protected Species licence and NatureScot also advised that an application for a licence to disturb basking shark should also be submitted. NatureScot conclude that an EIA is not required.

Characteristics of the potential impact

SEPA advised that the application falls below the threshold for which they offer site-specific advice.

HES concluded that there is there is no reason to consider the Proposed Works to be an EIA development as they do not identify any potentially significant effects on historic environment interests.

Argyll and Bute Council concluded that an EIA is not required.

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. <https://marine.gov.scot/>

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

Yours sincerely,

Thomas Inglis

Marine Directorate - Licensing Operations Team