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Date: 11 February 2021

Dear Ms Simoes,

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

Thank you for your screening opinion request dated 14 August 2020 and further information dated 03 December 2020 in regards to the proposed breakwater and berthing facility upgrade works, including construction of new breakwaters and piled berthing structures, dredging and sea deposit of dredged material at Iona and Fionnphort (“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 (as amended) (“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, or are not, 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 and advice received are attached for your review (at Appendix I). Due to reasons outwith its control, SEPA has been unable to provide a consultation response. Argyll and Bute Council has also been unable to provide a response to date however it is the Scottish Ministers’ understanding that Argyll and Bute Council is currently screening the terrestrial concerns of this project under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must take into account such of the selection criteria set out in schedule 3 of the 2017 MW Regulations as are relevant to the Proposed Works. In this regard, the Scottish Ministers have considered the following:

Characteristics of the works

The total area of development, including both marine and terrestrial works, at Iona is 8,400m² and at Fionnphort is 9,000m².

The Proposed Works include the construction of a new rock armour breakwater to the south of the existing slipways at both Iona and Fionnphort in order to protect the slipways from waves from the prevailing southerly direction. 43,000m³ of rock will be used to create a 177m long structure at Iona and 56,000m³ of rock armour will be used to construct a 175m breakwater at Fionnphort. Materials will be delivered to site by barge and placed on the seabed using a grab crane.

Piling will also be required to improve the berthing facilities at both sites. In Iona, 96 tonnes of piles will be installed to create a series of berthing piles alongside the existing slipway to which the ferry can be secured. In Fionnphort, a 50m overnight berthing structure will be built in the lee of the new breakwater. This will be a piled structure with a steel deck and will be accessed by a new walkway running parallel to the breakwater which will be supported on an array of tubular piles. Piles at both sites will be installed into rock sockets cored into the seabed. No impact piling or blasting will be required.

The Proposed Works also include dredging in the approach channel at both sites. The dredge volume at Iona is anticipated to be 3,260m³ and at Fionnphort, 7,800m³. Material from both sites will be deposited at the nearest designated sea deposit site at Port Ellen, Islay. It is proposed to use a suction hopper dredger for the works.

The duration of the Proposed Works at each site is anticipated to be 52 weeks with the option for these to run in parallel.

During the Proposed works, piling and drilling of the bedrock are likely to produce significant underwater noise which NatureScot advised could disturb cetaceans in the vicinity. There is also the potential for the breakwaters to have a significant effect on coastal processes due to their location in a dynamic tidal environment.

Location of the works

Both Iona and Fionnphort lie within the Inner Hebrides and the Minches Special Area of Conservation designated for harbour porpoise (*Phocoena phocoena*). NatureScot advised that there is currently insufficient information to determine whether or not the proposal is likely to have a significant effect on harbour porpoise. It raised concerns relating to marine acoustic impacts from the construction of the Proposed Works including from piling and bedrock drilling. NatureScot also advised that a number of cetaceans which are European Protected Species are often recorded around the Sound of Iona and wider Hebridean Sea. The Scottish Ministers also note that the Proposed Works are within the Sea of Hebrides proposed Marine Protected Area which is designated for basking shark (*Cetorhinus maximus*) and minke whale (*Balaenoptera acutorostrata*). These features could also be affected by noise from the Proposed Works.

NatureScot also advised that sea grass, which is a Priority Marine Feature, is present on site to the north of Fionnphort, and the Sound of Iona has been identified as an area of management consideration for this species. Sea grass is an important habitat in terms of biodiversity and its blue carbon resource. Further, NatureScot advised that sea grass is sensitive to sedimentation associated with changes in tidal flows. It considered that there is currently not enough information to determine the likely impact of construction or operation on this feature and thus further information and surveys are required.

Baile Mor on Iona (including the existing slipway) is a designated Conservation Area and contains a number of heritage sites. HES advised that although there is a potential for the Proposed Works at both Iona and Fionnphort to be visible from the designated St Mary's Abbey (Category A listed building) and the Iona Nunnery (scheduled monument), significant impacts on the setting of the Abbey are unlikely.

Characteristics of the potential impact

In addition to the specific sites detailed above, HES identified that the Proposed Works at Fionnphort and Iona have the potential to impact on areas of archaeological sensitivity and recommended that an assessment of impacts on marine archaeology should be undertaken. The Scottish Ministers also identified that the construction of the breakwaters could have a significant effect on coastal processes, including by altering patterns of sedimentation and erosion. The Scottish Ministers recommend that further modelling to study impacts of the Proposed Works on coastal processes and further model validation are required. Certain aspects of physical processes have been investigated, for example sedimentation and wave height, to demonstrate effectiveness of the breakwater design, but not all physical processes have been evaluated, for example, impacts on the coast. It is also possible that the breakwaters will increase siltation in the approach channels and increase tidal stream velocities, and therefore turbulence, off the breakwater outer limits. Changes such as sediment disturbance may only occur on a localised scale but the applicant should demonstrate that the broader scale environment will not be negatively affected.

The Scottish Ministers consider that there is currently not enough clear evidence that there will be no significant impact of the Proposed Works on coastal processes and that further modelling is required with respect to waves, tidal currents and scouring, and suspended sediment transport. Further NatureScot advised that changes to tidal flow could affect the sea grass priority marine feature, thus increasing the significance of the effect on the environment.

The Scottish Ministers are in agreement with NatureScot that, due to insufficient information, it cannot currently be concluded that the Proposed Works will not have a significant effect on the environment.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works are an EIA project under the 2017 MW Regulations and, therefore, an EIA is 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 Scotland - 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 at [Screening – Iona Breakwater with Berth and Fionnphort Breakwater with Overnight Berth – Iona and Fionnphort | Marine Scotland Information](#).

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

Yours sincerely

Ellie Noble

Marine Scotland - Licensing Operations Team