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Date: 02 June 2022

Dear Mr Cameron,

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

Thank you for your screening opinion request dated 06 May 2022 in regards to the proposed extension of the construction, dredging and deposit activities at Granton Harbour, Edinburgh (“the Proposed Works”).

The Proposed Works are to be undertaken as part of the Granton Harbour redevelopment (“the Licensed Works”), for which two marine licences were granted in April 2019. The Licensed Works are an Environmental Impact Assessment (“EIA”) project therefore 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. The Proposed Works are 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”), The City of Edinburgh 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 1).

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 Licensed Works currently have two valid marine licences, one authorising construction and another authorising dredging and sea deposit of dredge material. The current marine licences are valid until 31 July 2022. The Proposed Works are part of the original harbour design and were included within the EIA but a temporal extension to the licences of three years is required as delays have meant that works have not yet been able to commence. There is no anticipated change to the duration of the works.

No works have been carried out under the original licences and therefore the screening opinion is for the required temporal extension to complete both the dredging and sea deposit and the construction works. The design, materials and methods for the harbour redevelopment are unchanged from that which was described and assessed in the EIA with the exception of the top layer of material to be dredged that has accumulated since the original EIA was undertaken. This additional dredge material, which amasses 9,983 metres cubed, will be used in the construction works above Mean High Water Springs (“MHWS”).

### **Location of the works**

The Proposed Works lie within or in close proximity to a number of designated sites however the pathway of impact on these sites is unchanged from that which was assessed in the EIA. The methods for the Proposed Works are unchanged from that which was assessed in the EIA and the Schedule of Mitigation will continue to be adhered to, including relevant mitigation.

NatureScot confirmed that based on the information provided, it considers the conclusions of the EIA still apply and advised that providing the previous mitigation measures continue to be implemented, the proposed temporal extension will not cause significant effects and therefore the Proposed Works do not require an EIA.

HES advised on the potential for impacts on archaeology from the Proposed Works and advised that in it’s opinion there are unlikely to be impacts on historic environment interests of a level that would require consideration through the EIA process.

### **Characteristics of the potential impact**

The screening request provides an updated assessment to consider the extension period. The Proposed Works during the temporal extension will not differ from the materials and methods already assessed in the EIA Report other than the additional dredging of recently accumulated material which will be removed to above MHWS.

The City of Edinburgh Council advised that the Proposed Works do not raise significant concerns within it’s remit and therefore it is it’s opinion that the Proposed Works do not require consideration through the EIA process.

SEPA also advised that with respect to interests relevant to its remit an EIA is not required for the Proposed Works.

Based on the information provided and advice received, the Scottish Ministers are content that the Proposed Works do not alter the significance of any of the environmental effects which have previously been assessed in regards to the Licensed Works and do not introduce any additional significant environmental effects.

## **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.

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 The City of Edinburgh 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

**Hamish Wright**

Marine Scotland - Licensing Operations Team