

Mr Michael Hill  
Bakkafrost Scotland Ltd  
28 Drumsheugh Gardens  
Edinburgh  
Scotland  
EH3 7RN

Date: 09 April 2026

Dear Mr Hill,

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

Thank you for your screening opinion request dated 7 January 2026 in regards to the proposed river restoration works, including river bank construction at Russel Burn, Kishorn (“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”), The Highland 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 will comprise the realignment of 190 m section of the Russel Burn and the construction of a ‘step-pool’ along a 56 m downstream section of the channel.

The existing bed level control boulder ‘weir’ structure will be removed and be incorporated into the ‘step-pool’ design channel. Burial of critical effluent pipes and their concrete bed casing will be conducted by raising the bed level locally by 300 millimetres together with the removal of existing rock armour and concrete bank protection to facilitate the construction of the designed channel.

Rock roll pyramids, pre-vegetated coir rolls and bank reprofiling will be installed as erosion protection for the active riverbank and to mitigate against future channel adjustments beyond

the designed river corridor area to provide protection to embankments and floodplain developments.

An area of made ground (approximately 1049 m<sup>2</sup>) to the west of the Russel Burn will be removed to restore the floodplain surface around an unnamed tributary. Daylighting of 51 m of the tributary and the construction of a new sinuous channel will be conducted with the construction of a simple 'plane bed' morphology channel along an 8 m length of the tributary between the culvert outfall and main stem Russel Burn (i.e. within the 'step-pool' mainstem channel design section).

The purpose of the Proposed Works is to improve flood resilience and coastal processes by renaturalising the lower extents of the river in addition to improving passage for migratory fish.

### **Location of the works**

Located in Kishorn, Wester Ross, the Proposed Works are approximately 3 km north of the Loch Carron Nature Conservation Marine Protected Area ("NC MPA") and sit within the Wester Ross National Scenic Area ("NSA").

NatureScot advised that given the nature and location of the Proposed Works and the mitigation outlined in the Applicant's design statement it concluded that there should be no significant direct or indirect environmental impacts on the flame shell bed and maerl bed features for which the NC MPA has been designated.

NatureScot also noted that as the Proposed Works are to remediate existing river engineering and improve flood resilience and coastal processes it concluded that the Proposed Works will not have an adverse effect on the integrity of the NSA or the objectives of the designation.

The Highland Council stated that due to their nature, scale and location, the Proposed Works are not likely to give rise to significant effects and, as such, an EIA is not required.

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

HES advised that it did not identify any potentially significant effects on the historic environment and therefore did not consider the Proposed Works to constitute an EIA development.

In its consultation response SEPA advised that the it does not consider the Proposed Works require an EIA.

### **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 The Highland 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,

Neil MacLeod  
Marine Directorate - Licensing Operations Team

