

## Marine Licence Application

### A835 Conon Bridge

#### **Section 7(i)**

The works programme involves refurbishment of the bridge deck and some minor maintenance activities. Much of the proposed work will be restricted to the A835 carriageway and will be carried out from the bridge deck with standard containment measures in place. However, minor maintenance works will require a degree of work under the bridge. To prevent materials entering the marine environment from any of the activities on or under the bridge, good practice measures will include implementation of debris netting, protective sheeting containment, sumps and blocking of gully drains. Additionally, hydro-demolition is required and additional measures will be in place to fully contain the water and debris produced. Water used in hydro-demolition will be appropriately treated for pH and suspended solids and will be discharged onto land under appropriate authorisation from SEPA. Similarly, if removal of any asbestos material from the bridge is required, full containment will be in place and all waste will be removed by licensed special waste contractors. No in-water works will take place.

The A835 Conon Bridge spans the Conon River which includes the Conon Islands Special Area of Conservation (SAC) and the Lower Conon River Site of Special Scientific Interest (SSSI). The SAC is designated for alder woodland on floodplains and the SSSI is designated for a variety of coastal habitats.

Additionally, the Conon River leads to the Cromarty Firth Special Protection Area (SPA), Ramsar site and SSSI which are designated for non-breeding and breeding seabirds (including breeding osprey (*Pandion haliaetus*)), along with supporting marine and coastal habitats in the Ramsar site and SSSI. The Ramsar qualifying features also includes the Priority Marine Feature (PMF) intertidal mudflats. The SPA and Ramsar site lie approximately 550m northeast of the bridge at their closest point, and the SSSI is located approximately 1.3km northeast of the bridge at its closest point.

A Habitats Regulations Appraisal (HRA) was completed to assess potential impacts of the proposed works on the qualifying features of the sites (refer to the supporting document 'F565 HRA Proforma- A85 Conon Bridge'). Likely Significant Effects (LSE) were ruled out for the following qualifying features of the Cromarty Firth Special Protection Area (SPA)/Ramsar site: breeding populations of common tern (*Sterna hirundo*), non-breeding (overwintering) populations of bar-tailed godwit (*Limosa lapponica*), dunlin (*Calidris alpina alpina*), knot (*Calidris canutus*), oystercatcher (*Haematopus ostralegus*), pintail (*Anas acuta*), red-breasted merganser (*Mergus serrator*), redshank (*Tringa totanus*), scaup (*Aythya marila*), waterfowl assemblage, wigeon (*Anas penelope*), estuarine alder woodland, intertidal mudflats and sandflats, open water transition fen, and saltmarsh. LSE could not be ruled out for the following qualifying features of

Cromarty Firth SPA/Ramsar site: breeding populations of osprey, non-breeding populations of curlew (*Numenius arquata*), greylag goose (*Anser anser*) and whooper swan (*Cygnus cygnus*); however, due to the localised nature of proposed works in addition to robust containment measures and specific mitigation to limit disturbance, it has been concluded that the proposed activities are not likely to result in Adverse Effects on Site Activity (AESI) for any of the above designated sites. Additionally, the scheme has received an environmental assessment prior to commencement and a site visit was carried out in September 2025 to support any assessment of impacts on protected species. A Site Environmental Management Plan (SEMP) will be produced for the works which will detail good practice and mitigation measures to be implemented during the works.

The proposed works do not meet the thresholds to be considered Schedule 1 or Schedule 2 projects under the Marine Works (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017. This legislation transposes the European Union's Environmental Impact Assessment (EIA) Directive 2011/92/EU (as amended by 2014/52/EU) into Scottish law for projects within the Scottish Marine Area and includes the thresholds for Annex I and Annex II projects from the EIA Directive (as determined by the criteria within Annex III of the EIA Directive) within Schedules 1 and 2.

Proposed works will also be assessed under The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017, which transposes the EIA Directive into Scottish law for projects related to trunk roads. Under this legislation, the proposed works meet the threshold to be considered an Annex II project and therefore require screening to determine whether a full EIA is required. In this case, a Record of Determination (RoD) will be prepared which will provide evidence and information for the determination by Transport Scotland (Competent Authority for trunk road works) of whether a full EIA will be required. The RoD will include the main potential effects of proposed works on the environment and mitigation to be implemented that will minimise the environmental impact. Although unlikely, if a full EIA is required, the RoD will help to inform the screening and scoping process.