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**The Scottish Government
Energy Consents Unit**

**Scoping Opinion On Behalf Of Scottish Ministers Under The
Electricity Works (Environmental Impact Assessment) (Scotland)
Regulations 2017**

**Skye Reinforcement Project
Scottish Hydro Electric Transmission PLC**

26 April 2022

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1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit ('ECU') on behalf of the Scottish Ministers to Scottish Hydro Electric Transmission PLC a company incorporated under the Companies Acts with company number SC213461 and having its registered office at Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ ("the Company") in response to a request dated 17 January 2022 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Skye Reinforcement Project ("the proposed development"). The request was accompanied by a scoping report.

1.2 The existing 132 kV electricity transmission OHL from Fort Augustus to Ardmore on the Isle of Skye ("the existing OHL") is the sole connection from the mainland electricity transmission system to Skye and the Western Isles. Recent studies into the condition of the existing OHL have confirmed that the section between Quoich Substation and Ardmore Substation is required to be rebuilt and, upon completion of construction of the new OHL, the existing OHL would be removed. Furthermore, as a result of an increase in renewable energy projects for which access to the electricity transmission network is being formally requested, there is a requirement to increase the capacity of the existing OHL for the entirety of its length between Ardmore and Fort Augustus.

1.3 The proposed development is to construct and operate a new double circuit steel structure 132 kV overhead transmission line (OHL) between Fort Augustus Substation and Edinbane Substation. This will comprise a new double circuit steel lattice structure for the majority of the route, with underground cable proposed in two sections. A new single circuit trident H wood pole (H pole) OHL is also required between Edinbane Substation and Ardmore Substation. In total, the length of the transmission connection would be over 160 km. The existing OHL between Fort Augustus Substation and Broadford Substation would be removed, as well as the existing 132 kV wood pole line between Broadford Substation and Ardmore Substation.

1.4 Given the length of the Proposed Development, the Scoping report (and previous route and alignment consultation exercises) splits the project into seven defined 'Sections' to more easily describe the proposed Development. These 'Sections' are broadly defined as follows and a summary of key components of each section is included within Table 2-1 of the Scoping Report:

- Section 0 – Ardmore to Edinbane;
- Section 1 – Edinbane to North of Sligachan;
- Section 2 – North of Sligachan to Broadford;
- Section 3 – Broadford to Kyle Rhea;
- Section 4 – Kyle Rhea to Loch Cuaich;
- Section 5 – Loch Cuaich to Invergarry; and
- Section 6 – Invergarry to Fort Augustus.

1.5 The nearest settlements to the proposed development are located within 4 sections as summarised below:

- Section 0: along the Waternish coast including Trumpan, Halistra, Hallin and Stein where there are open, coastal views, and scattered crofting properties at Upper Feorlig in Glen Heysdal and Balmeanach;
- Section 1: at Glenmore and Mugeary;
- Section 5: at Invergarry, Munerigie and Leacan Dubh. Dispersed dwellings exist along the lower slopes of Glen Garry, including in Tomdoun, Poulary, Inchlaggan and Garrygualach; and
- Section 6: Settlements within the vicinity of the proposed development are sparse, and include those around Auchteraw.

1.6 The roads within the study area include:

- Section 0: A850 and B886;
- Section 1: B885, minor single-track roads and the A87 at Glen Varragill;
- Section 2: A87 trunk road;
- Section 4: single track minor roads at Glenelg and Kinloch Hourn as well as some forestry and estate tracks, as well as walkers paths through this remote part of the route; and
- Section 5: the minor road to Kinloch Hourn, and the A87 to the east.

1.7 The Proposed Development would primarily comprise the construction of a new double circuit steel structure 132 kV OHL between Fort Augustus Substation and Edinbane Substation and the total length of the new transmission connection would be approximately 160 km's. In two distinct parts of the route, in Section 2 around the Cuillins, and in Section 6 on approach and connecting into Fort Augustus Substation, an underground cable is proposed to either mitigate a likely significant effect (in the case of Section 2), or rationalise the existing OHL network (in the case of Section 6). Furthermore, a new single circuit trident H wood pole (H pole) OHL between Edinbane Substation and Ardmore Substation is proposed (as shown on Figure 1).

1.8 The Company states that the Proposed Development would not have a fixed operational life assuming that the proposed development will be operational for 50 years or more. The effects associated with the construction phase can be considered to be representative of worst case decommissioning effects, and therefore no separate assessment is proposed as part of the EIA report.

1.9 The proposed development is solely within the planning authority of The Highland Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between the applicant and the ECU. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 25 January 2022. The consultation closed on 15 February 2022. Extensions to this deadline were granted to The Highland Council, Scottish Environmental Protection Agency (SEPA), NatureScot and BT. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Scotland Science (MSS) has also been provided with requirements to complete a checklist prior to the submission of the application for consent under section 37 of the Electricity Act 1989. All consultation responses received, and the standing advice from MSS, are attached in **ANNEX A Consultation responses**.

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors, including the standing advice from MSS, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (“EIA”) report.

2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors. No responses were received from: Scottish Forestry, BT, Civil Aviation Authority – Airspace, Crown Estate Scotland, Fisheries Management Scotland, Joint Radio Company, John Muir Trust, Mountaineering Scotland, Scottish Rights of Way and Access Society (ScotWays), Scottish Wildlife Trust, Scottish Wild Land Group (SWLG), Visit Scotland, Scottish Executive Environment & Rural Affairs Department (SEERAD), Skye and Lochalsh Environment Forum, West of Scotland Archaeology Service, Waternish Community Council, Dunvegan Community Council, Struan Community Council, Portree Community Council, Sconser Community Council, Broadford and Strath Community Council, Kyleakin and Kylerhea Community Council, Glenelg and Arnisdale Community Council, Glengarry Community Council, Fort Augustus and Glenmoriston Community Council, and the Kylerhea Community Forum.

With regard to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again in the event that an application for section 37 consent is submitted subsequent to this EIA scoping opinion.

2.4 The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with the Highland Council, within whose area the proposed development would be situated, NatureScot (previously “SNH”), SEPA and HES, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 17 January 2022 and information available at today’s date in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to the Highland Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 Scottish Ministers expect the EIA report which will accompany the application for the proposed development to consider in full all consultation responses attached in **Annex A**.

3.5 Scottish Ministers are broadly content with the EIA set out at Sections 6 to 16 of the Scoping Report.

3.6 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.7 Scottish Ministers note the detailed comments provided by both the Highland Council and NatureScot and agree with all their comments and requests.

3.8 Scottish Water provided information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there are any Scottish Water assets which may be affected by the development, and includes details in the EIA report of any relevant mitigation measures to be provided.

3.9 Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the development. The EIA report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.

3.10 MSS provide generic scoping guidelines for overhead line development (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm development or overhead line development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

3.11 In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

3.12 MSS also provide standing advice for overhead line development (which has been appended at Annex A) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist provided, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. Developers are required to submit the completed checklist in advance of their application submission.

3.13 Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at <http://www.gov.scot/Publications/2017/04/8868>, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures.

3.14 The Scoping Report was referred to Ironside Farrar commissioned by the ECU to provide advice regarding PLHRA and relative to the potential for risks posed by peat slides. Scottish Ministers agree with Ironside Farrar that a PLHRA will be required. Please note Ironside Farrar's comments in regards to PLHRA included at Annex A.

3.15 The scoping report identified viewpoints at Table 6.9 that will be prepared to inform and support the Landscape and Visual Impact Assessment ('LVIA'). Please note the Highland Council's detailed comments and requests in regards to the assessment of Landscape and Visual Impacts including additional viewpoint locations and also NatureScot and HES responses requesting additional viewpoint locations.

3.16 Ministers expect Company's to carry out adequate pre-application consultation and to demonstrate what alternatives to the proposal were considered before arriving at the design they apply for. Ministers agree with the Planning Authority that the EIA should include a description of the main development alternatives which are relevant to the proposal and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

3.17 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

4.1 The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 37 consent for the proposed development.

5.2 This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

5.3 Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

5.4 It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's ECU at the pre-application stage and before proposals reach design freeze.

5.6 Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development once an application is submitted.

5.7 When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in this scoping opinion has been addressed.

5.8 It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB).

Carolanne Brown

**Energy Consents Unit
26 April 2022**

ANNEX A – Consultation Responses

List of consultees

- The Highland Council
- NatureScot
- SEPA
- HES
- British Horse Society
- Broadford and Strath Community Council*
- BT*
- Civil Aviation Authority – Airspace*
- Crown Estate Scotland*
- Defense Infrastructure Organisation
- Dunvegan Community Council*
- Fisheries Management Scotland*
- Fort Augustus and Glenmoriston Community Council*
- Glenelg and Arnisdale Community Council*
- Glengarry Community Council*
- Highland and Islands Airports
- John Muir Trust*
- Joint Radio Company*
- Kyleakin and Kylerhea Community Council*
- Kylerhea Community Forum*
- Mountaineering Scotland*
- NATS Safeguarding
- Ness District Salmon Fishery Board
- Nuclear Safety Directorate (HSE)
- Portree Community Council*
- RSPB Scotland
- Sconser Community Council*
- Scottish Executive Environment & Rural Affairs Department (SEERAD)*
- Scottish Rights of Way and Access Society (ScotWays)*
- Scottish Water
- Scottish Wild Land Group (SWLG)*
- Scottish Wildlife Trust*
- Skye and Lochalsh Environment Forum*
- Struan Community Council*
- The Woodland Trust Scotland
- Visit Scotland*
- Waternish Community Council*
- West of Scotland Archaeology Service*

*No response was received.

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland and Marine Scotland (in the form of standing advice from Marine Scotland Science). No advice was received from Scottish Forestry. PLHRA advice from Ironside Farrar (commissioned by the ECU to provide advice regarding PLHRA and relative to the potential for risks posed by peat slides) has also been provided.

From: Peter Wheelan (Planning and Environment) <Peter.Wheelan@highland.gov.uk>
Sent: 02 March 2022 13:46
To: Brown C (Carolanne)
Cc: Econsents Admin; Nicolson, Joanne
Subject: 22/00339/SCOP - Section 37 Skye Reinforcement - THC Scoping Consultation Response

Dear Carolanne

Attached is the Planning Authority's consultation response on the above development to help inform the ECU's EIA Scoping Response.

Please note that as the project's design evolves, SHET are encouraged to continue to liaise with the Council's Landscape Officer (Anne Cowling) in order to agree the finalised viewpoints and any sequential route assessment requirements for the EIA's LVIA.

Thank you for the additional time to provide comment and please get in touch should you require anything further.

Regards

Peter Wheelan

Planner MRTPI - Strategic Projects Team | Planning & Building Standards | Development & Infrastructure Service
The Highland Council, Glenurquhart Road, Inverness, IV3 5NX
01463 702262 (Working From Home)

Follow up documentation for existing planning applications must be submitted via the 'Post Submission Additional Document' (PSAD) online form, quoting the correct application reference number at [ePlanning.scot](https://www.eplanning.scot.nhs.uk). This advice is given without prejudice to the future consideration of and decision on any application received by the Council. Register at consult.highland.gov.uk to be kept updated on Development Plan documents in Highland.

Energy Consents Unit
Per Carolanne Brown
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Please ask for: Peter Wheelan
Direct Dial: 01463 702262
E-mail: peter.wheelan@highland.gov.uk
Our Ref: 22/00339/SCOP
Your Ref: ECU00003395
Date: 2 March 2022

By email only to:

carolanne.brown@gov.scot
Econsents_Admin@gov.scot
joanne.nicolson@sse.com

Dear Carolanne,

**PLANNING REFERENCE: 22/00339/SCOP
DEVELOPMENT: SKYE REINFORCEMENT PROJECT - CONSTRUCTION OF 132 KV OVERHEAD
TRANSMISSION LINE (OHL)**

**LOCATION: ARDMORE SUBSTATION, HALLIN, DUNVEGAN TO AUCHTERAWE SUBSTATION,
FORT AUGUSTUS**

Thank you for consulting The Highland Council (THC) on the Environmental Impact Assessment (EIA) Scoping Request for the above project. We received the consultation on 25 January 2022 by email and we are grateful for the extension of time to comment on this proposal.

Our view on the scope of the assessment may be subject to change on a number of topics within the EIAR if the scale of development, including its alignment and associated infrastructure changes.

We trust that this consultation response helps inform ECUs Scoping Direction and is helpful to the applicant when formalising any forthcoming application. We thank SHET for their continued engagement on the project to date and welcome further dialogue ahead of the application's submission.

SCOPING RESPONSE TO ENERGY CONSENTS UNIT

Applicant:	Scottish Hydro Electric Transmission Plc
Project:	Skye Reinforcement Project - construction of 132 kV overhead transmission line (OHL)
Project Address:	Skye Reinforcement Project - construction of 132 kV overhead transmission line (OHL)
Our Reference	22/00339/SCOP

This response is given without prejudice to the Planning Authority's right to request additional information in connection with any statement, whether Environmental Impact Assessment Report (EIAR) or not, submitted in support of any future application. These views are also given without prejudice to the future consideration of any application.

THC request that any EIAR submitted in support of an application for the above development take the comments highlighted below into account; many of which are already acknowledged within the Scoping Report. In particular, the elements of this report as highlighted in parts 3, 4 and 5 should be presented as three distinct elements.

Responses to the internal consultation undertaken are attached. Should any further responses be received from internal consultees, these will be forwarded on in due course.

1.0 Description of the Development

- 1.1 The description of development for an EIAR is often much more than would be set out in any planning application. An EIAR must include:
- a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning of the existing overhead line and associated infrastructure to be replaced. These might also include requirements for borrow pits, local road improvements, access tracks, off site conservation measures, etc. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied. A horizontal and vertical Limit of deviation should also be set out for each section of the line. It is welcomed that the proposed horizontal limit has been refined inward to 50m either side of the proposed line;
 - a description of the main characteristics of the construction process, for instance, nature and quantity of the materials used;
 - the risk of accidents, having regard in particular to ground conditions, substances or technologies used;
 - an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the construction and operation of the development; and
 - the estimated cumulative impact of the project with other consented or operational major developments, including those to be connected and served by the proposed development, as well as the upgrading of connecting substation infrastructure irrespective of these projects undergoing a separate consenting regime.

2.0 **Alternatives**

2.1 A statement is required which outlines the main development alternatives studied by the applicant and an indication of the main reasons for the final project choice. This is expected to highlight the following:

- the range of technologies considered;
- the route alignment process, locational criteria and economic parameters used;
- design and locational options for all elements of the development;
- options for construction and operational access, means of transportation and ground disturbance; and
- the environmental effects of the different options examined.

Such assessment should also highlight sustainable development attributes, including for example assessment of carbon emissions.

3.0 **Environmental Elements Affected**

3.1 The EIAR must provide a description of the aspects of the environment likely to be significantly affected by the development. The following paragraphs highlight some principal considerations. There are a wind energy proposals on Skye and close to Fort Augustus, as well as surrounding commercial forestry operations, and you are encouraged to use your understanding of these projects, including their intended transportation routes, construction programme and felling management plans, in assessing your development and the potential for cumulative effects to arise. The EIAR should fully utilise this understanding to ensure that information provided is relevant and robustly grounded.

Land Use and Policy

3.2 The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at Scottish Planning Policy and Planning Advice Notes which identify the issues that should be taken into account when considering significant development. Scottish Government policy and guidance on renewable energy should be considered in this section. The purpose of this chapter is to highlight relevant policies not to assess the compatibility of the proposal with policy.

Sustainability

3.3 The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required. The Council will need to be satisfied in reaching a conclusion on any consultation or application that the development in its entirety is sustainable development. In order for us to do so we recommend that matters related to the three pillars of sustainable development are fully assessed in the information which supports the application. The developer needs to consider the impact of the installation and the prospective long-term use of the network to accommodate the requirements of a decarbonised Scotland and the Highlands. The application should include a statement on how the development is likely to contribute to the Scottish Government Energy Efficient Scotland roadmap and provide the Highlands with secure and clean electricity supplies.

3.4 The introduction of future energy storage solutions and Hydrogen production should be assessed to inform the needs of the reinforced transmission network. It may be noted that the Council supports in broad principle the inclusion of energy storage within wind farm developments and that in respect of hydrogen, in March 2021 the Council agreed to prepare a Hydrogen Strategy for Highland.

3.5 It will be necessary to explain electricity network benefits and capacity proposed, with the end result ideally being all consented forms of energy production being operational on a consistent basis, when there are sufficient natural resources, (e.g. when there is sufficient windspeeds for onshore wind turbines that they operate, rather than either certain or no turbines being in use depending upon short term grid constraints or levels of demand). A strategy for the provision of electric vehicle charging points at certain points on the network should also be submitted with the application, with this expected to server operational maintenance vehicles or ideally, a much wider range of road users should such an opportunity arise.

Landscape and Visual

3.6 The Council expects the EIAR to consider the landscape and visual impact of the development. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. It is the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment. The Council, while not precluding the use of panoramic images, require single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths required are 50mm and 75mm. The former gives an indication of field of view and the latter best represents the scale and distance in the landscape i.e. a more realistic impression of what we see from the viewpoint. These images should form part of the EIAR and not be separate from it. Albeit that the development is not for a wind farm, photomontages should still accord with and follow principles set out within the Council's Visualisation Standards, with photomontages being subject an independent verification check upon receipt:

https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments

3.7 Separate volumes of visualisations should be prepared to both Highland Council Standards and NatureScot guidance. These should be provided in hard copy. It would be beneficial for THC's volume to be provided in a **A3 leaver arch folder** for ease of use for fieldwork. The use of monochrome for specific viewpoints is useful where there are a number of different intervening features in the view, or where the proposals will be viewed alongside other visible structures including wind turbines and overhead lines. We are happy to provide advice on this matter going forward.

3.8 This assessment must include the expected impact of on-site borrow pits and access roads. All elements of a development are to be rendered into photomontages and are important to consider within any EIAR.

3.9 The finalised list of Viewpoints (VP) and wireframes for the assessment of effects of a proposed development must be agreed in advance of preparation of any visuals with THC

and NatureScot. This should include details of the extent of detailed route analysis through the provision of sequential wirelines.

- 3.10 We acknowledge that there will be some micrositing of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when they are taking the photos it would be helpful. We have also found that if the photographer has a 3D model on a laptop when they go out on site it helps the orientation of the photography.
- 3.11 The detailed location of viewpoints will be informed by site survey, mapping and predicted ZTVs. Failure to do this may result in abortive work, requests for additional visual material and delays in processing applications/consultation responses. Community Council's may request additional viewpoints and it would be recommended that any pre-application discussions with the local community, and associated reporting on consultation undertaken, take this into account.
- 3.12 The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. For example, it should be clear that the VP has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view or for assessment of impact on designated sites, communities or individual properties.
- 3.13 Section 6.5 of the EIA Scoping Report details the proposed VP location for each section of the line and the Council will confirm the suitability of these through separate correspondence with SHET.
- 3.14 When assessing the impact on recreational routes please ensure that all core paths, the national cycle network, long distance trails are assessed. It should be noted that these routes are used by a range of receptors.
- 3.15 The development will further extend the influence of energy related development in the surrounding landscape, necessitating appropriate cumulative impact. It is considered that cumulative impact will be a material consideration in determining the proposals. There are a number of ongoing onshore wind farm applications in Highland which are yet to be determined / concluded. To help inform the LVIA cumulative assessment, please utilise the Council's interactive wind turbine map which is up to date as of 15 January 2021 and can be accessed at: <http://highland.gov.uk/windmap>

The Energy Consents Unit may also be able to provide details of any other known nearby major development proposals which are currently at Scoping Stage as these may have advanced at the same pace as your proposal.

Geology, Hydrology and Hydrogeology

- 3.16 The EIAR should include a full assessment on the impact of the development on peat. The assessment of the impact on peat must include peat probing for all areas where development is proposed. The Council are of the view this should include probing not just at the point of infrastructure as proposed by the scheme but also covering the areas of ground which would be subject to micrositing limits / limits of horizontal deviation. SEPA are best placed to provide detailed advice on methodology for peat probing and the peat assessment.
- 3.17 Carbon balance calculations should be undertaken and included within the EIAR with a summary of the results provided focussing on the carbon losses though a combination of

the production materials, transportation, construction and carbon sequestration through wider estate habitat management plans.

- 3.18 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile. There may also be opportunities to repurpose borrow pits for other future land management, transport, recreational access or temporary storage uses and these should be explored further with the Council's Transport Planning Team.
- 3.19 The EIAR needs to address the nature of the hydrology and hydrogeology of the land, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, groundwater, other water features and sensitive receptors, such as water supplies, need to be assessed. Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall which will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. You are strongly advised at an early stage to consult SEPA as the regulatory body responsible for the implementation of the Controlled Activities (Scotland) Regulations 2005 (CAR), to identify license requirements and the extent of the information required by SEPA.
- 3.20 If culverting is proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, taking into account factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide.
- 3.21 The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private source is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided.
- 3.22 The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known supplies but it is not definitive. An on-site survey will be required. The Council's Environmental Health Service has advised that a mitigation scheme designed to protect private water supplies affected by work activities arising from this project would be required as a pre development / works condition should this information not be provided at the application stage.

- 3.23 The Council's Environmental Health Service has also advised that the proposal may affect private drainage schemes (septic tanks) and that further investigation and onsite survey is required. Again, a mitigation scheme designed to protect private drainage schemes would be required as a pre development / works condition should this information not be provided at the application stage.
- 3.24 The Council's Flood Risk Management Team have confirmed that they have no comment. It is anticipated that detailed comments will be provided on impacts on the water environment, in particular on buffers to water courses, by SEPA.

Ecology and Ornithology

- 3.25 The EIAR should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans.
- 3.26 Habitat enhancement and mitigation measures should be detailed, particularly in respect to any blanket bog, in the contexts of both biodiversity conservation and net gain. Details of any habitat enhancement programme (such as native tree planting, stock exclusion, etc) for the proposed site should be provided together with details of associated legal agreements with landowners. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.
- 3.27 The presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the planning application process, not as an issue which can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. Please refer to the comments of NatureScot and RSPB in this respect.
- 3.28 The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant. NatureScot can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR. NatureScot provide advice on the impact on designated sites.
- 3.29 An assessment of the potential impact on wild deer will be required. This should address likely disturbance and displacement, deer welfare, habitats and other interests.
- 3.30 The EIAR needs to address the aquatic interests within local watercourses, including down stream interests that may be affected by the development, for example increases in silt and sediment loads resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues. The EIAR should evidence consultation input from the local fishery board(s) where relevant.

- 3.31 Further advice may be provided by NatureScot on ecology in relation to the surveys required and the adequacy of the work already undertaken.
- 3.32 The EIAR should include an assessment of the effects on Ground Water Dependent Terrestrial Ecosystems (GWDTE). Please contact SEPA for detailed advice.

Forestry

- 3.33 It is advised that a specific chapter on forestry is included in the EIAR where there is likely to be an adverse impact on woodland. The EIAR should provide a baseline survey of the plants (including fungi, lichens and bryophytes) and trees present on the site to determine the presence of any rare or threatened species. The EIAR should indicate areas of woodland / forestry plantation which may be felled to accommodate new development (including the access), including any off site works / mitigation. Compensatory woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment.
- 3.34 EIA Scoping Report Chapter 12 Forestry identifies a number of plantations which may be affected by the proposed Operational Corridor (OC). Section 12.3.1 (Potential Effects) highlights the potential effects including windthrow risk and the need to identify windfirm boundaries. The creation of new wayleaves through established commercial woodland is highly likely to increase the risk of windthrow due to the loss of windfirm boundaries.
- 3.35 Section 12.4 (Mitigation) correctly identifies the need for Compensatory Planting for any areas of permanent woodland loss, in line with the Scottish Government's policy on the Control of Woodland Removal. Consideration must be given to the full area required for the construction access road through trees / woodlands and the impacts on these identified. Any areas of woodland listed in the Ancient Woodland Inventory should be safeguarded from adverse impacts.
- 3.36 Section 12.5 (Proposed Scope and Methodology of Assessment) states that 'where wind throw and forest landscape impact is predicted, consideration will be made as to the requirement of felling to desirable windfirm and forest landscape boundaries' yet goes on to explain that 'the assessment will consider the OC only and is not proposed to address overall Forest Plans. Any felling undertaken out with the OC would be solely under the control of the landowner, and the Applicant would not have any influence or control over such. While the Council's Forestry Officer appreciates that the assessment will focus on the OC, it is important that any additional felling required to secure windfirm boundaries or landscape issues will need to be referenced in the associated Forest Plan.
- 3.37 Full details of commercial forest management, including intended felling and replanting cycles, should therefore be provided with the application. This is particularly important when considering the landscape and visual impacts of the proposal and whilst the assessment should be based on bare earth visibility, it would be helpful context to help understand how land uses may change in the vicinity of the site over the operational lifetime of the development.

Cultural Heritage

- 3.38 The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. This will require you to identify:

- the architectural heritage (Conservation Areas, Listed Buildings);
- the archaeological heritage (Scheduled Monuments);
- the landscape (including designations such as National Parks, National Scenic Areas, Areas of Great Landscape Value, Gardens and Designed Landscapes and general setting of the development; and
- the inter-relationship between the above factors.

3.39 The Council would expect any assessment to contain a full appreciation of the setting of these historic environment assets and the likely impact on their settings. It would be helpful if, where the assessment finds that significant impacts are likely, appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings could be provided. Visualisations illustrating views both from the asset towards the proposed development and views towards the asset with the development in the background would be helpful.

3.40 Historic Environment Scotland (HES) are anticipated to provide comment on the assessment methodology for heritage assets within their remit. It is anticipated that HES will provide further comments on the scope of the assessment and their requirements for supporting information (including visualisations) and the potential impacts on heritage assets in their consultation response. There are a number of heritage assets in the vicinity of the development, these need to be assessed. HES may provide detailed advice on potential setting impacts.

3.41 THC's Historic Environment Team (HET) are satisfied that the information presented in the EIA Scoping Report will adequately assess the predicted impacts of this proposal. The methodology as set out at Section 9.5 is acceptable. The assessment must consider the potential impacts to upstanding features as well as the potential for buried features and deposits to be present. Where impacts are unavoidable, HET expect methods to mitigate this impact to be discussed in detail.

Noise

Operational Noise

3.42 EIA Scoping Report Para 15.5.1 (page 97) states that it is not anticipated that an assessment of operational noise would be required given the remoteness of the project (in places) and distance from properties. However, a review of noise sensitive receptors within 100m of the overhead line would be undertaken to determine whether detailed assessment is required at these receptors. Where this is determined to be required, consultation with the Council would be sought to establish an appropriate and proportionate approach.

3.43 The Council's Environmental Health Service has commented that no subsequent contact has been made and therefore a condition has been recommended to be attached to any forthcoming consent in relation to low-frequency noise from overhead lines. The recommended condition would state:

"Noise arising from within the operation of the overhead lines, hereby permitted, when measured and/or calculated as an Leq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB, at noise sensitive premises; and

The Rating Level of noise arising from the overhead line, hereby permitted, must not exceed the current background noise levels at noise sensitive premises. The Rating Level

should be calculated in accordance with BS 4142: 2014: Methods for rating and assessing industrial and commercial sound."

Construction Noise

- 3.44 Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, where there is potential for disturbance from construction noise the application will need to include a noise assessment. A construction noise assessment will be required in the following circumstances:
- Where it is proposed to undertake work, which is audible at the curtilage of any noise sensitive receptor, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm or
 - Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months).
- 3.45 If an assessment is submitted it should be carried out in accordance with BS 5228-1 :2009 "Code of practice for noise and vibration control on construction and open sites - Part 1: Noise". Details of any mitigation measures should be provided including hours of operation.
- 3.46 Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented. Particular attention should be given to the use of tonal reversing alarms and ground compaction plant which are often the most intrusive noise generating elements of a large construction project.

Traffic and Transport

- 3.47 A Transport Assessment (TA), Construction Traffic Management Plan (CTMP) and an Abnormal Load Assessment will be required within the EIAR. The key purpose of a TA is to establish if the traffic generated is significant (and extra-ordinary) and if so to assess the impact on the road infrastructure, residents and the travelling public. You will need to provide access for maintenance from the public road and agree that through the permission (and related road authority permissions), but the operational phase traffic volumes will be low and the ongoing maintenance transport impact on the wider network can be scoped out. The Construction Traffic requires assessment; it cannot be scoped out. Finally, it must identify the practical measures necessary to mitigate the impact. Mitigation measures required may include; new or improved infrastructure, road safety measures and traffic management. The guidance below provides further information on the required content. Prior to undertaking the TA the scope should be agreed in writing by both the Council's Transport Planning Team and Transport Scotland.
- 3.48 The Transport Assessment Methodology below sets out what the Council requires and further information is provided in the Council's published Roads and Transport Guidelines for New Developments.
- 3.49 When establishing a scope for the assessment consideration should be given to the use of the public roads in this area can be significantly influenced by tourist traffic.

Transport Assessment Methodology

3.50 Transport Planning require a Transport Assessment to be submitted with any future application. The information below is not exhaustive and should be used as a guide to submitting all relevant information in relation to roads, traffic and transportation matters arising from the development proposals.

1. Identify all public roads affected by the development. In addition to transportation of all abnormal loads and vehicles (delivery of components) this should also include routes to be used by local suppliers and staff. It is expected that the developer submits a preferred access route for the development. All other access route options should be provided, having been investigated in order to establish their feasibility. This should clearly identify the pros and cons of all the route options and therefore provide a logical selection process to arrive at a preferred route.

2. Establish current condition of the roads. This work which should be undertaken by a consulting engineer acceptable to the Council and will involve an engineering appraisal of the routes including the following:

- assessment of structural strength of carriageway including construction depths and road formation where this is likely to be significant in respect of proposed impacts, including non-destructive testing and sampling as required;
- road surface condition and profile;
- assessment of structures and any weight restrictions;
- road widths, vertical and horizontal alignment and provision of passing places; and
- details of adjacent communities.

3. Determine the traffic generation and distribution of the proposals throughout the construction and operation periods to provide accurate data resulting from the proposed development including:

- nos. of light and heavy vehicles including staff travel;
- abnormal loads; and
- duration of works.

4. Current traffic flows including use by public transport services, school buses, refuse vehicles, commercial users, pedestrians, cyclists and equestrians.

5. Impacts of proposed traffic including:

- impacts on carriageway, structures, verges etc.;
- impacts on other road users;
- impacts on adjacent communities;
- swept path and gradient analysis where it is envisaged that transportation of traffic could be problematic; and
- provision of Trial Runs to be carried out in order to prove the route is achievable and/or to establish the extent of works required to facilitate transportation.

6. Cumulative impacts with other developments in progress and committed developments including any wind farm, hydro or other energy related projects. When completing a list of consented projects in the vicinity, including the ongoing expansion of Auchterawe substation, please share this with the Planning Authority for further comment.

7. Proposed mitigation measures to address impacts identified in 5 above, including:

- carriageway strengthening;
- strengthening of bridges and culverts;
- carriageway widening and/or edge strengthening;
- provision of passing places;
- road safety measures; and
- traffic management including measures to be taken to ensure that development traffic does not use routes other than the approved routes.

8. Details of residual effects.

Structure of the TA and Further Consultation

- 3.51 Given the geographical extent of the line and associated access works, it is requested that the TA be presented with subsections covering the three operational areas of Highland:
- 1) Ross and Cromarty (Contact: Road Operations Manager – Iain Moncrieff);
 - 2) Skye (Contact: Road Operations Manager - Gordon Macdonald); and
 - 3) Nairn, Lochaber, Badenoch and Strathspey (Contact: Senior Engineer - Mark Smith).
- 3.52 The TA's and EIA's schedule of mitigation measures should be split into these sub-areas and provide full details of all PRI and other mitigation measures proposed. This will assist with ongoing internal consultation and future monitoring.
- 3.53 It would be advantageous that through ongoing dialogue all mitigation measures can be agreed in advance of the application's submission with the EIA providing as much detail as possible, including feasibility drawings detailing the scope of works proposed, and itemised costings for budgeting purposes. This level of detail is required to be included within the EIA and TA, irrespective if all of these road works themselves fall within the scope of the Section 37 application, or are regarded as ancillary works with certain works beyond the adopted road boundary requiring separate planning permission.
- 3.54 Although it may be useful for SHET to discuss the issues directly with the Road Operational Managers (and/or their Senior Engineers as appropriate) the decision on whether the proposals are appropriate mitigation to be included in the S37 schedule will need co-ordination with Planning / Transport Planning. Therefore, Transport Planning (Jane Bridge Jane.bridge@highland.gov.uk is the Transport Planning case officer at present) should be copied into any key information or correspondence relating to the future S37 to ensure a consistent overview across the project as a whole and for the three operational areas.

Abnormal Load Assessment

- 3.55 Any requirement for abnormal loads must be identified in the TA (including cranes and construction plan such as wide low loaders, crushing plant etc.) and the types of vehicles/loading and the routes established. A review of the preferred route, to include

swept path assessment and inspection and/or assessment of any structures along the route, shall be undertaken. A trial run to demonstrate the suitability of the abnormal load route may be required (this will likely be conditioned by the consent if it is necessary). If abnormal loads are required then early direct consultation with the Councils structures section (Simon.Farrow@highland.gov.uk) and the Abnormal Load Team (abnormal.loads@highland.gov.uk) is advised.

Construction Traffic

3.56 The HGV traffic associated with construction can cause significant deterioration and damage to the historic construction of the local road network. In the rural areas even the A and B class routes may not have modern road base construction. The roads are fit for their ordinary purpose of supporting relatively low volumes of HGVs. The concentrated flows associated with a large construction project can cause significant damage to the road surfacing and to drainage and verges where over-run occurs. This results in above average road maintenance costs. In the worst cases the intensive heavy axle loading can cause weaker sections of subgrade to fail necessitating a complete and extremely costly reconstruction. The historic structures supporting the road can also be damaged and require repair or reconstruction. We have unfortunate experience of this in the Highlands – it is not a theoretical risk. The TA must therefore provide:

- Estimated volumes of material to be transported for construction and the volume and type of HGV movements generated.
- Details of the likely routes for HGVs including for bulk material supplies from/to quarries, suppliers and tips.
- Details of identified sensitive receptors to the HGV traffic increase such as schools and residential areas.
- An assessment of the significance of the increase in the HGV movements along these routes. This can be done either by recent counts or a practical view can be taken using local knowledge and historic count information. We indicated that for most of the local roads the increased volume of HGV construction traffic is likely to be significant and extra-ordinary. Some up to date counts may be required. The traffic is highly variable / seasonal due to the impact of tourism and this needs to be allowed for.
- An assessment of likely impacts on bridges, culverts and retaining walls along both the abnormal load and the HGV construction routes. Direct consultation is advised with the Council's structures section once the preferred routes have been identified.

Road Safety

3.57 An assessment of the impact of the increase in all traffic (but particularly HGV traffic) on road safety shall be made in particular the impact on the safety of more vulnerable road users (those walking, wheeling and cycling). The road traffic collisions and statistics for a 5 year period shall be considered. Detailed accident information is available from the Council if required (road.safety@highland.gov.uk). There is a charge for this service. Mitigation – temporary or permanent may be required, especially to protect vulnerable users.

Mitigation

3.58 In order to support the increase in HGV traffic as well as the abnormal loads, it is likely that Prior Road Improvement (PRI) mitigation works will be required to improve the local road

network in advance of the project construction works commencing. Such PRI must clearly be set out with the EIA's TA and schedule of mitigation. These work may include:

- Strengthening or other improvement to structures.
- Strengthening, widening, improvement of vertical or horizontal alignment, provision of passing places and improvements to junctions on the public road. Any works outside the road boundary will need to be included within the red line boundary of the application. Alternatively, separate planning permission(s) may be required for these works.
- Management of the construction traffic.
- A maintenance agreement and bond.

3.59 **The extent of the works must be clearly established prior to the Council providing their consultation response to the Scottish Government's Energy Consents Unit (ECU) which will set the Council's position on the application.**

3.60 The three routes are of pertinent concern: Glenelg, Struan Hill Road and Kinloch Hourn, however there will also be other routes affected. The first step is for SHET to progress a feasibility design for the road mitigation on the three routes. The Kinloch Hourn Road is to be prioritised, followed by the Struan Hill Road albeit an alternative private access solution has been signposted by the Roads Area Manager. The solution progressed to date for the Glenelg Road is unlikely to be able to be replicated on either the Kinloch Hourn Road or the Struan Hill Road. The Council has advised that historic structures will be affected on the Kinloch Hourn Road. The Struan Hill Road also cannot be used by forestry vehicles and the Council has advised SHET of a private alternative access solution that forestry used following a nearby river.

3.61 For the Glenelg route there is a Council appointed consultant (Arrivka) looking at this design already with a tight deadline for a submission for STTS funding (21st March). SHET are to review the Council proposals and advise if any amendments would be needed to accommodate their project. Discussions on the necessity for financial contributions will be ongoing.

Construction Traffic Management Plan

3.62 THC Transport Planning will require any application associated with this proposal to submit a CTMP for the prior approval of the Planning Authority. The TA shall include a framework CTMP aimed at minimising the impact of the construction on the public and the public road network including measures to protect the safety of cyclists and pedestrians using the access routes. This can include measures such as embargoes on HGV movements at school in/out times, signage, voluntary speed limits, police no waiting cones or temporary traffic orders. It can then be updated and finalised once a contractor is in place prior to commencement of any works. A planning condition will be required. Consultation with the local community and the Roads Operation Management Teams will be required for the detailed content and implementation of the CTMP.

3.63 A CTMP will normally detail the following issues, however this is not an exhaustive list and the CTMP should be tailored to reflect the issues pertinent to this development:

- Identification of all Council maintained roads likely to be affected by the various stages of the development,
- Predicted volume, type and duration of construction traffic.

- Location of site compound, staff parking and visitor parking.
- Proposed measures to mitigate the impact of general construction traffic and abnormal loads on the local road network following detailed assessment of relevant roads.
- Details of any traffic management signage required for the duration of the construction period.
- Measures to ensure that all affected public roads are kept free of mud and debris arising from the development.
- Route and delivery programme to be agreed with any interested parties such as Highland Council, the Police, Transport Scotland and community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media.

Maintenance Agreement and Bond

- 3.64 Notwithstanding the above requirements, there will remain a risk of damage to Council maintained roads from development related traffic. In order to protect the interests of the Council, as roads authority, a suitable agreement relating to Section 96 of the Roads (Scotland) Act and appropriate planning legislation - including the provision of an appropriate Road Bond or similar security – is likely to be required.

Access onto the Public Road and Visibility

- 3.65 The proposal for new or upgraded access onto the public road shall be detailed on dimensioned drawings including radii, surfacing and drainage as well as the required visibility splays in accordance with the Highland Council's Roads and Transport Guidelines for New Developments available at:
https://www.highland.gov.uk/downloads/file/527/road_guidelines_for_new_developments

Socio-Economic, Tourism and Recreation

- 3.66 The EIAR should estimate who may be affected by the development, in all or in part, which may require individual households to be identified, local communities or a wider socio economic groupings such as tourists and tourist related businesses, recreational groups, economically active, etc. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and eventual decommissioning of the infrastructure.
- 3.67 In this regard development experience in this location should be used to help set the basis of likely impact. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy.

Recreational Access

- 3.68 The Council's Access Officer has confirmed that a significant number of outdoor access routes will be affected, some of which are low use remote hill tracks and others which are more frequently used. The proposal is also on land with access rights provided by the Land Reform Scotland Act. The potential impact on and mitigation for public access should be assessed incorporating core paths, public rights of way, long distance routes, other paths and wider access rights across the site. There are core paths and public rights of way in

this area which are likely to be affected during construction and operational phases. The Council's Access Officer will provide further details of all affected paths including: path reference, grid reference, type, description and intensity of use.

- 3.69 There are two aspects of the project to consider from the Access Authorities perspective: 1) the impact of the construction and permanent operational phase on access routes; and 2) opportunities for access improvements as a legacy to the project.
- 3.70 Firstly, dealing with the construction and operational impacts, an Access Management Plan is required to be submitted with the application. The Access Management Plan (AMP) should be developed in consultation with the Council as Access Authority and other relevant partner organisations such as NatureScot. This AMP would be included as part of the EIAR submitted with the application, and should be provided in accordance the Highland Wide Local Development Plan, Policy 77, which covers Outdoor Access. In developing the AMP within the EIAR it is helpful to refer to Appendix 6 of Nature Scot's Environmental Impact Assessment Handbook:
<https://www.nature.scot/sites/default/files/2018-05/Publication%202018%20-%20Environmental%20Impact%20Assessment%20Handbook%20V5.pdf>
- 3.71 Included within the AMP the Council would expect to see how each known affected access route would be dealt with both during construction, and following completion. In some circumstances this may only be whilst cables are being strung across a route, however at the other end the route could be impacted by construction traffic or pylon construction.
- 3.72 The time of year and period of time that each access route is affected will be important so that potential users can be made aware of likely impacts to their plans. There will be outdoor events planned using a number of these routes (such as the Dirty 30 near Glenelg), which will need to be accommodated. The Council's Access Officer will try to obtain as much information as possible on known events and pass this to the applicant.
- 3.73 From the EIA Scoping Report's section plans, paths are included in the key within the designation plans. However, some of these, particularly those noted as hill tracks, are difficult to identify amongst other designations on the plans. The Access Officer will therefore provide a table of all known paths, grid references and details in the coming weeks.
- 3.74 Recently the Council's Access Officer has been made aware of more detailed plans that exist, entitled "Access and Constraints Plans", and have been offered full copies. These plans will assist in identifying in more detail the effects on access routes, and what mitigation measures may be required.
- 3.75 Secondly, Access Improvements Plans would also assist in scrutinising what potential opportunities exist for improving public access though both temporary construction access and permanent maintenance access tracks. The Council has already had initial dialogue with SHET's Land Management Team with regards to exploring the wishes of land managers, and the Council's Access Officer is scheduled to discuss this with the Civils Design Team to look at feasibility. It is fully appreciated that SHET's primary responsibility is to provide electricity infrastructure, but also welcome the opportunity to discuss what potential legacy benefits may exist from the construction process.
- 3.76 Previously mention has been made of aspirations for a strategic active link across Skye, and one section of difficulty included within that is between Sligachan and Broadford. There is a project being undertaken presently by the Skye Cycle Network, funded by Sustrans to

look at the feasibility of a network, and this has been adopted into the Syke and Raasay Future plan:

https://www.highland.gov.uk/info/283/community_life_and_leisure/960/skye_and_raasay_future

Following discussions with a SHET's Land Management Team the Council are seeking to bring stakeholders together to see if opportunities exist to utilise SHET's works in terms using the construction access as foundation for an active travel link.

- 3.77 Where post construction maintenance access routes are provided, consideration should be given for bypass gates for non motorised access users, as it is likely that land managers will want to exclude unauthorised vehicular access and may lock these vehicular gates. Further advice can be given on compliant access provision.

Aviation, Radar and Telecoms

- 3.78 The EIAR needs to recognise community assets that are currently in operation for example internet coverage, TV, radio, blue light telecommunications, aviation interests including radar, MOD safeguards, etc. In this regard the applicant, when submitting a future application, will need to demonstrate what interests they have identified and the outcomes of any consultations with relevant authorities such as Ofcom, NATS, BAA, CAA, MOD, Highlands and Islands Airports Ltd, etc. through the provision of written evidence of concluded discussions / agreed outcomes. The Council consider the results of these surveys should be contained within the EIAR to determine whether any suspensive conditions are required in relation to such issues.

- 3.79 If there are no predicted effects on communication links as a result of the development, the EIAR should still address this matter by explaining how this conclusion was reached. From the previous project consultation documentation it is also noted that the towers would also require a fibre cable to be laid on the ground. Whilst it was explained that this would not be usually open to connectivity by any third party telecoms providers (in part due to wayleave agreements already in being in place with land owners), the Council would encourage scope for this to be explored further with telecoms providers and local communities that may benefit from utilising this infrastructure should they not already have access to highspeed broadband.

Construction Management and Health and Safety

- 3.80 The EIAR needs to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction etc. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each section of development including construction and operation. Issues such as dust, air borne pollution, noise, light can then be highlighted. Consideration must also be given to the potential health and safety risks associated with lightning strikes and ice throw given the proximity of recreational routes.
- 3.81 Depending on the proximity of the working area and access route to any houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements and routing. The Council's Environmental Health service has advised that a dust mitigation scheme, if not provided at the application stage, could be secured via a pre commencement of development / works condition.

3.82 A number of the aforementioned matters could be addressed by a CEMD for the proposal. While acceptable in principle we would request that an Outline CEMD is included with the application.

4.0 Significant Effects on the Environment

4.1 Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- the existence of the development;
- the use of natural resources; and
- the emission of pollutants, the creation of nuisances and the elimination of waste.

4.2 The potential significant effects of development must have regard to:

- the extent of the impact (geographical area and size of the affected population);
- the trans-frontier nature of the impact;
- the magnitude and complexity of the impact;
- the probability of the impact; and
- the duration, frequency and reversibility of the impact.

4.3 The effects of development upon baseline data should be provided in clear summary points.

4.4 The Council requests that when measuring the positive and negative effects of the development a four point scale is used advising any effect to be either strong positive, positive, negative or strong negative.

4.5 The applicant should provide a description of the forecasting methods used to assess the effects on the environment.

5.0 Mitigation

5.1 Consideration of the significance of any adverse impacts of a development will of course be balanced against the projected benefits of the proposal. Valid concerns can be overcome or minimised by mitigation by design, approach or the offer of additional features, both on and off site. A description of the measures envisaged to prevent, reducing and where possible offset any significant adverse effects on the environment must be set out within the EIAR statement and be followed through within the application for development.

5.2 The mitigation being tabled in respect of a single development proposal can be manifold. Consequently, the EIAR should present a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled draft Schedule of Mitigation. As the development progresses to procurement and then implementation this carries forward to a requirement for a Construction Environmental Management Document (CEMD) and then Plan (CEMP) which in turn will set the framework for individual Construction Method Statements (CMS). Further guidance can be obtained at:

http://www.highland.gov.uk/NR/rdonlyres/485C70FB-98A7-4F77-8D6B-ED5ACC7409C0/0/construction_environmental_management_22122010.pdf

This is currently under review by a working party led by SEPA working through Heads of Planning Scotland but for the time being remains relevant.

- 5.3 The implementation of mitigation can often involve a number of parties other than the developer. In particular local liaison groups involving the local community are often deployed to assist with phasing of construction works – abnormal load deliveries, construction works to the road network, borrow pit blasting. It should be made clear within the EIAR or supporting information accompanying a planning application exactly which groups are being involved in such liaison, the remit of the group and the management and resourcing of the required effort.

Please contact the undersigned should you wish to discuss this scoping consultation response.

Peter Wheelan

Planner MRTPI – Strategic Projects Team

Direct Dial: 01463 702262

E-mail: peter.wheelan@highland.gov.uk

The Highland Council Planning Consultations

Planning and Development Service Ref: 22/00339/SCOP
Location: Skye Reinforcement Project
Applicant Name: SSE Networks

From: Mark Crowe, Outdoor Access Officer

Date: 18/02/22

Response:

The project covers a significant extent of power line upgrade, and as such covers a large number of outdoor access routes along it. Some of these are low use remote hill tracks, others more frequently used.

I am progressing through all of the core paths; candidate core paths; public rights of way; wider network paths which are recorded on our database, which will be affected by the works. I shall share this information with the applicant as soon as it is completed. I will provide a path reference; grid reference; type of path; description and whether the use is high, medium or low.

There are two aspects of the project to consider from the Access Authorities perspective. One is the impact which the construction phase and permanent works have on existing access routes. The other is what opportunity exists in terms of access improvements as a legacy to the project.

Access Management Plan

Dealing with the impact on existing routes we would require an Access Management Plan to be developed in consultation with the Highland Council as Access Authority and other relevant partner organisations such as Nature Scot. This AMP would be included as part of the EIAR submitted with the full application, and is in accordance the Highland Wide Local Development Plan, Policy 77, which covers Outdoor Access.

In developing the AMP within the EIAR it is helpful to refer to Appendix 6 of Nature Scot's [Environmental Impact Assessment Handbook](#)

Effect on Existing Access Routes

Included within the AMP we would expect to see how each known access route that was likely to be affected by the project would be dealt with both during construction, and following completion. In some circumstances this may only be whilst cables are being strung across a route, however at the other end the route could be impacted by construction traffic or pylon construction.

The time of year and period of time that each access route is affected will be important so that potential users can be made aware of likely impacts to their plans. There will be outdoor events planned using a number of these routes (such as the Dirty 30 near Glenelg), which will need to be accommodated. I will try to obtain as much information as possible on known events and pass this to the applicant.

I note from the section plans submitted with the scoping application, that paths are included in the key within the designation plans. However some of these, particularly those noted as hill tracks, are difficult to identify amongst other designations on the plans. I will therefore provide a table of all known paths, grid references and details in the coming weeks.

Recently I have been made aware of more detailed plans that exist, entitled "Access & Constraints Plans", and have been offered full copies. These plans will assist in identifying in more detail the effects on access routes, and what mitigation measures may be required.

Access Improvements

These plans will also assist in scrutinising what potential opportunities exist for improving public access though both temporary construction access and permanent maintenance access tracks. I have already had initial dialogue with SSEN's Land Management team with regards to exploring the wishes of land managers, and I am also scheduled to discuss this with the Civils Design team to look at feasibility. I fully appreciate that SSEN's primary responsibility is to provide electricity infrastructure, but also welcome the opportunity to discuss what potential legacy benefits may exist from the construction process.

Previously mention has been made of aspirations for a strategic active link across Skye, and one section of difficulty included within that is between Sligachan and Broadford. There is a project being undertaken presently by the Skye Cycle Network, funded by Sustrans to look at the feasibility of a network, and this has been adopted into the [Syke & Raasay Future](#) plan. Following discussions with a member of SSEN's Land Management team I am seeking to bring stakeholders together to see if opportunities exist to piggyback SSEN's works in terms using the construction access as foundation for an active travel link.

Where post construction maintenance access routes are provided, consideration should be given for bypass gates for non motorised access users, as it is likely that land managers will want to exclude unauthorised vehicular access and may lock these vehicular gates. Advice can be given on compliant access provision.

I would welcome further ongoing discussion as the applicant develops the Access Management Plan as part of the EIAR, and seek to secure any access improvements that arise.

Mark Crowe
Access Officer

Scoping Application Consultation Environmental Health Response

Planning Ref:	22/00339/SCOP
Proposal Name	Skye Reinforcement Project – construction of 132 kV overhead transmission line (OHL) Ardmore Sub-Station, Ardmore, Hallin, Dunvegan
Your Organisation	Highland Council
Your Name	Tanya Grosle
Your Position	Environmental Health Officer
Email	Tanya.Grosle@highland.gov.uk

Response

Noise

Paragraph 15.5.1 (page 97) of the Skye Reinforcement Project, Environmental Impact Assessment; Scoping Report (dated December 2021) states '*It is not anticipated that an assessment of operational noise would be required for the Proposed Development given the remoteness of the project (in places) and distance from properties. However, a review of noise sensitive receptors within 100 m of the OHL would be undertaken to determine whether detailed assessment is required at these receptors. Where this is determined to be required, consultation with the Environmental Health Department of The Highland Council would be sought to establish an appropriate and proportionate approach.*'

In relation to the above matter, no confirmation was received from the point of contact for this project in relation to noise from the overhead lines and therefore I would be recommending conditions for this project in relation to low-frequency noise from overhead lines, the conditions are situational depending on the proximity of overhead lines to noise sensitive premises.

Private Water Supplies

The proposed route of the underground cables may be in close proximity to private water supplies. Therefore, the applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known private water supplies, however this information is not definitive. An on-site survey will be required.

Private Drainage Schemes (Septic Tanks)

The proposed route of the underground cables may be in close proximity to private drainage schemes (septic tanks). Therefore, the applicant will be required to carry out an investigation to identify any private drainage schemes, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent physical disruption. An on-site survey will be required.

Construction Noise

Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, where there is potential for disturbance from construction noise the application will need to include a noise assessment. A construction noise assessment will be required in the following circumstances: -

- Where it is proposed to undertake work, which is audible at the curtilage of any noise sensitive receptor, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm
- or
- Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months)

If an assessment is submitted it should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including hours of operation.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. Attention should be given to construction traffic and the use of tonal reversing alarms.

Dust

Depending on the proximity of the working area to houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements.

Summary

I have no objection to the application subject to the conditions below. I recommend that the applicant reviews the information below prior to construction.

Conditions**Noise**

1. Noise arising from within the operation of the overhead lines, hereby permitted, when measured and/or calculated as an **Leq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB**, at noise sensitive premises; and

The Rating Level of noise arising from the overhead line, hereby permitted, must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014: Methods for rating and assessing industrial and commercial sound.

Private Water Supplies

2. Prior to the project commencing, the applicant shall submit, for the written approval of the planning authority, details of a mitigation scheme designed to protect private water supplies affected by work activities arising from this project.

Thereafter the development shall progress in accordance with the approved mitigation scheme and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

Private Drainage Schemes (Septic Tanks)

3. Prior to the project commencing, the applicant shall submit, for the written approval of the planning authority, details of a mitigation scheme designed to protect private drainage schemes affected by work activities arising from this project.

Thereafter the development shall progress in accordance with the approved mitigation scheme and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

Construction Hours

4. Operations, including vehicle movements, associated with this development, for which noise is audible at the curtilage of any noise sensitive property, shall only be permitted between:
 - i. 0800 hours and 1900 hours Monday to Friday; and
 - ii. 0800 hours and 1300 hours on Saturdays.

Dust Mitigation

5. Prior to the project commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme designed to protect neighbouring properties from dust arising from this project.

Thereafter the development shall progress in accordance with the approved dust suppression scheme and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

Application Name	Skye Reinforcement Project – Construction of 132kV OHL		
Planning Reference	22/00339/SCOP	Forestry Reference	SL/09/F
Planning Case Officer	Peter Wheelan	Date of Response	28 th February 2022

Chapter 12 (FORESTRY) of the Scoping Report identifies a number of forestry plantations which may be affected by the proposed Operational Corridor (OC).

Section 12.3.1 (Potential Effects) highlights the potential effects of the OC, including windthrow risk and the need to identify windfirm boundaries. The creation of new wayleaves through established commercial woodland is highly likely to increase the risk of windthrow due to the loss of windfirm boundaries.

Section 12.4 (Mitigation) correctly identifies the need for Compensatory Planting for any areas of permanent woodland loss, in line with the Scottish Government's policy on the Control of Woodland Removal.

Section 12.5 (Proposed Scope and Methodology of Assessment) states that 'where wind throw and forest landscape impact is predicted, consideration will be made as to the requirement of felling to desirable wind firm and forest landscape boundaries' yet goes on to explain that 'the assessment will consider the OC only and is not proposed to address overall Forest Plans. Any felling undertaken outwith the OC would be solely under the control of the land owner, and the Applicant would not have any influence or control over such'.

While I appreciate that the assessment will focus on the OC, it is important that any additional felling required to secure windfirm boundaries or landscape issues will need to be referenced in the associated Forest Plan.

Name	NICK RICHARDS (Forestry Officer, North Highland)		
Email	nick.richards@highland.gov.uk	Phone	01463 702498 (direct dial)

Consultee Comments for Planning Application 22/00339/SCOP

Application Summary

Application Number: 22/00339/SCOP

Address: Ardmore Sub-Station Ardmore Hallin Dunvegan

Proposal: Skye Reinforcement Project - construction of 132 kV overhead transmission line (OHL)

Case Officer: Peter Wheelan

Consultee Details

Name: . FLOOD RISK MANAGEMENT TEAM

Address: The Highland Council Headquarters, Glenurquhart Road, Inverness IV3 5NX

Email: Not Available

On Behalf Of: D & I Flood Team

Comments

The Flood Risk Management Team has no comment to make on this application.

Application Name	Skye Reinforcement Project – Construction of 132kV OHL
Planning Reference	22/00339/SCOP
Date of Response	25/02/2022
<p>I am satisfied that the information presented in the scoping report will adequately address an impact assessment for this proposal. The methodology as set out in the Scoping Report Section 9.5 is acceptable and will allow an assessment of the predicted impacts to be made. The assessment must consider the potential impacts to upstanding features as well as the potential for buried features and deposits to be present. Where impacts are unavoidable, HET expect methods to mitigate this impact to be discussed in detail.</p> <p>Please let me know if you need anything further at this stage.</p>	

Name	Kirsty Cameron, Archaeologist		
Email	kirsty.cameron@highland.gov.uk	Phone	01463 702504

Carolanne Brown
Energy Consents
Directorate for Energy and Climate Change
Response by email to: Econsents_Admin@gov.scot

11 March 2022

Our ref: CEA165755

Dear Ms Brown

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SKYE REINFORCEMENT
PROJECT**

Thank you for requesting our scoping advice for the above proposal on 25 January 2022. We are grateful for the extension provided.

1. Background

We have been advising on various iterations of this proposal since 2015. We provided our most recent advice, on the September 2021 alignment consultation, on 13 January 2022. We have welcomed regular engagement from SSE during the pre-application stage.

2. Key issues

We are grateful to the applicants for providing a thorough scoping report. This and further information provided in the September 2021 consultation documents have helped to inform our scoping advice. At this stage we advise that the proposed development raises the following key issues relevant to our interests:

- ***Potential impacts to protected areas:*** The proposal will have a likely significant effect on the qualifying interests of the Kinloch and Kyleakin Hills Special Area of Conservation (SAC). While further information will be required to inform a detailed assessment of impacts, at this early stage we advise that it may not be possible to demonstrate that there will be no adverse effect on the integrity of the site. We advise that the focus should be on clarifying the impacts of all the options, both in terms of routing and construction techniques. The route also passes through the Cuillin Special Protection Area and close to the West Inverness-shire Lochs Special Protection Area (SPA). Further information will be required to inform our advice for these and other aspects of the proposal with the potential to affect protected areas.
- ***Landscape and visual impacts:*** The preferred option for Section 4 has the potential to result in significant effects on the special landscape qualities of the Knoydart National Scenic Area. Further information will be required to show that the objectives of designation and the overall integrity of the area will not be compromised. The preferred options for Sections 4 and 5 have the potential to result in significant effects on the qualities of the Kinlochhourn – Knoydart – Morar

Wild Land Area (WLA 18). Assessment of effects on the Special Qualities of the Cuillin Hills National Scenic Area (NSA) and the qualities of the Cuillin Wild Land Area (WLA) 23 will also be required.

- ***Potential impacts on peat, peatland habitats and carbon rich soils.***

The assessment of these issues and the resultant impacts will determine our position on any application which comes forward.

We provide more detailed comments on these and other site specific issues in Annex 1 to this letter, to assist with the EIA process. We recommend the results of survey and assessment are used to inform the route selection, alignment and design solution for the proposal and associated infrastructure, seeking to avoid impacts to the sensitivities outlined below and in the scoping report. If avoidance of impacts is not possible, we advise any impacts are minimised through appropriate mitigation, details of which should be provided in the EIA Report (EIAR).

3. General pre-application and scoping advice

The scoping report broadly covers the topics that we would expect to see included in the EIA. Although aimed at wind farm proposals, the applicants may find it useful to refer to our standing advice “General pre-application and scoping advice to developers of onshore wind farms” (see: <https://www.nature.scot/general-pre-application-and-scoping-advice-onshore-wind-farms>), which includes a checklist of our requirements for what to include in an EIAR. This guidance contains advice on other more general issues (which may not be covered in Annex 1 to this letter) that may be relevant to consider – including recommended survey methods, sources of further information and guidance on data presentation.

All natural heritage and landscape assessments should follow our published guidance, see:

<https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents>.

The scoping report includes a number of questions which I hope are covered within our response. If the applicants require any further clarification they are welcome to contact us directly.

Please note that this advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or planning process. Please let me know if you require any further information or advice in relation to this proposal.

The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage.

Yours sincerely

Karen Reid

Area Officer, South Highland

Karen.Reid@nature.scot

Annex 1 – details to assist with the EIA for the Skye Reinforcement Project

1. Protected areas

Full details of all protected areas and, where relevant, their conservation objectives can be found on SiteLink: <https://sitelink.nature.scot/home>.

The status of the European sites below mean that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the ‘Habitats Regulations’) apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, for any future application, the Energy Consents Unit will be required to consider the effect of the proposal on these European sites before it can be consented (commonly known as Habitats Regulations Appraisal). Our website has a summary of the legislative requirements (<https://www.nature.scot/doc/legislative-requirements-european-sites>).

Cuillin Special Protection Area (SPA)

All of Section 2 is within the SPA and small parts of Sections 1 and 3 are within/adjacent. The site is protected for breeding golden eagles. The preferred alignment is however across lower ground on the edge of the SPA and mostly very close to the existing line.

At this stage we consider there will be a likely significant effect from disturbance and temporary loss of foraging habitat during construction of the new line and removal of the existing line. It is likely that potential impacts from both processes could be mitigated through implementing a breeding bird protection plan (including provision for timing of works on specific sections of line which are close to nest or roost sites) and an appropriate habitat restoration strategy. There is potential for permanent loss of foraging habitat if restoration is not successful. We recommend this mitigation is included in the EIAR.

We note that the applicants propose to scope out barrier affects, but we recommend the potential for loss of accessible foraging habitat from the operation of a different scale and design of overhead line is given some consideration in the EIAR.

The preferred solution is to underground part of Section 2 thus removing any collision risk for this part of the line. There is still potential for a likely significant effect through risk of collision with remaining areas of overhead line close to or within the SPA. We advise that comprehensive desk study, field survey and assessment are used to inform the selection of a route which minimises impacts to SPA golden eagle, and identify any additional mitigation requirements. This should include consideration of all known alternate nest sites, prey concentrations and the latest range-use modelling (see section 4 below).

Sufficient information will be required to consider all of these issues in a Habitats Regulations Appraisal, and demonstrate that there will be no adverse effect on site integrity as a result of this proposal. We provide further advice on survey and assessment under section 4 Ornithology.

Kinloch and Kyleakin Hills Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)

Section 3 (Broadford substation to Kyle Rhea) crosses this site which is protected for a range of upland and woodland habitats, and otters. The SSSI is protected for habitats and species which largely overlap with the SAC features, and a localised geological interest at Bealach Udal.

We continue to advise that the sensitivity of the route through the SAC means that, based on the information available to date, it is likely that this proposal will not be able to meet the conservation objectives for the SAC. If the Appropriate Assessment is unable to demonstrate ‘no adverse effect on site integrity’ we would object to the proposal, and the Energy Consents Unit would need to consider whether the provisions of Regulations 49 and 53 of the Habitats Regulations could be met. We would be happy to discuss the additional information that may be required to facilitate this assessment.

We agree that results of detailed habitat survey and assessment should be used to select a route and design option that minimises impacts to the qualifying interests of the SAC. Our initial assessment¹, based on the habitats present and the shorter overall route length within the SAC, is that an alternative route through Glen Arroch would traverse the least amount of the most sensitive habitats (blanket bog and broadleaved woodland). Although our final view would depend on the results of detailed habitat survey and assessment, it is therefore likely that a route through Glen Arroch route would result in less damage to the SAC qualifying habitats, including priority blanket bog habitat.

The scoping report notes that an alternative route through Glen Arroch will be given further consideration in the EIAR. We continue to advise that all alternative route options and design solutions are kept open (including the possibility of undergrounding part or all of the Glen Arroch route) until further detailed assessment and a shadow HRA have been undertaken. We welcome the applicant's commitment to further discussion on this point.

Our initial appraisal suggests that SSE's preferred route would have a likely significant effect on the SAC blanket bog, dry heath, wet heath and oak woodland habitats. As currently described, it seems possible that significant effects on Tilio-acerion woodland can be avoided but a HRA would need to confirm this. We advise that an Appropriate Assessment would be required to consider both permanent and temporary, direct and indirect impacts to each of the SAC qualifying habitats including the amount of habitat expected to be lost, damaged or modified as a result of the proposals. This should include assessment of peat slide risk and any potential changes to hydrology.

We advise that the EIAR includes full details of the habitat survey results to NVC sub-community level supported by peat depth survey where relevant. Smaller polygons with fewer communities and % cover would be preferable in order to improve the resolution of the surveys and precision of the HRA. We recommend that maps of the NVC polygons are included with all infrastructure and access routes overlain. Detailed information on the construction process within the SAC should also be provided, including the location, extent and type of infrastructure, and description of methods. This should include details of foundation type, any associated ground preparation and drainage, access requirements (track type and whether temporary or permanent, watercourse crossings), laydown and storage areas, the location and nature of any additional anchor points for tensioning the new wires, etc. Where access is to be taken over unsurfaced ground details of the plant type, number of journeys and ground conditions should be considered in assessing potential impacts. Where there is uncertainty we advise that the worst case scenario is assessed. Assessment should also consider operational management practices within the SAC (e.g. access and maintenance, include any wayleave maintenance).

Mitigation measures to minimise impacts should be provided. We recommend details of the proposed reinstatement and restoration works to allow any damaged habitats to recover are also set out in the EIAR.

We agree that, with appropriate restoration, removal of the existing overhead line is likely to have a positive effect on the SAC in the long term. However we advise that the EIAR considers the potential for impacts associated with the dismantling and removal of the existing overhead line, including vehicle tracking, ground preparation, etc. We recommend full details of how the existing overhead line would be removed, including infrastructure requirements, any aspects which would be left in situ, and details of reinstatement and proposed restoration works are included.

¹ Supported by information in SSE's September 2021 consultation document.

There could also be a significant effect on otter as a result of this proposal. The scoping report notes that otter surveys have identified a number of holts and resting sites. We advise that the age of survey work is reviewed to ensure it is current at the time of submission, and that the potential for disturbance and impacts to supporting habitats are considered in the EIAR. We advise that an otter protection plan is likely to be required. For further advice on survey methods, mitigation and licensing, see: <https://www.nature.scot/doc/standing-advice-planning-consultations-otters>.

We are keen to work closely with the applicants to identify the best solution for this challenging section and to provide further advice on the implications for the SAC and HRA as surveys and plans progress.

West Inverness-shire Lochs SPA

Section 5 lies to the north of Loch Garry and Loch Poulary and south of Loch Loyne, and Sections 5 and 6 are close to Loch Lundie. These are all components of the SPA which is protected for breeding common scoters and black-throated divers.

There is potential for a likely significant effect from disturbance, displacement and collision risk, and a Habitats Regulations Appraisal would need to consider all of these issues. The SPA common scoter population has significantly declined. Any impacts from collision could be significant and a robust assessment of collision risk will be required to be able to demonstrate no adverse effect on site integrity. We highlight that this assessment will be complicated by the probability that some flights between lochs are undertaken at night and will not be detected by standard vantage point surveys.

While the preferred alignment largely follows the existing route, there are some deviations and an increase in tower height is proposed. We advise that the results of survey and assessment are used to inform the selection of a route and design solution which minimises impacts to the SPA birds, and to identify any requirements for mitigation as the proposals progress, including opportunities for undergrounding and rationalisation of infrastructure. Survey work undertaken for other SSE proposals in this area may provide useful background information.

There is little information on scoter movements around their inland breeding sites. Given the complexities in assessing collision risk a theoretical assessment is likely to be required. This should consider likely flight routes and heights using any existing information on flight height and factors likely to influence this, as well as likely routes into, out of and between inland breeding sites. The assessment should also be informed by surrounding topography and energetics of bird flight activity. We recommend desk study information is requested from the RSPB regarding known nesting areas. The potential for movements between Loch Garry and Loch Loyne will be a key consideration.

Sections 5 and 6 pass close to Loch Lundie which supports breeding black-throated divers. We advise that the RSPB are contacted for any historical information on breeding black-throated divers they may hold, and that survey work follows our guidance². We note that the majority of Section 6 is now to be undergrounded. We advise that cumulative impacts around Loch Lundie will require particularly careful consideration in the EIAR. Given the close proximity to Loch Lundie we would encourage rationalisation of overhead lines and associated infrastructure in this area, including the lines to the south.

The potential for construction related disturbance should be considered and mitigation measures be presented in the EIAR. Details of any operational management including access and maintenance should also be provided. As set out in the scoping report, mitigation to avoid disturbance to breeding SPA birds may also be required for the removal of the existing line.

² See: <https://www.nature.scot/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>.

Sligachan SAC and SSSI

Section 1 crosses watercourses upstream of the SSSI and SAC which are protected for peatland and loch habitats, and rare plants. The undergrounded cable in section 2 is also close to this site. It is likely that any impacts to this area could be mitigated by appropriate construction methods and effective silt and pollution prevention measures. We would expect the EIAR to confirm this. The most recent information and advice in relation to this site is summarised in the Conservation Advice Package at: <https://sitelink.nature.scot/site/8376>.

Mointeach nan Lochain Dubha SAC and SSSI

Section 3 crosses the edge of this site which is protected for fen, bog and loch habitats. The preferred alignment is slightly south of the existing line, potentially positioning it inside the SAC. The site is very narrow here and we note the intention to avoid direct impacts (site towers and access routes to be placed outwith the SAC). It is likely that indirect impacts could be mitigated through appropriate construction methods and silt and pollution prevention measures. We would expect the EIAR to confirm this. The most recent information and advice in relation to this site is summarised in the Conservation Advice Package at: <https://sitelink.nature.scot/site/8320>.

An Cleirach, Druim Iosal and Quoich Spillway SSSIs

The preferred alignment passes through or close to these SSSIs, protected for their geological interests. We recommend the siting of infrastructure is planned so as to avoid direct impacts to the site features and to ensure that rock faces and outcrops remain accessible and are not damaged or obscured. We would expect the EIAR to confirm this. Where new outcrops are exposed by the works and there is an option to re-cover or leave exposed we recommend that these are assessed by a geologist.

Lochs Duich, Long and Alsh Reefs SAC

The site is protected for its marine reef habitats. Intertidal sections within the site boundary usually contain qualifying intertidal reef habitat. Potential impacts to this site are proposed to be scoped out. On the basis of available information we are content with this, unless there is a possibility that access from the coast will be required through the protected area.

2. Landscape and visual impacts

Our advice on this proposal will be focused on issues we consider may be of national interest, in this case being the potential effects on the Special Qualities of The Cuillin Hills National Scenic Area (NSA), Knoydart NSA, the Cuillin Wild Land Area (WLA) 23, and the Kinlochhourn – Knoydart – Morar WLA 18.

From a landscape perspective we welcome the proposal to underground part of Section 2 (from north of Sligachan to Luib) as we consider this would be less likely to result in significant effects on the Special Landscape Qualities (SLQs) of The Cuillin Hills NSA or the qualities of the Cuillin WLA. However the preferred option for Section 4 has the potential to result in significant effects on the SLQs of the Knoydart NSA. The preferred options for Sections 4 and 5 also have the potential to result in significant effects on the qualities the Kinlochhourn – Knoydart – Morar WLA.

We also continue to advise that the nature of associated infrastructure will be an important consideration. Access tracks in particular could significantly add to the impacts - both during construction, in the short-term while the vegetation is recovering and also in the longer term if restoration of the underlying vegetation is not successful or tracks are not removed. Although temporary tracks are mainly proposed, minimising their requirement, careful siting and effective restoration will be key to avoiding lasting changes to vegetation, soils and hydrology and longer term impacts. This will be particularly important in areas with thin soils (e.g. section 2) or peatland habitats.

We provide more detailed comments below.

The Cuillin Hills National Scenic Area and Cuillin Wild Land Area (WLA) 23

The preferred solution for Section 2 now includes around 14km of underground cable between north of Sligachan and Luib, with the remaining section from Luib to Broadford substation consisting of steel lattice towers. We welcome the proposal to underground the cable from a landscape perspective, and appreciate that the installation of an underground cable here would present a number of technical and environmental challenges. We advise that a Landscape Clerk of Works (LCoW) oversees the restoration of this section to ensure that the specific SLQs which are susceptible to the proposal are maintained. Further assessment will be required, as set out in the scope of assessment below, but we are of the view that this variant to the proposal would result in the least landscape and visual effects in terms of the appreciation of this nationally valued landscape in the long term. We therefore support this option from a landscape perspective. Assessment will also be required for the overhead line sections of the proposal within Section 2.

Knoydart NSA and the Kinlochhourn – Knoydart – Morar WLA 18

Section 4: Kyle Rhea to Loch Cuaich

The preferred option for Section 4 has the potential to result in significant effects on the SLQs of the Knoydart NSA and qualities the Kinlochhourn – Knoydart – Morar WLA.

Whilst we appreciate the technical challenges of siting the towers over the steep terrain south of Kinloch Hourn close to the existing line, we note that the preferred alignment now crosses the road twice near Loch Coire Shubh rather than staying east and north of the road for its duration. This would affect recreational users on the minor road to Kinloch Hourn which is a popular route for tourists seeking a remote experience. Whilst this alignment is considered preferable by SSE on landscape and visual grounds we continue to advise that it has the potential to significantly impact on the special landscape qualities of the Knoydart NSA and on the qualities of the Kinlochhourn – Knoydart – Morar WLA 18.

Should this route be pursued then we would advise that the LVIA includes an assessment of effects on the SLQs of the NSA, in line with the stages outlined in the draft SLQ assessment method we have previously shared. We also advise that a wild land assessment is carried out.

Section 5: Loch Cuaich to Invergarry

The far western part of Section 5 lies adjacent to WLA 18. Three new NeSTS poles are being constructed near Quoich dam as a permanent replacement to the existing towers following a landslide. East of these NeSTS the line will revert to steel lattice towers. As this section of the route is within the more remote part of the glen and appreciated by those travelling along the minor public road, users will be sensitive to seeing both the NeSTS and steel lattice towers together. Whilst we appreciate that this was a test site for the NeSTS we consider there is potential for some exploration of design solution that might see a better transition from NeSTs to the apparently more recessive steel lattice towers.

We advise that the preferred option for Section 5 also has the potential to result in significant effects on the underpinning attributes and responses of the qualities for the Kinlochhourn – Knoydart – Morar WLA 18. We advise that a focussed wild land assessment should be prepared to better understand the likely effects.

Advice on scope of assessment

We note the applicant's proposed LVIA study area is to 2.5km from the proposal and advise that the EIAR justifies this approach. We would be pleased to advise further on suggested viewpoint locations for the WLA and SLQ Assessments once a ZTV has been provided. Our advice on the scope of the assessment has been further informed by a letter provided by ASH Consulting on 15 February 2022.

Advice on the Scope of the Special Landscape Qualities (SLQ) Assessment

Our advice remains that a SLQ Assessment should be completed for Section 2 of the Proposed Development (both underground and overhead line aspects of the proposal), in relation to the Cuillin Hills National Scenic Area (NSA), and Section 4 of the Proposed Development in relation to the Knoydart NSA. Whilst we do not require this to be a stand-alone report, and are content for it to be incorporated into the landscape assessment, it will be easier for us and other consultees to fully understand the effects identified if the assessment clearly concludes on the effects on SLQs and the NSA as a whole. We recognise that this approach has been adopted by ASH on other projects and are content with this. The SLQ assessment guidance is designed to aid a transparent and iterative design process which ultimately seeks the best possible landscape solution. Assessments of effects on the SLQs of the NSAs should follow the draft 'Guidance for Assessing the Effects on Special Landscape Qualities' (2018).

Suggested SLQs for Inclusion in the Assessment

We are pleased to see, in their letter of 15 February, that ASH include in Table 1 the proposed list of SLQs together with their reasons for inclusion in the assessment (or not). We are satisfied that the list of SLQs to be included for both The Cullin Hills and Knoydart NSAs is appropriate. Further information on the NSA special qualities is available on SiteLink, see: <https://sitelink.nature.scot/home>.

Advice on the Scope of the Wild Land Area (WLA) Assessment

We continue to advise that a WLA Assessment be completed for Sections 2, 4 and relevant areas of section 5 of the Proposed Development, in relation to WLA 23 – Cuillin and WLA 18 – Kinlochhourn - Knoydart – Morar. Similar to the SLQ assessment we are content that the wild land assessment be embedded within the landscape section of the LVIA with the understanding that it will clearly draw out the effects on individual qualities and on the WLAs as a whole. We appreciate that there is a limited stretch of section 5 that lies within the WLA and that this largely aligns with the existing route, however as the section dividers are simply sub divisions of the entire route, it does not seem sensible to exclude section 5 from the wild land assessment. We suggest that instead of including a full assessment for this shorter length in section 5, a simple statement concluding on the effects on the relevant qualities would suffice. Assessments should follow our guidance at: <https://www.nature.scot/doc/assessing-impacts-wild-land-areas-technical-guidance>.

Suggested wild land qualities for Inclusion in the Assessment

In their letter of 15 February ASH also provide, in Table 2, a proposed list of SLQs together with their reasons for inclusion in the assessment (or not). We are satisfied that the list of qualities to be included for WLA 23 and 18 are appropriate. The Wild Land Area descriptions and assessment methodology are available at: <https://www.nature.scot/doc/wild-land-areas-map-and-descriptions-2014> and <https://www.nature.scot/doc/assessing-impacts-wild-land-areas-technical-guidance>.

We would be happy to provide further advice to the applicants on the scope of their assessment.

3. Carbon Rich Soils, Deep Peat and Priority Peatland Habitat

Scottish Planning Policy affords 'significant protection' to carbon-rich soils, deep peat and priority peatland habitat. If such areas could be affected, we would expect the EIAR to demonstrate how any significant effects can be substantially overcome by siting, design or other mitigation. The Carbon and Peatland 2016 map (http://map.environment.gov.scot/Soil_maps/?layer=10) shows that the preferred route crosses significant areas mapped as nationally important Class 1 and 2 peatland. The 2016 mapping is indicative, and we recommend site specific surveys are carried out along the preferred route, any potential variations and an appropriate buffer around these, to confirm the quality and distribution of peatland habitats.

We advise that peatland surveys are carried out in accordance with the Peatland Survey 2017 "Guidance on Developments on Peatland", and that the proposed Peat Slide Risk Assessment follows the latest 2017

guidance “Peat landslide hazard and risk assessments: best practice guide for proposed electricity generation developments”. Both documents are available at: <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents>.

We would expect the EIA to include mapped information on peatland habitats to NVC level together with a detailed description of current condition. Our approach to assessing impacts on peatland habitats, and the information we require, is now detailed in our staff guidance note “Advising on carbon-rich soils, deep peat and priority peatland habitat in development management”, see: <https://www.nature.scot/advising-carbon-rich-soils-deep-peat-and-priority-peatland-habitat-development-management>. In line with this guidance, we recommend the EIA identifies and maps any continuous blanket bog units over 25ha in extent which will be affected, and within these areas, maps and describes the frequency of drains/peat cutting/areas of bare peat, the presence of plant species indicating peat formation capabilities or a lack of disturbance, any nationally rare or scarce species, any montane (alpine) features in the vegetation, any areas of natural surface patterning and the presence of any invasion by woodland/scrub.

We advise that the results of habitat survey, hydrological assessment and peat probing help guide the route selection and location of associated infrastructure so that it avoids direct and indirect impacts to sensitive habitats, including priority peatland habitats, where possible. Where impacts cannot be avoided, the EIA should demonstrate how impacts would be minimised through appropriate mitigation.

We advise that all infrastructure and access routes are clearly mapped in relation to the NVC data and that the EIA includes full details of construction methods, access, any ground preparation and drainage requirements, for both construction of the new line and removal of the existing one. We advise direct and indirect, temporary and permanent impacts from the proposal as a whole (construction and operation of the new line, and removal of the existing one) should be quantified in the EIA. Details of maintenance requirements, including how any underground cable faults would be dealt with, would be helpful to include. Although temporary tracks are mainly proposed, minimising their requirement, careful siting and effective restoration will be key to mitigating impacts to priority peatland and other sensitive upland habitats. We note and welcome proposals for alternatives where these would have a lesser impact and reduce the need for permanent access tracks.

For the undergrounded sections, we recommend details of the construction and installation methods are provided. Information on the locations of any additional infrastructure and/or access tracks and the locations of the joint bays would be useful to provide.

We advise that the EIA includes details of reinstatement and habitat restoration measures (including those associated with removal of the existing line) within a Peatland Management Plan and Habitat Management Plan.

Where there are significant effects on high quality peatlands we may object to a proposal.

4. Ornithology

Scope of survey and assessment

The survey methods outlined in the scoping report appear to broadly follow our guidance. At this stage we cannot comment on the adequacy of survey coverage along the route and we advise that the EIA includes further information on the extent of coverage, including how these detailed survey areas were arrived at and how those areas which were not surveyed will be considered. Similarly, we would expect the approach to vantage point survey work, in terms of the location and extent, to be justified and explained in the EIA.

Advice on survey, assessment and mitigation for overhead lines can be found at:

<https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds>. Section 4.2.1 of this guidance highlights the key considerations associated with replacement lines. We would expect the EIAR to demonstrate that survey methods have followed our guidance at: <https://www.nature.scot/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>. We advise all survey data is presented as described in the guidance, apart from the requirement for collision risk modelling. The presentation of VP data in the EIAR should still however include bird activity flight line maps at power line collision risk height to allow a qualitative assessment of risk. Depending on the age of desk study information the applicants may wish to update their desk study in advance of the EIAR submission. Sensitive information should be provided in a Confidential Annex as described in Section 5.1 of the guidance.

In addition to the methods detailed in the EIAR we recommend the following aspects are considered in the scope of assessment:

- In relation to breeding raptors, we recommend the most up to date information is requested from the Highland Raptor Study Group. Historical contextual information should also be sought on e.g. alternate nest sites.
- The scoping report provides no consideration of roosting raptors. In accordance with our bird survey guidance we recommend any roost sites within 2km of the transmission line are identified so that potential impacts can be assessed.
- We now advise that, in cases where modelling is necessary for the assessment of the impacts of wind farm proposals on golden eagles, a GET (Golden Eagle Topographical) model assessment is carried out. For further advice, see: <https://www.nature.scot/doc/naturescot-statement-modelling-support-assessmentforestry-and-wind-farm-impacts-golden-eagles>. This modelling would also be relevant to the transmission line.

The scoping report notes that the EIAR will consider potential impacts through collision, disturbance and habitat loss due to displacement and land-take. We are pleased to note that this assessment will cover all aspects of the project including removal of the existing line. We advise that potential impacts through habitat change and displacement are also considered.

The effects of all potential impacts on both SPA and wider countryside bird populations should be considered for the proposal on its own and in combination with other projects. For further advice see: <https://www.nature.scot/doc/guidance-assessing-cumulative-impacts-onshore-wind-farms-birds>. We advise that mitigation options are considered as part of the assessment process and that full details are provided in the EIAR, including any associated with collision risk and dismantling of the existing line. A well-designed and implemented breeding bird protection plan is likely to be required and we advise that an outline plan is included in the EIAR.

Wider countryside birds

We recommend that assessments for wider countryside birds follow our guidance at:

<https://www.nature.scot/doc/guidance-assessing-significance-impacts-bird-populations-onshore-wind-farms-do-not-affect-protected>. Natural Heritage Zone bird population estimates are available at: [http://www.swbsg.org/images/SWBSG Commissioned Report No 1504.pdf](http://www.swbsg.org/images/SWBSG%20Commissioned%20Report%20No%201504.pdf).

The scoping report notes that the alignment has been informed by information on known nest sites of birds of conservation concern. At this stage we highlight the following points associated with the preferred alignment which we are happy to discuss in more detail:

- The preferred alignment of Section 1 north of the B885 brings the line closer to ornithological sensitivities, as highlighted in the interim ornithology report we received in June 2021 (summarising survey work undertaken between 2016 and 2019 – we note that further survey work has been undertaken since, the results of which we have not seen).
- The preferred alignment of Section 1 near Mugeary/Tungadal Forest, again based on the interim ornithological report, could also affect ornithological sensitivities. From an ornithological perspective it may be preferable to use one of the alignment variants that lie either close to or east of the existing OHL. However that decision should be informed by further ornithological data (current and historic) and assessment, as well as balancing other aspects (e.g landscape and peat).

The applicants are welcome to get in touch if they wish to discuss the scope of survey and assessment further.

5. Ecology

Protected species

We recommend survey work for protected species follows the methods published on our website at: <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species>. This link contains detailed advice on protected species survey methods (including timing of surveys, survey area and shelf-life), Species Protection Plans, mitigation and licence applications. If protected species could be affected mitigation details/Species Protection Plans should also be included in the EIAR.

We note that the applicants propose to scope out the need for freshwater habitat and fisheries surveys. We have discussed potential impacts on sensitive species such as freshwater pearl mussels with the applicants. We advise that these continue to be factored into route selection and access arrangements. Any location specific data should be provided in confidential appendices in order to comply with Environmental Information Regulations.

Habitats

The scoping report notes that Phase 1 Habitat and National Vegetation Classification (NVC) surveys have been undertaken along the route. In addition to the peatland habitats discussed above, the line may also cross other Annex 1 habitats, including fragile upland habitats. Successful reinstatement of some of these habitats may be difficult to achieve and we advise careful consideration of route options to establish what habitats will be crossed, how they may be affected by the proposed works and how these impacts can be mitigated.

We advise that survey results are used to inform the design and layout process, so that the development avoids, where possible, sensitive Annex 1 habitats. Where this is not possible, habitat loss and damage, both direct and indirect, should be determined and suitable mitigation and/or restoration measures presented in a Habitat Management Plan

6. Deer Management

If there is potential for deer displacement during construction we recommend that the EIAR includes an assessment of the potential impacts of the development on deer welfare, habitats, road safety, neighbouring and other interests such as nearby protected areas. Where significant impacts may result, a deer management statement should be provided to address the impacts, either as part of a Habitat Management Plan, a stand-alone document or modification of an existing Deer Management Plan.

Advice on what to consider and include in deer assessments and management plans at development sites can be found on our website at <https://www.nature.scot/guidance-planning-and-development-what-consider-and-include-deer-assessment-and-management>.



Our ref: 4904
Your ref: ECU00003395

Carolanne Brown
Energy Consents Unit
Scottish Government
Glasgow

SEPA email contact:
Planning.North@sepa.org.uk

6 April 2022

By email only to: Econsents_Admin@gov.scot

Dear Ms Brown

**Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations
2017
Request For Scoping Opinion for proposed Section 37 Application for Skye
Reinforcement Project**

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 25 January 2022. I apologise for the delay in this response.

Advice to the determining authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process.

- a) Minimising impacts on peat and peatland.
- b) Avoiding good quality or rare GWDTE habitats and minimising impacts on other GWDTE habitats.
- c) Avoiding impacts on watercourses and other water features by ensuring suitable buffers and using best practice design crossings.

We are generally content with the proposed scope of the assessment but please see the attached appendix for some generic advice on scoping for this type of development and the following more specific EIA scoping and preapplication advice:

- In section 2 of the route further consideration will need to be given to the exact location of the underground cable route in relation to the Abhainn Torra-mhichaig. Except when a direct crossing is required all works should be a suitable buffer outside the banks of the watercourse. We would not consider a layout which included the cable running along the

watercourse or within the banks acceptable.

- In this case it would be very helpful if clear information was provided on the different phases of the project and what they involved, which should all be shown on clear plans. We will be especially interested in information on the location of supporting infrastructure such as the tracks, construction compounds and laydown areas. Clear information should be provided on the type of access used (ATV routes, boards/trackways, floated, cut etc) and whether temporary or permanent.
- In relation to section 7.5.2 of the scoping report and NVC survey we highlight the requirement in our GWDTE guidance for survey to be at least 250 m from all excavations deeper than 1 m.
- In section 7.6.1 we are content with the proposal to scope out freshwater habitat surveys and fisheries but only if the final design includes suitable buffers between infrastructure and watercourses, and any temporary or permanent watercourse crossings follow best practice design.
- The project is identified as having an impact on Class 1 peatland. In addition to the peat depth information requested in the appendix an assessment of peat habitat quality is also required. It should be demonstrated that impacts on good quality peatland habitats have been avoided. We can also confirm that a peat management plan should be provided for this project. There may be areas where detailed peat probing will be required to demonstrate the extent of deep peat and the options for avoidance.
- We encourage the developer to outline any opportunities for habitat restoration or enhancement. We would be especially interested in any peatland restoration or improvements to riparian habitats.

Regulatory advice for the applicant

Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at: AHSH@sepa.org.uk.

If you have queries relating to this letter, please contact planning.north@sepa.org.uk including our reference number in the email subject.

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

ECopy to: Caroleanne.Brown@scot.gov; Joanne.nicolson@sse.com; Rebecca.Young@gov.scot

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

1. Site layout

- 1.1. All maps must be based on an adequate scale with which to assess the information. This could range from OS 1:10,000 to a more detailed scale in more sensitive locations. Each of the maps must detail all proposed upgraded, temporary and permanent site infrastructure. Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

2. Engineering activities which may have adverse effects on the water environment

- 2.1. The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:
 - a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
 - b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
 - c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.
- 2.2. If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.
- 2.3. Further advice and our best practice guidance are available within the water [engineering](#) section of our website. Guidance on the design of water crossings can be found in our [Construction of River Crossings Good Practice Guide](#).
- 2.4. Refer to our flood risk [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

3. Disturbance and re-use of excavated peat and other carbon rich soils

- 3.1. Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments must aim to minimise this release."
- 3.2. The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO₂ and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.
- 3.3. The submission must include:
 - a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on [Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.
- 3.4. To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Developments on Peat and Off-Site uses of Waste Peat](#).
- 3.5. Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- 3.6. Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

4. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

- 4.1. GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

4.2. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

5.1. Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

5.2. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

6. Forest removal and forest waste

6.1. Proposals for felled forest material must be shown to comply with our [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).

7. Borrow pits

7.1. Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.

7.2. If borrow pits are proposed the following information should also be submitted:

- a) A map showing the location, size, depths and dimensions of each pit.

- b) Justification for the proposed location of each borrow pit and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
- c) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.

8. Pollution prevention and environmental management

- 8.1. A schedule of mitigation supported by site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to [Guidance for Pollution Prevention](#) (GPPs).

By email to: econsents_admin@gov.scot

Ms Carolanne Brown
Case Officer
Energy Consents Unit

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300040802
Your ref: EC00003395

15 February 2022

Dear Ms Brown

[The Electricity Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017
Proposed Section 37 Application for Skye Reinforcement Project
Scoping Report](#)

Thank you for your consultation which we received on 26 January 2022 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings. In this case, you should contact The Highland Council's Historic Environment Team.

Proposed Development

We understand that the proposed development comprises the construction of 132kV transmission infrastructure between the Fort Augustus substation and Ardmore substation. The infrastructure will consist of new double circuit steel structure between Fort Augustus substation and Edinbane substation with two distinct sections of underground cable. The steel towers will be approximately 28m in height. Between Edinbane substation and Ardmore substation the overhead line will be carried on new single circuit trident H wood pole infrastructure. The wood poles will be approximately 13m in height. Existing overhead line infrastructure will be removed.

Scope of assessment

We are content with the scope of assessment for our remit provided within the scoping report. We welcome that the assessment will include consideration of the potential for direct physical effects on assets within our remit for both all elements of the Proposed Development including off-line construction infrastructure, and for the removal of the existing overhead line infrastructure.

We welcome that the assessment will also consider potential effects on the setting of assets in the wider surrounding area. We are content with the proposed study areas identified within chapter 9 of the scoping report. We agree that the potential cumulative effects of the various elements of the overall development, including the new substation infrastructure for example, should be assessed.

We have been involved in consultation for this proposed development throughout the route and alignment selection process. We have previously provided detailed comments on the potential impacts of the proposed development at various stages in the design process. Our most recent response to the applicant (dated 11 November 2021) provided detailed comments on the Preferred Alignment which is shown in the scoping report. We have therefore not repeated these comments, however, the response is attached for information.

As stated in that response there remains the potential for some adverse effects from the proposed development and we would welcome continued consultation as the detailed design of the development progresses. In particular we would welcome consultation on proposed mitigation to ensure avoidance of direct effects on Old Corry, cairns 820m NE of, Isle of Skye (SM 13673), and the potential effects on the setting of scheduled monuments in the vicinity of Section 4 of the proposed development.

We note that paragraph 9.5.29 suggests that the detailed methodology for assessment will be agreed in consultation with ourselves and The Highland Council's Historic Environment Team. We would be happy to provide advice regarding the methodology if that would be helpful. In addition, we would be happy to provide advice regarding the requirements for any further visualisations as suggested at paragraph 9.5.38. This may be particularly relevant to assets in the vicinity of section 4 of the proposed development.

We are content with the list of issues to be scoped out of further detailed assessment for our remit.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <https://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Victoria Clements who can be contacted by phone on 0131 668 8730 or by email on Victoria.Clements@hes.scot.

Yours sincerely

Historic Environment Scotland

By email to: lisa.marchi@sse.com

Lisa Marchi
Community Liaison Manager
Scottish Hydro Electric Transmission PLC
10 Henderson Road
Inverness
IV1 1SN

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

cc. Joanne.nicolson@sse.com

Our case ID: 300040802

11 November 2021

Dear Lisa Marchi

[The Town and Country Planning \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#)
[Skye Reinforcement Project](#)
[Alignment Selection Consultation](#)

Thank you for your email of 29 September 2021, which invited our pre-application comments on alignment selection consultation document for the above project. This letter contains our comments for our historic environment interests. Our remit is World Heritage Sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories. Please also seek information and advice from The Highland Council's archaeology and conservation services for matters including unscheduled archaeology and category B and C-listed buildings

We have previously provided comments on the proposed route options for the overall project and for the Technically Preferred OHL Alignment (TPOA) for Sections 0,1, 2, 4, 5 and 6 of the overhead line (OHL). We understand that you are inviting comments on the finalised Preferred Alignment for the entire route of the project.

We have provided specific comments on potential impacts of the scheme on historic environment assets within our remit in the attached annex. In general, we welcome that the historic environment has been a key consideration in the environmental factors considered in the assessments.

Questions for consideration by consultees

In response to your specific questions relating to the consultation document, we consider that it clearly sets out the requirement for the rebuild of the OHL, the required project elements and the reasons for the preferred technology. We consider that the document has adequately explained the approach to selecting the preferred alignment and design solution. We have provided detailed comments on the preferred alignments for each section in the attached annex. We have not identified any factors or environmental features that have not been considered. We have no additional comments relating to

drivers for the project, transmission infrastructure requirements or the preferred alignment and design solution.

We recommend that our Managing Change in the Historic Environment guidance note on [setting](#) should be used when considering setting impacts as the project progresses. The guidance on good practice in assessing impacts on the historic environment in Appendix A of the [EIA Handbook](#) may also be useful.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Victoria Clements who can be contacted by phone on 0131 668 8730 or by email on Victoria.Clements@hes.scot.

Yours sincerely

Historic Environment Scotland

Annex

Historic Environment Scotland (HES) has previously provided comments on the route options for the overall project in May 2020 and for the Technically Preferred OHL Alignment (TPOA) in March and May 2021. We welcome that we continue to be involved in the consultation process for this project.

During the previous consultations we noted the potential for significant impacts on the setting of Torr Dhuin, fort, Fort Augustus (SM 794) in Section 6 of the project.

We welcome that our previous comments regarding the likely significant adverse impacts of alternative routes on the Battle of Glenshiel (BTL 10) in Section 4 and sections of the scheduled Caledonian Canal in Section 6 have been taken into account and those routes avoided.

We have reviewed the consultation document and associated figures and visualisations provided. Our comments on the potential impacts on relevant scheduled monuments from the Preferred Alignment (PA) and alternative alignments are set out below.

Section 0

In our comments on the preferred route we identified that there was the potential for significant adverse impacts on the setting of scheduled monuments in the vicinity of the proposed development. Our concerns related particularly to Trumpan Church (SM 949) and Dun Hallin broch (SM 916). After reviewing the information provided for the TPOA consultation we were content that the TPOA would not have significant effects on these two scheduled monuments or other assets within our remit in the surrounding area.

We note that the PA for this section of the project is the baseline alignment/TPOA which we previously commented on and no changes to the alignment are proposed. We are content that the PA in this section will have a neutral impact on the setting of scheduled monuments in the vicinity of the project. For detailed comments on the impacts of the PA in relation to Turmpan Church (SM 949) and Dun Hallin broch (SM 916) please see our previous response dated 31 March 2021.

Section 1

We have previously indicated that the preferred route and TPOA would not have significant impacts on the setting of Dun Arkaig, broch (SM 13662).

We note that the PA is slightly altered from the TPOA previously reviewed. The PA includes the baseline alignment and Variants 1-A and 1-B. Variant 1-A would move the alignment slightly further away from Dun Arkaig, broch (SM 13662). We are satisfied that the PA would not have a significant impact on the setting of this scheduled monument or other assets in our remit in the surrounding area.

Section 2

We note the changes to the proposed design solution for this section of the project, including the use of underground cable rather than overhead line for a section of approximately 14km.

There are no assets within our remit in the vicinity of this section of the project and therefore we have no detailed comments to offer.

Section 3

In our comments on the preferred route in March 2020 we identified that there was the potential for significant adverse impacts on the setting of scheduled monuments in the vicinity of the proposed development. Our concerns related particularly to Old Corry, cairns 820m NE of, Isle of Skye (SM 13673). We have not been consulted on this section of the project since March 2020.

We previously noted that Old Corry, cairns 820m NE of, Isle of Skye (SM 13673) is located in close proximity to the proposed OHL and both direct impacts and impacts to the setting of this asset are possible, especially if the replacement OHL were to be located closer to the monument than any of the existing electrical infrastructure. The cairns are located in a clearing in forestry, and the existing OHL, which is currently supported on 28m steel lattice towers, cuts close by through the forestry.

We welcome that the scheduled monuments in the vicinity of the project in this section have been identified in paragraphs 8.8.15 and 8.8.16. We note that there is no assessment of the potential impacts on the setting of these assets from the project within the document.

We note that the PA includes the baseline alignment and Variant 1-A. Variant 1-A would move the alignment slightly further to the west and slightly further away from Old Corry, cairns 820m NE of, Isle of Skye (SM 13673). We welcome that the PA will move the OHL further away from this scheduled monument. It will be important that direct physical impacts on the scheduled area are avoided during both construction of the new OHL and removal of the existing OHL following decommissioning. We recommend that the precise legal scheduled area is marked as a constraint on any maps and that the area is physically marked out whenever works are taking place in the vicinity of the asset to ensure that accidental damage is avoided.

There remains the potential for the PA to have an impact on the setting of this scheduled monument. The intervening forestry should not be relied upon to provide screening as it is subject to felling, changing land management priorities, windblow, etc. Visualisations (wireframes may be most suitable as current forestry cover is not guaranteed long-term) showing outward views from the monument should be produced to demonstrate any

resulting impacts and help inform mitigation such as location and micro-siting of towers. However, given the existing OHL which forms part of the baseline setting of this monument, we are content that with careful design the impacts on the setting of this monument are likely to be neutral.

Section 4

In our comments on the TPOA we identified that with careful design and consideration of the location of towers it was possible that the alignment could have a neutral impact on the scheduled monuments in the vicinity of the project. Our comments focused on potential impacts on the setting of Bernera Barracks (SM 950), Dun Telve and Dun Troddan, brochs, Glenelg (SM 90152 & PiC), and Dun Grugaig, dun, Gleann Beag (SM 914). We also noted that given the proximity of the access track to Dun Grugaig dun (SM 914) that potential impacts from this aspect of the project needed to be carefully assessed. For our detailed comments on these assets and potential impacts please see our previous response dated 25 May 2021.

We note that the PA has altered from the TPOA previously reviewed. The PA includes the baseline alignment and Variants 4-C, 4-F, 4-G, 4-H and 4-I. Variant 4-C would move the alignment closer to Bernera Barracks (SM 950) at the western extent of this section of the project. However, we are content that given the proximity of this variant to the existing OHL in that area that impacts on the setting of this monument will not be significantly increased and will likely be neutral.

As in our previous comments we consider that careful design of the PA should be undertaken in relation to the location of towers in the vicinity of the scheduled duns to avoid increasing adverse impacts on the setting of the monuments and if possible reduce impacts. We recommend that visualisations are provided looking from the monuments towards the proposed OHL in the EIA.

Section 5

There are no assets within our remit in the vicinity of this section of the project and therefore we have no detailed comments to offer.

Section 6

In our comments on the preferred route we identified that there was the potential for significant adverse impacts on the setting of scheduled monuments in the vicinity of the proposed development. Our concerns related particularly to Torr Dhuin, fort, Fort Augustus (SM 794). After reviewing the information provided for the TPOA consultation we remained concerned that the TPOA may increase the adverse effects on the setting of this monument and requested that visualisations be provided to assist with assessment.

We note that the PA has altered from the TPOA previously reviewed. The PA includes the baseline alignment and Variants 6-A and 6-B. Variant 6-B comprises the replacement of the proposed OHL to instead use approximately 6km of underground cable to rationalise infrastructure in this area of the project. The PA would therefore mitigate the effects of the project; it will remove the steel lattice towers from the vicinity of the scheduled fort and would no longer present the same level of impact on the setting of the monument. We are content that the PA will therefore not have adverse impacts on the setting of Torr Dhuin, fort, Fort Augustus (SM 794).

We hope that you find these comments useful. Please do not hesitate to get in touch if you have any questions about any of the information provided. We look forward to working with you further on the project as it progresses.

Historic Environment Scotland

11 November 2021

Energy Consents Unit
Scottish Government
5 Atlantic Quay 150
Broomielaw
Glasgow G2 8LU

By email to:

Econsents_admin@gov.scot

Carolanne.Brown@gov.scot

26 January 2022

Dear Sir/Madam

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION
FOR SKYE REINFORCEMENT PROJECT**

I refer to the above scoping opinion request for the proposed Skye Reinforcement Project, in the planning authority areas of Highland Council.

The British Horse Society (BHS) is always pleased to be consulted on transport, planning and development matters and where possible or necessary we are able to engage local riders to get a locally based response. Thank you very much for consulting with us, horses are important and good for people so their safety and capacity to access safe off road hacking is a key consideration in terms of their welfare and the wellbeing of their riders and those who look after them.

A project, like the one you are carrying out is an excellent opportunity to improve connections in a community and hopefully resolve any problems in terms of countryside access, transport and travel.

The BHS is here to help, so please do not consider this response the final word, we hope to work with you on an on-going basis to ensure horses and horse riders get as good a deal as they can out of any proposed improvements, so please do not hesitate to contact us in the future.

The Importance of Off-Road Riding

Scotland's equestrian industry is important with the horse being a major rural economic driver, recent joint research between SRUC and BHS showed:

Current trends in the sector point to a continued increase in horse numbers and riding activity in all geographical areas of Scotland and across a wide cross section of society. The expenditure on direct upkeep averages £3,105 per horse per annum.

This report also showed:

A concern for all riders, including tourists, is diminishing access to safe off-road riding. Most riding accidents happen on minor roads in the countryside. With increasing numbers of horses and riders requiring access to the countryside, more formal access to off-road riding will be a priority in areas considered of higher risk.

The full report can be accessed at:

http://www.sruc.ac.uk/downloads/file/2391/2015_scoping_study_on_the_equine_industry_in_scotland

Scotland has a duty to get horse riders off busy roads; few riders access busy roads by choice (and the horse has as much right to be on the public highway as cars, bikes and pedestrians) - but they often have no choice as that is the only way they can access their safe off road hacking.

I can also refer you to:

<http://www.rospa.com/road-safety/advice/horse-riders>

Equestrian road users are vulnerable - that means they are more likely to be involved in a road accident and also more likely to suffer the worst consequences.

Horses and their riders (as well as carriage drivers) are vulnerable on the road network. A collision between a horse and a vehicle can have life threatening consequences for the horse, rider and those in a vehicle. There is evidence to suggest that the number of road traffic collisions involving horses is underreported in casualty data.

Horse riding is more prevalent (particularly on roads) in certain parts of the country. Rural areas have larger numbers of horse riders, who make a significant contribution to the rural economy. Yet according to Road Safety Scotland 70% of road accidents happen on country roads. (<http://dontriskit.info/country-roads/view-the-campaign>)

The BHS expects developers to work with representatives of the local horse riding community to understand their road safety and countryside access concerns and facilitate engagement with other partners and consider whether any road safety interventions should be introduced, where there are significant numbers of horse riders and/or road traffic collisions involving horses.

Under the Land Reform (Scotland) Act 2003, horse-riders and carriage drivers enjoy a right of access to most land in Scotland, provided that they behave responsibly. Land managers in turn are obliged to respect equestrian access rights and take proper account of the right of responsible access in managing their land. The Scottish Outdoor Access Code gives guidance on how the requirements to behave responsibly can be met. Please refer to: www.outdooraccess-scotland.com

This access legislation, which is over a decade old now gives horse riders the same rights of responsible access as walkers and cyclists. It is vital that any off road tracks or non-motorised user's tracks or paths are multi-use catering for all including horse riders and carriage drivers.

Active Travel and Suitable infrastructure

Whilst the active travel movement does not consider equestrian travel to be a form of active travel there are many people for whom riding is an attractive mode of travel whether that be for travel purposes or leisure purposes, and the delivery of Active Travel should not discourage this, just as it should not discourage the use of micro-scooters, roller blades, skateboards and other similar modes of travel. In urban areas, many riding horses are kept within the 10 mile journey distance

and they must not be disadvantaged by new facilities that may be put in place for the cyclists. Level crossings which are currently used by equestrians should not be replaced by alternatives which would preclude the use by equestrians, for example, a footbridge. Similarly, other infrastructure like gates, bridges, cattle grids and slippery surfaces should all be installed with equestrians in mind. Access control must always be the least restrictive option.

The British Horse Society (BHS) represents the interests of the 3.4 million people in the UK who ride or who drive horse-drawn vehicles. With the membership of its Affiliated Riding Clubs and Bridleway Groups, the BHS is the largest and most influential equestrian charity in the UK. The BHS is committed to promoting the interests of all equestrians and the welfare of horses and ponies through education and training.

Please see attached an information sheet on equestrian access.

<https://www.pathsforall.org.uk/resource/outdoor-access-design-guide>

With over 70k equines in Scotland, equestrianism is worth £650 million to the Scottish economy annually with the Scottish Racing industry contributing £300 million and the rest of the industry generating £355 million according to recent research (Developing Benchmarks & Trends to Measure Equestrian Activity in Scotland - A report produced by the British Equestrian Trade Association August 2019 And Scottish Racing Annual Review and 2019 Outlook)

I trust that the above information is of assistance.

Redacted

**HELENE MAUCHLEN
SCOTTISH NATIONAL MANAGER
THE BRITISH HORSE SOCIETY**

Energy Consents
Directorate for Energy and Climate Change
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU
Scotland

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY
Tel: 07970171283
E-mail: DIO-safeguarding-statutory@mod.gov.uk

www.mod.uk/DIO

Your reference: EC00003395
Our reference: DIO 10054559

17 March 2022

Dear Carolanne,

MOD Safeguarding – Tactical Training Area 14T (TTA 14T)

Proposal: Request for Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project

Location: Between Fort Augustus and Ardmore

Thank you for consulting Defence Infrastructure Organisation (DIO) on the above proposed development which was received on 25/01/2022.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant is seeking a scoping opinion for proposed Section 37 Application for the Skye Reinforcement Project for 160 km of 132kv overhead line comprising steel lattice towers between Fort Augustus and Edinbane and wooden poles between Edinbane and Ardmore.

The application site falls within part of the UK Military Low flying System designated TTA 14T within which fixed wing aircraft may operate as low as 100 feet or 30.5 metres above ground level to conduct low level flight training.

To address this impact, and given the location and scale of the development, the MOD would require that conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting, and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. Suggested condition wordings are set out in Appendix A.

As a minimum the MOD would require that the structures that forms the subject of this application should be fitted with aviation safety lighting which produces 25cd visible or infra-red (IR) lighting at the highest practicable point of the structure. Aviation safety lighting is required on all structures at the following locations:

Section 4 – Kyle Rhea to Loch Cuaich;
Section 5 – Loch Cuaich to Invergarry; and
Section 6 – Invergarry to Fort Augustus.

To summarise, I can confirm that, subject to the condition detailed in Appendix A being attached to any consent issued, the MOD has no objection to the proposed development.

Whilst we have no statutory safeguarding objections to this application, the height of the development will necessitate that aeronautical charts and mapping records are amended. DIO Safeguarding therefore requests that, as a condition of any planning permission granted, the developer must notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information prior to development commencing:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. Details of aviation warning lighting fitted to the structure(s)

You may e-mail this information to UK DVOF & Powerlines at: dvofof@mod.gov.uk or post it to:

D-UKDVOF & Power Lines
Air Information Centre
Defence Geographic Centre
DGIA
Elmwood Avenue
Feltham
Middlesex
TW13 7AH

The MOD must emphasise that the advice provided within this letter is in response to the data and/or information detailed in the developer's document titled Environmental Impact Assessment: Scoping Report dated December 2021. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this adequately explains our position on this matter, however, should you have any questions regarding this matter please do not hesitate to contact me.

Yours sincerely

Mr Michael Billings
Assistant Safeguarding Manager
(Enclosed: Appendix A)

Appendix A

Condition - Aviation Lighting

Prior to commencing construction of any meteorological masts, or deploying any construction equipment or temporal structure(s) 15.2 metres or more in height (above ground level) the undertaker must submit an aviation lighting scheme for the approval of Scottish Government in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence.

This should set out:

- a) details of any construction equipment and temporal structures with a total height of 15.2 metres or greater (above ground level) that will be deployed during the construction of the structures and details of any aviation warning lighting that they will be fitted with; and
- b) the location and height of the structures identifying the position of the lights on the structure; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason for condition.

To maintain aviation safety.

Highlands and Islands Airport limited - Consultation Response

From: HIAL Safeguarding <hialsafeguarding@traxinternational.co.uk>
Sent: 31 January 2022 09:14
To: Econsents Admin
Subject: RE: Request for Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project

Your Ref: EC00003395
Our Ref: 2022/035/BEB

Dear Sir/Madam,

Proposal: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SKYE REINFORCEMENT PROJECT

Location: On 10 December 2021, Scottish Hydro Electric Transmission PLC (the Applicant) submitted a request for a scoping opinion from the Scottish Ministers for the proposed section 37 application for the Skye Reinforcement Project. The proposed development is for 160 metres of 132kv overhead line comprising wooden poles (28m in height) located in the planning authority area of The Highland Council, in line with regulation 12 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

With reference to the above, our calculations show that, at the given position and height, this development would not infringe the safeguarding criteria for any of HIAL's Airports.

Therefore, Highlands and Islands Airports Limited has no objections to the proposal.

However, HIAL would request that when the positions and elevations of each OHL pylon and pole is known that this information is supplied to the Defence Geographic Centre in order for their UK wide obstacle database to be updated.

Yours faithfully,

Ed

Ed Boorman

HIAL Safeguarding (Acting for and on behalf of Highlands & Islands Airport Ltd)



m: +44 (0)7962 269420

e: hialsafeguarding@traxinternational.co.uk

e: safeguarding@hial.co.uk

NATS SAFEGUARDING - Consultation Response

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 26 January 2022 11:52
To: Econsents Admin
Subject: RE: Request for Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project [SG32712]

Our Ref: SG32712

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

www.nats.co.uk



NATS Public

26th January 2022

Dear Sir/Madam

Re: Request for Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project

On behalf of the Ness District Salmon Fishery Board, I would to make the following comments on the above scoping opinion request. Our comments will be restricted to sections 5 & 6 only as the other sections are largely out with our area of responsibility.

Para 7.2.40: Atlantic salmon are also a protected species and are likely to be found within the alignment corridor e.g., in the Invervigar Burn.

Para 7.6.1: Paragraph three of this section is the only place where the following search word are found in the whole document – fish/fisheries/salmon/trout. We would agree with the overall conclusion that, provided best construction practice is followed, there should be minimal impact on freshwater environments (subject to comments below). However, in Section 6, the cable will be undergrounded and there will be specific locations where more in-depth fish related mitigation is justified.

Para 10.2.26-10.2.27 There was a major landslide on the very steep hillside immediately to the east of the Quoich Dam in November 2018 https://www.highland.gov.uk/news/article/11500/loch_quoich_landslip_update . Whilst not connected with the powerline, the risks of construction in such difficult terrain are obvious. Other online commentary following the landslide criticised the construction footprint associated with pylons erected to replace the damaged section of the line. Landslides can have a serious impact on freshwater ecology, and could affect the fragile fish population in the Gear Garry, which runs parallel to the proposed powerline route. We would ask that particular attention, within in high risk areas of Section 5, to the risk of peat, or landslides.

Para 10.2.28 The Invervigar Burn is accessible to migratory salmonids, including Atlantic Salmon, at least as far as the proposed underground crossing points. It is recommended that electrofishing surveys are completed at this crossing point, and potentially others within Section 6, so that appropriate mitigation can be put in place. Appropriate mitigation could include fish rescues, silt control & scheduling to avoid the spawning season.

We have no further comments on the proposal.

Your sincerely,

Brian Shaw
Director Ness DSFB

Office for Nuclear Regulation - Consultation Response

From: ONR Land Use Planning <ONR-Land.Use-Planning@onr.gov.uk>
Sent: 27 January 2022 14:40
To: Econsents Admin
Subject: ONR Land Use Planning - Skye Reinforcement Project

Dear Sir/Madam,

With regards to the Skye Reinforcement Project, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

You can find information concerning our Land Use Planning consultation process here: (<http://www.onr.org.uk/land-use-planning.htm>).

Kind regards,
Vicki Enston
Land Use Planning
Office for Nuclear Regulation
ONR-Land.Use-planning@onr.gov.uk

From: Bea Ayling <Bea.Ayling@rspb.org.uk>
Sent: 15 February 2022 12:09
To: Econsents Admin
Cc: Esme Clelland
Subject: RE: Request for Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project

Dear Carolanne,

Skye Reinforcement Project – Scoping Report Consultation
ECU Ref: ECU00003395

RSPB Scotland welcomes the opportunity to comment on the above scoping report. We have already provided feedback to SSEN on routing options and alignment options, and attach these submissions (dated 17th August 2020 and 15th December 2021) for information.

Overall, we are happy with the content of the scoping report. We hope the following comments will help inform the EIA for the proposed development.

- We note some ornithological surveys were undertaken in 2016, so are now over 5 years old and it would only be appropriate to use this date for context, rather than to determine the significance of impacts. We welcome that further survey data is being collected in order to inform the assessment.
- Section 8.7 (Issues to be Scoped Out) states that dismantling the existing OHL is “not likely to result in significant adverse effects on ornithology, subject to (in some cases) timing of works and pre-construction checks.” As the dismantling of infrastructure could pose a disturbance risk, particularly in some sensitive areas for birds such as Glenmore, this should be scoped in.
- It is essential that the impacts of this proposal are assessed in combination with other proposed and consented developments within the area, and we are pleased this is proposed. Any identified impacts should be assessed against the relevant SPA and NHZ populations.
- The EIA report should fully discuss mitigation measures required to reduce impacts of displacement, disturbance and direct mortality on priority species and deterioration of habitats present along the line, during both construction and ongoing future maintenance. Evidence should be provided for the assumed effectiveness of proposed mitigation measures based on experience from other projects.
- Flight activity data from vantage point surveys should be used to inform design to best avoid impacts on birds. Undergrounding or HDD should not be ruled out in some areas if field surveys reveal a high potential bird collision risk or presence of sensitive bog habitats. Line markers may also be required in some areas. Indeed, we have already strongly recommended to SSEN that **section 1 should be undergrounded along variant C (parallel with the existing wooden pole OHL) and variant 1A; and that Section 5 should be undergrounded alongside Loch Garry** (see attached letters for further detail).
- The Scoping Report does not discuss a Habitat Management Plan (HMP). A detailed HMP should be prepared and submitted as part of the proposals. We welcome SSEN’s commitment to achieve an overall ‘No Net Loss’ and to achieve Biodiversity Net Gain (BNG) where possible. Relevant proposals should be included in the HMP. As recognised in SSEN’s own policies, opportunities for further habitat enhancement through a BNG scheme must be implemented in addition to following the mitigation hierarchy, which requires the avoidance of negative impacts to protected sites and species in the first instance. We would be very interested to learn more about how BNG may be implemented on a site such as this and welcome SSEN’s proactive approach to trying to halt biodiversity loss and working towards enhancement. The HMP should also contain detailed ecological justification for any habitat management proposals and seek to enhance key peatland habitats occurring within the area.

We hope you find these comments helpful. Should you wish to discuss any of the above please do not hesitate to contact me.

Kind regards.

Bea Ayling
Conservation Officer – North Highland

North Scotland Regional Office Etive House, Beechwood Park, Inverness, IV2 3BW
Tel 01463 715000
Mobile 07548 154 011

rspb.org.uk

Let's give nature a home in Scotland



RSPB Scotland is part of the RSPB, the UK’s largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

Email: joanne.nicolson@sse.com

Date: 17th August 2020

Dear Jo,

Re: Skye Reinforcement Route Options Consultation

Thank you for consulting RSPB Scotland on the various route options that have been identified for the upgrade and replacement of the transmission lines from Fort Augustus to Ardmore on Skye. Please accept our apologies for the delay in presenting this response. General points we wish to raise for consideration during this project are outlined below and the detail regarding each of the individual route options is presented in the Confidential Annex.

The proposed Skye Reinforcement Project traverses some extremely sensitive locations which are home to an abundance of bird species of high conservation concern, including Annex 1 and Schedule 1 species. For all route options, timing restrictions are likely to be required in order to avoid impacts on breeding birds during construction (and also any ongoing maintenance works). The use of helicopters for delivery of materials and construction activity on site could also be a source of significant disturbance and would need to be sensitively timed and routed.

However, it is important to note that whilst potential construction and displacement impacts can be avoided / minimised during construction through mitigation, the impacts of some route options would be long term. Collision risk is a major concern due to the high densities of raptor territories, and in some sections also waders, ducks, divers, seabirds, swans, grouse and geese which are all susceptible to collision. Cable marking and micro-siting of the towers may help reduce some of the risk but for some route options, we would still have substantial concerns even with mitigation. The potential displacement of eagles is also an issue for some route options where the infrastructure would cut through their core territory. These long-term impacts are not always reflected by the RAG ratings attributed to ornithology.

Sections 1, 2, 5 and 6 are particularly sensitive due to the proximity of SPAs. For all routes in these sections, a Habitat Regulations Appraisal (HRA) would be required to assess the impacts on the qualifying SPA species. Even with mitigation, we have serious concerns about even the preferred options in these sections and strongly recommend undergrounding the most sensitive parts of the route options.

RSPB Scotland manages a popular wildlife viewing attraction within section 3 (route option 3B). We would have substantial concerns regarding any impacts to the viewing experience of the white-tailed and golden eagles which are the main focus of that wildlife attraction, visited by over 5,000 tourists and island residents annually.

In general, the route options that follow the existing route are less sensitive than new routes in undeveloped terrain. However, changes in infrastructure size and number of cables will result in greater

impacts than existing infrastructure especially in section 1 and 5. Displacement of the route within the existing corridor may also have implications for the height and prominence of the new infrastructure.

We note that several of the route options, particularly on Skye, would impact on deep peat, including Class 1 peatlands which are identified in Scottish Planning Policy (SPP) as 'nationally important' due to their importance as a carbon store and for biodiversity. SPP requires impacts on peatland habitats to be minimised and an assessment undertaken of the carbon impacts. We strongly recommend that consideration is given to opportunities for peatland restoration on and off site in order to reduce the impact of the development. Where stone access tracks are to be constructed between the proposed infrastructure towers, this raises additional concerns due to significant impacts on habitats as well as potential disturbance issues.

Details of the ornithological impacts of the various route options are presented in the attached Confidential Annex. In some instances, we disagree with the RAG ratings attributed in the options appraisal and have drawn attention to the additional information that raises these elevated concerns.

We would welcome an opportunity to meet with you to discuss this project further as you progress with the consultation and route selection. Meantime, I hope the information is helpful and constructive in delivering the project with full consideration of the environmental impacts.

Should you have any queries, please do not hesitate to get in touch.

Your sincerely,

Redacted

Dr Alison MacLennan
Senior Conservation Officer

Alison.maclennan@rspb.org.uk

SSEN Transmission

Sent by email only to lisa.marchi@sse.com, joanne.nicolson@sse.com

15th December 2021

Dear Lisa,

Re: Skye Reinforcement Alignment and Design Consultation 2021

Thank you for providing an opportunity for RSPB Scotland to submit comments on the Skye Reinforcement Project alignment consultation documents. We contributed very detailed comments at the route selection stage. The comments below are targeted to the sections 1, 3 and 5 as this is where we have most concerns that the preferred route options are likely to have the highest impact on several Annex 1 and Schedule 1 bird species of the highest conservation concern.

We would welcome a meeting to discuss our concerns in greater detail in order to achieve the best outcomes for biodiversity and the local communities with which we work.

Section 1 Edinbane to North of Sligachan

The preferred OHL route for the part of section 1 that runs through Mugeary and Glenmore to Edinbane substation would have serious adverse impacts on two active white-tailed eagle territories, one active golden eagle territory, two hen harrier territories, numerous immature white-tailed eagles that use the Mugeary forest as their preferred sheltered roost site, breeding curlew, greenshank and golden plover. In addition, the preferred route traverses the most extensive low lying, undeveloped wet heath and active blanket bog on Skye, with peat depths up to 4m and more, which are likely to be impacted by changes in hydrology resulting from the construction of stone roads linking the steel towers for construction and maintenance.

We advise that and the section should be undergrounded along variant C (parallel with the existing wooden pole OHL) and variant 1A. As recognised in Annex 3, variant C offers an opportunity to minimise the effects on habitats and peatlands. It would also minimise the impact on the list of high conservation value species mentioned above and if buried underground would address the landscape and visual issues on which the dismissal of this option has been based. From our work with members of the Glenmore community over many years, we are acutely aware of the value that is given to the white-tailed eagles for Glenmore residents, businesses and visitors. Although outwith a designated wildlife site, there are a high number and diversity of high conservation value species occupying this area.

Further justification for this advice is given below:

- Mugeary Forest has been the core area of a successful white-tailed eagle territory since 2008 and continues as such. Indications are that their breeding attempt in 2021 failed but is believed to have taken place in Mugeary forest (contrary to the assumption made in the ornithological report), in a location NRP surveyors recorded a high level of activity.

- We disagree that the use of the proposed buffer in relation to the construction of an OHL supported by lattice steel towers within 450m of an active white-tailed eagle nest site (near Loch Conan) and running between their nest location and their hunting and feeding areas, would adequately address the likely disturbance impacts and potential collision risk for this breeding pair. The cumulative impact and barrier effect of a lattice tower supported OHL and the Glen Ullinish wind farm turbines will put an unacceptable pressure on this pair and severely compromise the function of their territory.
- Mugeary forest and the Druim na Criche ridge with its east-facing forest edge continually support numerous immature white-tailed eagles and golden eagles (some of which may be linked with the SPA), as well as providing shelter for the resident golden eagle pair.
- Two hen harrier nest sites lie within close proximity (less than 150m) of the OHL route. One of those is close to Glen Vic Askill cottage and one is close to Loch Conan.
- Modifications to the hydrology of the blanket bog and wet heath habitats from construction and maintenance infrastructure of the preferred route and including variant 1B are highly likely to directly affect the most valuable habitats for breeding greenshank, golden plover and curlew. Curlew is a red listed bird species of conservation concern and recognised as globally near threatened. They are site faithful, returning to the same areas to breed year after year.

RSPB Scotland is strongly of the view that the adverse effects on high conservation value bird species, from the route options currently favoured through Glenmore and linking to the Edinbane substation, could, to a large degree, be addressed by undergrounding the cable along variant C and variant 1A.

Section 3 – Broadford Substation to Kylerhea

We wish to reinforce our view that the existing route of the OHL is our preferred route and reiterate our serious concerns regarding the potential routing through Glen Arroch for this section. While it is acknowledged that there are technical challenges in upgrading this section of the route, the latter new route option (through Glen Arroch) presents on-going long-term negative impacts for several Schedule 1 and Annex 1 species including white-tailed eagle, golden eagle and hen harrier. Full comments are provided in the Confidential annex to our response on the routing options dated 17th August 2020.

Section 5 – Loch Cuaich to Invergarry

As indicated in our response on 17th August 2020, we have substantial concerns regarding the OHL section that runs between Loch Garry and Loch Loyne and the potential impact the new higher lines will present for common scoters and black-throated divers (both qualifying features of the SPA) commuting between component parts of the SPA. We understand from speaking to engineers at the local consultation event that the new towers will be around 7m higher than the existing towers. Given that common scoters migrate at night and it is believed also move between breeding lochs at night, we are seriously concerned that the additional height may present a high risk of collision for this rare breeding species. **We strongly advise that consideration is given to undergrounding this section of the route that runs alongside Loch Garry to remove the collision risk that overhead lines present.**

This population of SPA common scoter is the focus of a multi-partnership intensive recovery programme (involving NatureScot, SSE Renewables, Forest and Land Scotland and RSPB), which involves implementation of a series of measures to improve conditions for these rare birds, including SSE Renewables investing in a revised water level management system on Loch Loyne. The programme is also currently considering head-starting the population at substantial cost, to prevent it becoming extinct while conservation measures to improve its success take effect. Therefore, any additional negative pressures on the population could negate this work.

Summary

In general, the route options that follow the existing route are less sensitive than new routes in undeveloped terrain. However, changes in infrastructure size and number of cables will result in greater impacts than existing infrastructure, especially in sections 1 and 5 where the need for undergrounding parts of the route is seen as paramount to averting serious long-term adverse ornithological impacts.

We would welcome an opportunity to meet with you to discuss our concerns further.

Your sincerely,

Redacted

Dr Alison MacLennan
Senior Conservation Officer

Alison.maclennan@rspb.org.uk

ANNEX 1 - CONFIDENTIAL

Skye Reinforcement Project – RSPB Scotland response to route options

Section 0: Ardmore to Edinbane – replacement/ upgrade of wooden poles

Section	Route option	Ornithological/ environmental issues	Comments	Preference
0 A	Existing	<ul style="list-style-type: none"> • Around 50% of the Skye corncrake population breeds on the low in-bye ground west of the existing power line route along the Waternish peninsula. • Golden plover breeding on the adjacent moorland and feeding on the lower in-bye grassland fields regularly cross the path of the existing powerline but appear to have habituated to it. • Hen harrier breed on the moorland above the existing corridor. • This route option would result in new development across areas of class 1 peatlands supporting blanket bog and wet heath. 	<ul style="list-style-type: none"> • Provided the replacement route is as close as possible within the corridor of the existing route along its entire length (i.e. along the top edge of the croft land but below the open hill on the spine of the Waternish peninsula, then due south alongside the road to the substation at Dunvegan) this should avoid new conflicts with wildlife arising and will have a minimal impact on deep peat compared to other route options. • We concur with the assessment that disturbance and displacement effects of construction could be mitigated if timed to avoid the breeding season. 	Preferred
0 B	Garradh Mor	<ul style="list-style-type: none"> • This route option impinges on core territory for several pairs each of breeding golden eagle, white-tailed eagle, hen harrier, short-eared owl, golden plover and red-throated diver. 	<ul style="list-style-type: none"> • This route option carries serious risk of disturbance, displacement and collision for Schedule 1 and Annex 1 species. • With such a high density of breeding activity of Schedule 1, Annex 1 species, heavy restrictions on construction activity would 	Object / serious concerns

Section	Route option	Ornithological/ environmental issues	Comments	Preference
OB contd./		<ul style="list-style-type: none"> • This route option would intersect regular flight paths used by red-throated divers flying between their nest site and the sea where they forage. • This route option would involve new development on Class 1 peatlands along significant stretches of its length, affecting blanket bog, pools, heathland and heather moorland. 	<ul style="list-style-type: none"> • be required over the period from 1st February – 31st August to avoid disturbance and displacement impacts during construction. • However, even with mitigation, this route presents a substantial long-term risk of high collision, disturbance and possible displacement for several rare protected species. • We therefore strongly disagree with the amber RAG rating and feel this should be rated as red. The report greatly undervalues the importance of this area for white-tailed eagles and fails to mention the breeding golden eagle interest. • The justification for choosing this as an alternative route given the substantial damaging impacts it would bring for a range of protected species and peatland habitats is not apparent. 	
0 C	Greshornish	<ul style="list-style-type: none"> • This route option would cut through the heart of three sea eagle and two golden eagle territories in addition to presenting a potential barrier between nest sites and foraging areas for red-throated divers. • This route option would cut through the core breeding area for hen harriers on Skye, thereby affecting several pairs. 	<ul style="list-style-type: none"> • This route option carries substantial risk of disturbance, displacement and collision for Schedule 1 and Annex 1 species. • With such a high density of breeding activity of Schedule 1, Annex 1 species, heavy restrictions on construction activity would be required over the period from 1st February – 31st August to avoid disturbance 	Object / substantial concerns

Section	Route option	Ornithological/ environmental issues	Comments	Preference
OC contd./		<ul style="list-style-type: none"> • At least one short-eared owl territory would be affected by this route. • This route option would result in new development across areas of class 1 peatlands supporting blanket bog and wet heath. 	<p>and displacement impacts during construction.</p> <ul style="list-style-type: none"> • However, even with mitigation, this route presents a substantial long-term high risk of collision, habitat loss and probable displacement for several rare protected species. The direct impact of such new development on the nest sites is considered hugely significant for both species of eagles and could threaten the survival of these territories. • In RSPB Scotland's view, the issues of displacement and disturbance associated with this option are unacceptably high and under-rated and this should have received a red RAG status for ornithology. • The justification for choosing this as an alternative route given the substantial damaging impacts it would bring for a range of protected species and peatland habitats is not made. 	
0 D	Dunvegan to Edinbane	<ul style="list-style-type: none"> • The eastern end of this route overlaps one or two hen harrier territories and one white-tailed eagle territory which may be susceptible to disturbance during construction. • The route may affect areas of deep peat on the edge of the open moorland. 	<ul style="list-style-type: none"> • This route option follows the existing route along the section from the Dunvegan substation to the Edinbane substation. Since it skirts around the edge of the moorland it follows a route that is mostly close to the road or croft land where there is a regular level of human activity and disturbance at present. This zone is on lower ground and 	Preferred

Section	Route option	Ornithological / environmental issues	Comments	Preference
OD contd./			<p>less well used by species of high conservation value than the alternative route options.</p> <ul style="list-style-type: none"> • We welcome recognition of the need to mitigate against potential disturbance and displacement from construction activity by timing operations to avoid the breeding season • Micro-siting of poles would be advisable to avoid deep peat areas along the moorland edge. 	
O E	Ben Aketil	<ul style="list-style-type: none"> • This route option would cut through the largest area of undeveloped moorland remaining in this part of central Skye, thereby fragmenting the foraging area and impinging on the availability of prey and the hunting activities of immature golden eagles, white-tailed sea eagles and breeding hen harriers. • Golden plover and red-throated diver breeding sites would be affected throughout the length of this route option. • The eastern end of the route cuts through the core of a traditionally used hen harrier territory and would impinge on a white-tailed eagle territory. 	<ul style="list-style-type: none"> • This area of rolling moorland is hugely important as foraging habitat for non-territorial eagles of both species, including progeny from the Cuillins SPA population. Development of this route would cause further loss and fragmentation of foraging habitat and should be avoided to reduce potential impacts on the Cuillins SPA population. • While construction disturbance and displacement can be mitigated through timing of operations, this would not address the permanent dissection and fragmentation of the open moorland habitat. • The long-term risk of collision (with the overhead wires) to foraging and displaying 	Object / serious concerns

Section	Route option	Ornithological/ environmental issues	Comments	Preference
OE contd./		<ul style="list-style-type: none"> This route option is almost entirely sited on class 1 peatland supporting blanket bog, wet heath and heather moorland. 	<p>species of high conservation concern (including hen harriers) is significant.</p> <ul style="list-style-type: none"> The higher elevation of this route compared to its alternative (O D) increases the risks and environmental impact of this option. The areas of higher ground that this option crosses are of disproportionately greater importance to the golden eagles, white-tailed eagles, hen harrier, golden plover and red-throated diver than the lower ground. Selection of this route option over the alternative would have a significantly greater impact on class 1 deep peats and blanket bog habitats. 	

Skye Reinforcement Project – RSPB response to route options continued:/

Section 1: Edinbane to Sligachan – upgrade from wooden poles to steel lattice towers

Section	Route option	Ornithological / environmental issues	Comments	Preference
Section 1	All routes	<ul style="list-style-type: none"> • The area of central Skye covered by section 1 is both intensively and extensively used by both golden and white-tailed eagles. All route options are affected by this extensive use. The southern part of section 1 incorporates part of the Cuillins SPA, classified for its internationally important golden eagle population. • Hen harrier breed in close proximity to the western end of this corridor. All routes exiting the Edinbane sub station will affect this territory. • All route options would involve new development on Class 1 peatlands along significant stretches of their length, affecting blanket bog, pools, heathland and heather moorland. 	<ul style="list-style-type: none"> • Upgrading the route infrastructure from wooden poles to steel lattice towers OHL will make a significant change to the impact of this transmission route, both in terms of the habitats and species that will be affected. • Increases in infrastructure size, development height, the number of cables and corridor width are of such significance that from a wildlife perspective this will be regarded as a new development and the substantial disturbance, displacement and potential collision risks presented by all route options should be considered accordingly. • An HRA should be carried out for all options and serious consideration should be given to using underground cabling rather than OHL. • For all options, the timing of construction works and careful micro-siting of towers will be critical for avoiding damaging valuable nesting habitat for hen harriers. • We agree with the red RAG rating for sections 1B and 1C but strongly disagree with the amber rating for section 1A, which in our view should also be red given the substantial changes involved and the 	N/A

Section	Route option	Ornithological / environmental issues	Comments	Preference
			number and diversity of nationally and internationally protected species present.	
1A	Existing	<ul style="list-style-type: none"> • There are three active golden eagle territories within 6km of this route, one of which is located within the Cuillins SPA. • There are three active white-tailed eagle territories within 6km of this route, two of which are within 1km of the route and for one of those, the corridor identified on the map overlies the nest area. • There are at least five communal white-tailed eagle roost areas within 3km of this route, some of those are known to include immature golden eagles which are likely to be part of the SPA population. • The route option is criss-crossed by both golden eagle and white-tailed eagle flight paths and is arguably the most intensively and extensively used area on Skye and possibly also the NHZ. • At least two hen harrier breeding territories lie within 1km of this route option at its north-western end. For one of those, the nest site is within the corridor identified. The change from wooden poles to steel lattice towers is likely to impact on these territories directly. A third possible hen harrier territory is suspected within 6km of the south east end of this route. • Red-throated divers, greenshank, golden plover and curlew breed along this corridor. All of these species are nationally or internationally protected. The curlew is one of the UK's highest conservation priorities given its 	<ul style="list-style-type: none"> • The southern part of this route option traverses the Cuillins SPA and the Sligachan Peatlands SAC and SSSI. • While the existing route carried on wooden poles picks its way between the hills, largely carrying the cables below the most vulnerable aerial zone for eagle, diver and wader collisions, the transfer to a steel lattice tower occupying a wider corridor with more cables at higher elevation will present a substantially increased risk of collision for a number of Schedule 1, Annex 1 and SPA species. • The RAG rating awarded to this route is under-rated. Given the significant increase in collision risk to nationally and internationally important species associated with larger, more elevated steel lattice towers, increased number of cables and increased width of corridor, this should have received a red RAG status for ornithology. • We are of the view that this level of risk to so many Schedule 1, Annex 1 and SPA species can only be successfully mitigated by routing the cables underground for 	<p>Object / Substantial concerns regarding an OHL route.</p> <p>Concerns could be reduced / mitigated if an underground option could be delivered</p>

Section	Route option	Ornithological / environmental issues	Comments	Preference
1A contd./		<p>serious declines and adverse global status. The route will intersect the flight paths that the red-throated divers use when flying between their breeding lochs and foraging sites at sea.</p> <ul style="list-style-type: none"> This route option is almost entirely sited on class 1 peatland supporting blanket bog, wet heath and heather moorland. The southern section traverses the Sligachan Peatlands SAC and SSSI which are designated for their bogs, blanket bogs, dystrophic and oligotrophic lochs, freshwater habitats and vascular plant assemblages. 	<p>significant sections of this route option is selected.</p> <ul style="list-style-type: none"> The eastern spur at the south end of this route would significantly impact on white-tailed eagles roosting in Glen Varigill forest and should be avoided if possible. 	
1B	A863 - Bracadale	<ul style="list-style-type: none"> This route runs through the core of three golden eagle territories, one of which is within the Cuillins SPA, designated for its breeding golden eagle population. It is also within 5km of two other golden eagle core territories, including a pair from within the Cuillins SPA. Golden eagles from the SPA regularly hunt across parts of this proposed corridor. Four white-tailed eagle breeding territories lie within 6km of this proposed route. There are at least four communal white-tailed eagle roost areas within 4km of this route, some of those are known to include immature golden eagles which are likely to be associated with the SPA population. This route cuts across the flight paths in frequent daily use by both territorial and immature sea eagles and golden eagles flying 	<ul style="list-style-type: none"> This route option passes through the Cuillins SPA and crosses the Sligachan Peatlands SAC and SSSI. Two territorial pairs of golden eagles from within the Cuillins SPA would be impacted by this route option. This option carries serious constraints along significant sections of its length which would have short and long-term implications for displacement, disturbance and collision risk for golden and white-tailed sea eagles, including the SPA golden eagle population. The degree to which this would potentially impact these populations would not be easily mitigated. 	Object / Substantial concerns/ least preferred

Section	Route option	Ornithological / environmental issues	Comments	Preference
1B contd./		<p>between their communal roosts or territory core and their foraging grounds along the coast.</p> <ul style="list-style-type: none"> • At least two hen harrier territories lie within 1km of this route at its north-western end and a third within 4km of the route corridor. For one of those, the nest site lies within the route corridor identified. • One short-eared owl territory lies within the route corridor and a further two possible territories lie within 3km. • Parts of this route option are sited on class 1 peatland supporting blanket bog, wet heath and heather moorland. 	<ul style="list-style-type: none"> • It should be noted that golden eagle nest sites (eyries) are traditional sites that have been used for millennia and for many territories, there are no suitable alternatives available so should this route be developed, it is likely that one or two of these territories would be lost. 	
1C	Tungadale - Sligachan	<ul style="list-style-type: none"> • This route option cuts through the centre of three golden eagle territories and runs within 2.5km of two additional two territories. Two of the territories that would be impacted lie within the Cuillins SPA classified for its golden eagles. • There are four white-tailed eagle territories within 6km of this route, three of which are less than 4km from the route corridor. • There are at least four communal white-tailed eagle roost areas within 4km of this route and two of those are within 2km of the route. These communal sea eagle roosts are known to also be used by immature golden eagles which are likely to be associated with the SPA population. • At least two hen harrier territories lie within 1km of this route at its north-western end and a third within 4km of the route corridor. For 	<ul style="list-style-type: none"> • This route option overlaps the Roineval Geological SSSI and at its southern end traverses the Cuillins SPA and skirts the edge of the Sligachan Peatlands SAC and SSSI. • This route cuts across numerous flight paths in frequent daily use by both territorial and immature sea eagles flying between their communal roosts or territory core and their foraging grounds along the coast. This would present an ongoing and unacceptably high risk of collision. • Disturbance, displacement and potential collision risk for hen harrier, greenshank, golden plover, red-throated diver and 	Serious concerns / object

Section	Route option	Ornithological / environmental issues	Comments	Preference
1C contd./		<p>one of those, the nest site lies within the route corridor identified.</p> <ul style="list-style-type: none"> • Greenshank and golden plover territories are located within this route corridor and adjacent. This route option would intersect greenshank flight paths between their breeding areas and the inter tidal areas in Loch Harport and Loch Sligachan that are used for feeding. • One short-eared owl territory lies close to this route corridor and a further three possible territories are within 3km of the route corridor. • Red-throated divers breed on lochans within 2km of this route option. The route would cut across their flight lines to the coast where they feed, presenting a moderate – high collision risk. • This route option is almost entirely sited on class 1 peatland supporting blanket bog, wet heath and heather moorland. 	<p>short-eared owl breeding within the proposed corridor or within close proximity would be significant.</p> <ul style="list-style-type: none"> • The cable corridor and towers would present a barrier for red-throated divers commuting to the sea to feed. This could not be easily mitigated unless cables were underground. • Sensitive timing of construction activities would be insufficient to counter the medium and long-term effects from development along this corridor. • Selection of this option would have a significant impact on class 1 deep peats which careful micro-siting of towers would only partially alleviate. 	

Section 2: Sligachan to Broadford – Upgrade from wooden poles to steel lattice towers

Section	Route option	Ornithological / environmental issues	Comments	Preference
2A	Existing	<ul style="list-style-type: none"> • Two white-tailed sea eagle pairs breed within 6km of this route. For one of those pairs the route will cross a regularly used flight path between the nest site and an important feeding area. • Six golden eagle territories lie within 6km of this route, all but one of those are located within the SPA for golden eagles. • The ridge at Druim nan Cleochd is regularly used by golden eagles from the SPA and white-tailed eagles. In addition, peregrine and merlin are all active in the section between Sconser and Luib. • The northern slopes of Glamaig are regularly used by territorial golden eagles within the SPA and sea eagles. • Red-throated divers and golden plover breed within 2km of the route. • The sea lochs and coastal waters are important for a wide range of waders, ducks, divers, seabirds and geese (brent geese) on passage, during the breeding season and in late summer (for moulting flocks such as eiders). 	<ul style="list-style-type: none"> • This entire section runs within the margins of the Cuillins SPA. However, large parts of this route coincide with the disturbance corridor along the main A87 road and are therefore less well used by eagles. • The key areas of concern are those route sections on higher ground where regular eagle flight lines cross the route corridor such as the ridge at Druim nan Cleochd. • Mitigation, including maintaining proximity to the existing disturbance corridor and micro-siting towers within the landscape to reduce prominence along flight lines, would be critical in reducing impacts. • Mitigation should also be provided at the southern end of this section where a territorial pair of sea eagles regularly cross this existing wooden pole route. • Sensitive timing of construction activity to avoid disturbance, displacement and collision will be essential for a suite of protected species. • The low ground immediately adjacent to the head of Loch Ainort and Loch Sligachan should be avoided to reduce the risk of collision for feeding waders, waterfowl and geese and for protected raptor species hunting in these areas. 	<p>Concerns for some sections of the route.</p> <p>Difficult to assess due to peripheral location to SPA and between habitats along existing disturbance corridor, therefore impacts uncertain</p>

Section	Route option	Ornithological / environmental issues	Comments	Preference
2B	Braes	<ul style="list-style-type: none"> • One hen harrier territory and possibly a second lie within 2km of this route • Red-throated divers breed with 1km of this route option and make regular flights to Loch Sligachan to feed and forage for their young. • Moulting flocks of eider, foraging red-throated divers and a range of other waterfowl, seabirds and gulls use the coastal waters and could be impacted by construction activity and or potential collision risk from the section crossing the mouth of Loch Sligachan. 	<ul style="list-style-type: none"> • This route option would be a new development in an otherwise undeveloped area and involves crossing the mouth of Loch Sligachan. It provides an alternative option for the first part of the route to Broadford if the existing route is used for the section between Edinbane and Sligachan. Thereafter the existing route would be followed. We are of the opinion that for this section of the route, this new option would likely present a higher collision risk for a range of seabirds, water birds and sea eagles than upgrading the existing section, provided the upgraded route runs close to the existing disturbance corridor. • Timing of construction would have to take account of a range of protected breeding species including waders, waterfowl, divers and hen harrier as well as moulting eider flocks. 	Concerns / Least preferred

Section 3: Broadford – Kyleshera – replacement / upgrade of existing steel lattice towers

Section	Route option	Ornithological / environmental issues	Comments	Preference
3	All	<ul style="list-style-type: none"> All route options would involve new development on Class 1 peatlands along significant stretches of their length, affecting blanket bog, pools, heathland and heather moorland. 	<ul style="list-style-type: none"> With the exception of route option 3A which follows the existing pylon line, all the other options presented involve combinations of routes and therefore the comments applicable to the other route sections apply in addition to those specific to each option. 	N/A
3A	Existing	<ul style="list-style-type: none"> Two or possibly three hen harrier territories overlap sections of this route. However, their nest sites are sufficiently distant from the route corridor to cause only minor concern. Four long-established curlew territories occur within this route corridor or immediately adjacent. Red-throated divers breeding in the lochans around Broadford Bay cross this route corridor when flying to and from Broadford Bay to feed. One territorial pair of golden eagles within the Cuillins SPA and one territorial pair of white-tailed eagles breed within 3km of the start of this route at the western end. This data is relevant to all routes in this section. Two additional pairs of sea eagles are within 5km of the eastern end of this section. 	<ul style="list-style-type: none"> The upgraded route will replace an existing steel lattice tower infrastructure along this route. Much of this route is adjacent to the disturbance corridor associated with the townships of Broadford and surrounding area and the A87. The species using this area are assumed to have habituated to the presence of the existing towers and cables. Provided the replacement upgraded infrastructure is located as close to this existing route as possible this would minimise concerns regarding the introduction of new collision risks. Mitigation should be provided at the northern/ western end of this section where a territorial pair of sea eagles regularly cross this existing wooden pole 	Preferred

Section	Route option	Ornithological / environmental issues	Comments	Preference
3A contd./		<ul style="list-style-type: none"> • Broadford Bay is a regionally important site for a feeding flocks of a diversity of wintering and passage waders, also great-northern and black-throated divers, ducks and Brent geese. The flight lines of those birds on migration cross this route corridor. • Breeding shelduck, greylag geese, curlew, greenshank and herons breed and / or feed in the muds and shallow waters at Harrapool, Waterloo and Ashaig. 	<p>route between their breeding and foraging grounds.</p> <ul style="list-style-type: none"> • Sensitive timing of construction operations is required to avoid disturbance and displacement of breeding and passage species. Breeding curlew and hen harrier would be sensitive on certain sections of the route. 	
3B	Glen Arroch	<ul style="list-style-type: none"> • This route option cuts through the centre of a golden eagle territory and runs perilously close to their main breeding area where their eyries are located. • The Kyclerhea area is a central part of the territory of a pair of breeding white-tailed eagles which use part of this route option several times per day when flying between their nest site and foraging area. The frequency of flights is highest when they are feeding chicks in the nest. • A second territorial pair of sea eagles is found within 5km of the eastern end of this route option. • The eastern slopes of Beinn Bhuidhe and Glen Arroch are used by hunting hen harrier. 	<ul style="list-style-type: none"> • The Glen Arroch option would be a new route presented as an alternative to the eastern half of the existing route between Broadford and Kyclerhea and follows the single-track B-road access to Kyclerhea glen and village. • As a completely new route in an undeveloped glen with no infrastructure currently and a very narrow, seasonally restricted and low-level disturbance corridor at present, this option raises substantial concerns for disturbance, displacement and collision risk for several high priority species. The effects are likely to last into the long term • Proximity of a new development to the core of the golden eagle territory where their eyries are located would have a 	Object/ Substantial concerns

Section	Route option	Ornithological / environmental issues	Comments	Preference
3B contd./		<ul style="list-style-type: none"> • RSPB Scotland manages a popular wildlife viewing attraction within this route corridor. The resident pairs of white-tailed eagles and golden eagles are the main focus of the wildlife attraction visited by over 5,000 tourists and island residents annually. • Pine marten are present in the woodlands at Kylerhea and are the focus of wildlife guided walks hosted by the RSPB. 	<p>seriously damaging effect, causing disturbance and displacement and would present an unacceptably high risk of collision.</p> <ul style="list-style-type: none"> • The sea eagle flight paths between their important breeding areas and feeding areas in the Narrows frequently cross the hillside near the eagle hide and would be intersected by this route. The disruption and potential high collision risk presented by this option could impact on the survival of this pair and seriously impact on the wildlife experience enjoyed by over 5,000 visitors who come to witness this spectacle annually. • The particular pair of sea eagles which will be most affected if this route were to be selected is well known. They have habitually used flight lines and perches and have behavioural traits that have attracted a huge amount of national and international visitor and media attention. • The eagle hide visitor attraction operated by RSPB at Kylerhea has been omitted from the Land Use and Recreation Map Figure 7.3 	

Section	Route option	Ornithological / environmental issues	Comments	Preference
3B contd./			<ul style="list-style-type: none"> • We strongly disagree with the amber RAG rating assigned to ornithology with regard to this route. This does not adequately reflect the impact that selection of this route would have on protected species or the enterprises that rely on them. • We also strongly disagree with the green RAG rating attributed to recreational interests as selection of this route would significantly impact on the wildlife, peoples experience of the shore to mountain top natural heritage assets, the landscape and the overall recreational experience of over 5,000 visitors who come here for that purpose annually. • The issues associated with the northern part of route option 3A would also apply if this route were to be selected. 	
3C	A87	<ul style="list-style-type: none"> • Lapwing and curlew are known to breed along parts of this route option. • A range of waders, ducks, divers and geese winter and stop on passage to feed and shelter in the intertidal area and shallow waters around Ashaig and Lusa within 1-2km of this route option. 	<ul style="list-style-type: none"> • Route option 3C is an alternative for approximately 8km section of the existing route (3A), running closer to the sea and along the A87 disturbance corridor. Issues noted for the western part of route option 3A would also apply. • Selection of this option would represent a new development, the implications of which are difficult to assess without further information. 	Indeterminate but likely to be of low concern

Section	Route option	Ornithological / environmental issues	Comments	Preference
3D	Beinn na Caillich	<ul style="list-style-type: none"> • This route option cuts through the heart of a golden eagle territory. One of their eyries lies within the route corridor identified. • Golden plover and ptarmigan breed on the hill tops along this corridor. Both species would be highly susceptible to collision risk in this environment. • Two pairs of white-tailed eagles breed within 5km of this route option. 	<ul style="list-style-type: none"> • This option would be a new development cutting across the tops of the Kyleakin Hills. There is currently no infrastructure development within this area so any new development would be significant and have long term impacts on wildlife • The risk of disturbance, displacement and collision associated with a new development in such an elevated, undeveloped location are considered unacceptably high. • The hill tops are shrouded in cloud for a significant part of the year, which is likely to be particularly problematic in terms of golden eagle collisions. With only a small population of ptarmigan resident on Skye the heightened risk of collision during poor weather would put this population at risk. • Issues noted for the western part of route option 3A are additional to the issues noted here and would also apply. • Although it's not clear from the maps it is assumed that this route option would link in with option 3E at its north eastern end. 	Object / substantial concerns

Section	Route option	Ornithological / environmental issues	Comments	Preference
3E	Coire na Coinnich	<ul style="list-style-type: none"> • This high-level route option cuts through the heart of one golden eagle territory with eyries located within the route corridor. • Breeding Ptarmigan, ring ouzel and golden plover would also be impacted should this route be developed. • Two territorial pairs of white-tailed sea eagles breed within 5km of this route 	<ul style="list-style-type: none"> • Route option 3E provides an alternative option for the eastern part of option 3B to avoid the lower part of Kylerhea glen. • There is currently no infrastructure development within this area so any new development would be significant and have long term impacts on wildlife. • The risk of disturbance, displacement and collision risk to golden eagles associated with this route is considered unacceptably high. Golden eagles use traditional eyrie sites, the location of which is dictated by landform, among other factors, thereby severely limiting the alternative options available to them. • With only a small population of ptarmigan resident on Skye the heightened risk of collision during poor weather would put this population at risk. • The issues associated with the western part of Option 3B in addition to the western part of 3A would also apply if this option were to be selected 	Object / substantial concerns

Section 4: Kylerhea to Loch Quoich / Loch Cluanie – replacement of existing steel lattice towers with upgraded towers and cabling

Section	Route option	Ornithological/ environmental issues	Comments	Preference
4	All		<ul style="list-style-type: none"> Note – the options being considered between Kylerhea and Fort Augustus take entirely different routes and each section does not end at a common point as do the sections on Skye 	N/A
4A	Existing	<ul style="list-style-type: none"> At least three golden eagle territories are established along this section. Some of their eyries are close to and within sight of the transmission lines. Peregrine falcon, common scoter and golden plover breed in locations close to the existing transmission corridor at the east end. Red-throated divers breed in the small lochans along the route and regularly fly to Loch Quoich (Cuaich) and Loch Hourn to feed. Black-throated divers breed on Loch Quoich. 	<ul style="list-style-type: none"> Sensitive timing of construction activity, including the delivery of materials on site, will be crucial in minimising disturbance and displacement in the immediate – medium term for a range of protected species. Golden eagles with eyries in direct line of sight of the construction corridor will be particularly affected. The use of helicopters for delivery of materials on site should be sensitively timed and routed to avoid disturbance Since upgrading of this section of the route will effectively involve the replacement of existing infrastructure rather than a new development, the wildlife present has habituated to the presence of the development. Provided the replacement infrastructure remains on low ground as close to the existing infrastructure as is possible, the impacts, including collision risk for protected species will be minimised. 	Preferred

Section	Route option	Ornithological/ environmental issues	Comments	Preference
4b	Glen More – Glen Shiel	<ul style="list-style-type: none"> • The route passes through the core of three golden eagle territories with eyries in line of sight and only a few hundred metres from the proposed corridor. • Breeding merlin and ring ouzel are found close the route • Red-throated divers breed in hill lochans around this route and are likely to be crossing the route corridor from various breeding locations on their foraging trips to the sea. • Loch Shiel at the foot of Glen Shiel is a traditional wintering site for a flock of up to a dozen whooper swans. As such it is locally important. The birds divide their time between Loch Shiel (main location) and a small lochan near Inverinate, moving between the two sites on numerous occasions over the winter months. 	<ul style="list-style-type: none"> • This route would branch away from the existing route at Glenelg and after following Glen More would cut through the hills to Glen Shiel, thereafter following the A87 corridor. While there are existing roads along part of this route, the infrastructure involved would form a new development with significant impacts in undeveloped areas where disturbance is limited to narrow linear pedestrian and vehicular routes • The proximity of new development to the core areas for several golden eagle pairs is of great concern and is likely to cause long term disturbance, displacement and a high risk of collision. • Collision risk for golden eagles is likely to be highest around Sgurr Mhic Bharraich where this option runs through the hills in undeveloped terrain. Both northern and southern routes around this hill give cause for concern and would impact on the eagles use of the terrain and foraging habitat. • The amber RAG rating attributed to this route does not adequately reflect the severity of potential impact this route would likely have on Schedule 1 and Annex I species 	Serious concerns / object

Section	Route option	Ornithological/ environmental issues	Comments	Preference
4B contd./			<ul style="list-style-type: none"> • Sensitive timing of construction activity and the timing and routeing of helicopter activity would be essential to avoid disturbance to breeding species and in the case of Loch Shiel, to whooper swans wintering on the loch. • Careful routeing of the corridor, adhering to low ground and the existing disturbance corridor along the A87 through Glen Shiel would help limit the displacement of golden eagles from foraging habitat and reduce the risk of collision. However, there are several pinch points where this approach would not be feasible and the risks are elevated as a result. 	
4C	North of Lochalsh and Loch Duich	<ul style="list-style-type: none"> • Wintering whooper swans divide their time between the roadside lochan near Inverinate and Loch Shiel. Movement between these two locations occurs frequently over the winter months. • Two golden eagle territories are located adjacent to this option corridor. • This route option passes through the core of one white-tailed eagle territory. • Several red-throated and black-throated diver territories are located within 5km of this route 	<ul style="list-style-type: none"> • This option would require the use of section 3A (and possibly 3C if selected) to the west and would connect to section 4B at its eastern end. The concerns expressed about those routes would also be relevant in consideration of this route. • This option would be a new development along this corridor. It largely follows the A87 disturbance corridor but involves crossing the mouth of Loch Long and the upper shallows of Loch Duich near Kintail. • Adhering to a low route close to the existing disturbance corridor along the 	<p>Moderate concerns</p> <p>Some issues are difficult to assess without further survey data</p>

Section	Route option	Ornithological/ environmental issues	Comments	Preference
4C contd./		<p>corridor. Both species regularly cross this corridor on migration and for foraging at sea.</p> <ul style="list-style-type: none"> • Black grouse have recently re-colonised this part of Lochalsh. • Breeding hen harrier cross this corridor moving between foraging habitat on Skye and the mainland. • The bays and shoreline along Loch Alsh and Loch Long are locally important foraging areas for passage and breeding waders including greenshank and curlew and wildfowl. • Several pairs of ring ouzel breed on the steep south facing slopes through Lochlash. 	<p>A87, would minimise the risks of disturbance, displacement or potential collision risk for golden eagles.</p> <ul style="list-style-type: none"> • We are concerned that development of this option presents a barrier for a range of resident, passage migrant and breeding migrant species. For species returning to breeding grounds or on passage migration the collision risk may occur once or twice per annum, but for other species that breed in the uplands and regularly feed either at sea or on Skye then the collision risk occurs on a daily basis during the breeding season. Birds flying to the headwaters of Loch Alsh or Loch Long would be particularly susceptible where the potential route crosses the mouth of the loch and their flight path. 	

Section 5: Loch Quoich (Cuaich) / Loch Cluanie to Invergarry / Glen Moriston – upgrade of steel lattice towers / OHL with new route options considered

Section	Route option	Ornithological / environmental issues	Comments	Preference
5	All routes		The West Inverness-shire Lochs SPA classified for its common scoter and black-throated diver interest includes lochs Cluanie, Loyne, Garry, Bad an Losguinn, Poulary and Lundie. All of the routes in section 5 pass in close proximity to parts of the SPA and would have varying levels of impact on these protected populations.	
5A	Existing	<ul style="list-style-type: none"> • The route runs between lochs that form component parts of the West Inverness-shire Lochs SPA and the species for which this site is designated (common scoter and black-throated diver) regularly fly across the current OHL route between these sites. • Black grouse breed at several locations along the length of this route. • Peregrine falcon and common scoter breed close to the western end of the route. • Greenshank, curlew, dunlin and snipe breed at numerous locations along the entire length of the route. • Two pairs of osprey breed within 2km of this route. 	<ul style="list-style-type: none"> • This route follows the existing steel lattice OHL and will replace it in due course. While normally the replacement of existing routes is of less concern than a new route since the species using the area are presumed to have habituated to this long-established hazard, we do have concerns that lateral displacement or change in altitude of the lines and steel towers could have implications for the SPA species commuting between different lochs within the SPA and regularly crossing the existing OHL in its current position. • Collision risk is a concern for SPA designated species and other protected species, should there be a change in the route location or prominence in the landscape. • Sensitive timing of construction operations will be essential to avoid disturbance 	Substantial concerns but if the critical section between Loch Garry and Loch Loyne can be undergrounded this option is preferred.

Section	Route option	Ornithological / environmental issues	Comments	Preference
5A contd./		<ul style="list-style-type: none"> Red-throated divers breed at several sites surrounding this route and regularly cross the route on foraging flights to the sea or the larger lochs. 	<ul style="list-style-type: none"> Consideration should be given to protected species existing flight lines and altitudes with a view to micro-siting towers and modelling line heights to avoid increasing the collision risk. Survey / vantage point watches may be necessary to gather more data to inform this if there are to be any material changes. Depending on the outcome of this projection, consideration should be given to undergrounding the section between Loch Garry and Loch Loyne. We disagree with the amber RAG rating and feel this should be elevated to red given the concerns and degree of consideration / mitigation required for the SPA designated species in particular. 	
5B	South Glen Garry	<ul style="list-style-type: none"> Common scoter from the West Inverness-shire lochs SPA SPA breed in heathland / open woodland habitat on the south side of Loch Garry. Tracking studies have shown that the scoters from the SPA migrate to locations south and west of the UK (in addition to some birds heading NE to the North Sea) to spend the winter at sea. Two pairs of black-throated divers breed on Loch Garry and one pair on Loch Poulary. Little is known of the flight paths they use 	<ul style="list-style-type: none"> This route option would be a new development on the south side of the SPA, crossing the water course either below the dam at Loch Quoich or near the east end of Loch Poulary, then running through the forest on the south side of Loch Garry. No information is available on the direction of travel that the common scoters take on arrival and departure for migration. However, the risk of collision is high for those birds breeding adjacent to this route. Given the distribution and numbers of black grouse present, careful micro-siting 	Serious concerns / object

Section	Route option	Ornithological / environmental issues	Comments	Preference
5B contd./		<p>when accessing the lochs and moving between them.</p> <ul style="list-style-type: none"> • Red-throated divers breed within this corridor and in the surrounding area, making regular flights to both the larger lochs and the sea to feed. • Dunlin and greenshank breeding in the surrounding area move to and from lochs Garry and Poulary, Kingie Pools and the Garry river to feed. • Two pairs of osprey nest close to or within this route corridor. • Black grouse breed and feed along this route corridor. 	<p>of towers and cable marking would be essential to avoid destroying lekking habitat and mitigate against potential collision.</p> <ul style="list-style-type: none"> • The points where this route option cuts across the glen are of particular concern, as they are likely to intersect the flight paths to the sea used by black-throated divers from the SPA and red-throated divers. • The report overlooks the presence of breeding osprey, waders and black grouse in the proximity of the route corridor. • Sensitive timing of construction operations will be essential to reduce disturbance and displacement. • Given the proximity of this route to the main scoter breeding area, the lack of knowledge of their flight paths and the level of interest of a range of protected breeding species, this RAG rating should be elevated to red. 	
5C	Loch Cluanie – Glen Moriston	<ul style="list-style-type: none"> • Two black-throated diver territories lie adjacent to this route corridor. • Up to eight golden eagle territories lie within 5km of this route corridor. 	<ul style="list-style-type: none"> • This route option runs parallel with the A87 disturbance corridor. With the exception of the road and the Cluanie Inn, there is no existing development within this corridor alongside Loch Cluanie where the land rises steeply into wildland. Through Glen Moriston, farmland, housing 	Serious concerns

Section	Route option	Ornithological / environmental issues	Comments	Preference
5C contd./		<ul style="list-style-type: none"> • One pair of peregrine falcons breed within this route corridor. Merlin breed adjacent to this corridor. • Black grouse are resident and breed along the length of this corridor. There are several known lek display sites. • Osprey nest in the glen and regularly make flights to and from Loch Cluanie and Loch Loyne to hunt for fish. • Red-throated divers breed in several lochans around Loch Cluanie and make regular flights to Loch Cluanie to feed. • Although this is a traditional common scoter breeding loch, they have not been recorded in recent years. • Several pairs of snipe breed along the slopes on the north side of Loch Cluanie. They would be vulnerable to collision during their territorial display flights. • Four curlew territories are present close to this option corridor at the east end of the route along Glen Moriston. Curlew territories are traditional sites where the birds show strong site fidelity from year to year. Curlew is red-listed, globally threatened 	<p>and other developments create a broader existing disturbance corridor.</p> <ul style="list-style-type: none"> • Should this route be selected, maintaining sufficient distance between the development corridor and Loch Cluanie would be important to reduce the risk of disturbance, displacement and potential collision with protected species in the SPA. However, this would then increase the potential impact on breeding and lekking black grouse, golden eagle foraging and other protected species hunting and breeding on the slopes adjacent to the loch. • Sensitive timing of construction activities would be essential to reduce the disturbance and displacement. • Given the density, distribution and numbers of black grouse present, careful micro-siting of towers and cable marking would be essential to avoid destroying lekking habitat and mitigate against potential collision. • We agree with the need for mitigation regarding the red-throated divers breeding in lochans alongside this route and frequently crossing this route to feed in Loch Cluanie and on route to the sea. • The population of breeding curlew in Glen Moriston has been overlooked in the assessment report and should be taken 	

Section	Route option	Ornithological / environmental issues	Comments	Preference
		and currently our highest conservation priority.	into consideration given their precarious conservation status and the risk of collision during display flights.	
5D	Loch Cluanie – Loch Loyne	<ul style="list-style-type: none"> • Loch Loyne is the single most important loch for UK breeding common scoters, supporting around 20% of the population and the most important breeding loch within the SPA. Common scoters nest on the islands and on the slopes principally on the south side of the loch. • On arrival from migration common scoters tend to congregate on Loch Garry. A proportion stay to breed on Loch Garry and the remainder disperse to their breeding lochs and are thought to be using this route corridor when accessing Loch Loyne. Some of the scoters breeding on Loch Loyne also use Lochan Bad an Losguinn and the pools known as Lochain Dubha. • At least two pairs of black-throated divers breed on Loch Loyne and one pair at the west end of Loch Cluanie, in addition to one or two pairs on Loch Garry. Black-throated diver is one of the SPA classified species. • Red-throated divers breed on several of the lochans around this route option, regularly flying to the larger lochs and the sea to feed. 	<ul style="list-style-type: none"> • This route option links the west end of Loch Cluanie with the existing route on the north shore of Loch Garry. It would be a new route development in an area where there is currently no development of any description. As such it would carry a higher risk of birds being disturbed and displaced by the presence of the development. • This route option has an extremely high risk of serious impacts on SPA populations. It would impact on all the larger lochs within the West Inverness-shire Lochs SPA, with potentially serious implications for the designated species and common scoter in particular. • This route could heavily impact on the scoters use of the breeding habitat on the south shore of Loch Loyne, with significant potential loss of breeding habitat. • There would be an extremely high collision risk for common scoters where the route runs from Loch Loyne south to Loch Garry as birds use part of this route regularly during the breeding season when moving between Loch Loyne and Lochan bad an Losguinn. This entire route is used on arrival and departure for migration 	Object / substantial concerns

Section	Route option	Ornithological / environmental issues	Comments	Preference
5D contd./		<ul style="list-style-type: none"> • Two golden eagle territories are centred along this route corridor with their eyries overlooking less than 1km from this development option. • The western end of Loch Loyne and surrounding area supports a diverse assemblage of upland breeding waders and wildfowl which includes greenshank, golden plover, dunlin, snipe, wigeon and teal. • Greenshank are found around Loch Cluanie, Loch Loyne, Lochan Bad an Losguinn, Lochain Dubha and in several other locations around the SPA and nearby lochans, frequently moving between sites to feed. • Black grouse breed and feed on the slopes around each of the SPA lochs and beyond. 	<p>with scoters moving between breeding lochs while establishing pairs and breeding locations.</p> <ul style="list-style-type: none"> • We disagree with the report recommendation that displacement and collision risk of golden eagles could be avoided with careful siting of the OHL. In our view the introduction of infrastructure of this scale in an undeveloped remote area, in direct view and close proximity to the golden eagle eyries is highly likely to cause disturbance, displacement from eyries and foraging areas and presents an acute risk of collision which line marking would not mitigate. • Knowledge of the flight paths used by the black-throated divers when on territory is limited. However, we are aware that there is some movement of pairs between the SPA lochs, particularly in circumstances where their breeding attempts fail. We have concerns that they would be vulnerable to collision both during the breeding season and on their arrival and departure from the lochs, particularly since this route option cuts across the landscape, perpendicular to the lochs and many of the diver flight paths. Since black-throated diver have been killed following line collision with the 	
5D cont./				

Section	Route option	Ornithological / environmental issues	Comments	Preference
			<p>nearby Beaully-Denny OHL this is a very real threat.</p> <ul style="list-style-type: none"> The intersection of flight paths used by breeding red-throated divers and a suite of wader species gives cause for concern. 	
5E	Glen Moriston – Loyne Loyne	<ul style="list-style-type: none"> Loch Loyne is an important part of the West Inverness-shire lochs SPA being the UK's most important breeding loch for common scoter and supporting 2-3 pairs of black-throated divers. Scoters nest within this corridor on the slopes adjacent to Loch Loyne and regularly use Lochan Bad an Losguinn. They also use Lochain Dubha and fly between Loch Loyne and Loch Garry. This route option cuts through the core of two active golden eagle territories. Black grouse breed and feed along the length of Loch Loyne and the Glen Moriston stretch of this corridor Red-throated divers breed on several of the lochans around this route option, regularly flying to the larger lochs and the sea to feed. Osprey nest in the glen and regularly make flights to and from Loch Cluanie and Loch Loyne to hunt for fish. 	<ul style="list-style-type: none"> This option runs along the south shore for the full length of Loch Loyne. With the exception of a small section at the east end of the loch, the 17km west of the A87 are undeveloped. We agree with the red RAG rating for this option and feel that it is fully justified and should <u>not</u> therefore be considered a precautionary approach. The risk of disturbance, displacement and collision to the classified interests of the SPA is substantial, especially given the OHL intersection of regularly used flight paths by common scoters and black-throated divers and the potential damage to scoter nesting habitat. Any impact on this fragile scoter population could result in decline and lead to local extinction. Loss and/or damage to common scoter breeding habitat is also of great concern As above, we are seriously concerned that the OHL will intersect diver flight paths presenting a high collision risk, particularly in poor weather conditions. We do not feel this can be adequately mitigated using markers. 	Object – substantial concerns

Section	Route option	Ornithological / environmental issues	Comments	Preference
5E contd./		<ul style="list-style-type: none"> • Four curlew territories are present close to this option corridor at the east end of the route along Glen Moriston. Curlew territories are traditional sites where the birds show strong site fidelity from year to year. Curlew is red-listed, globally threatened and currently Scotland's highest conservation priority. • Greenshank breed and feed along Glen Loyne, Loch Loyne, around Lochan Bad an Losguinn and Lochain Dubha. • The western end of Loch Loyne and surrounding area supports a diverse assemblage of upland breeding waders and wildfowl which includes greenshank, golden plover, dunlin, snipe, wigeon and teal. 	<ul style="list-style-type: none"> • We strongly disagree with the report recommendation that displacement and collision risk for golden eagles could be avoided with careful siting of the OHL. In our view the introduction of infrastructure of this scale in an undeveloped remote area, in direct view and close proximity to the golden eagle eyries is highly likely to cause disturbance, displacement from eyries and foraging areas and presents an acute risk of collision which line marking would not mitigate. • Black grouse breeding and feeding habitat and display sites are likely to be impacted. Displacement, disturbance and collision are all very real threats for this population given that the proposed development corridor would occupy a significant stretch of the habitat that they occupy. • The OHL intersection of osprey flight paths to foraging lochs presents a risk of collision 	
5F	Forestry Commission	<ul style="list-style-type: none"> • Black-throated diver are one of the qualifying interests of the West Inverness-shire Lochs SPA, breeding on each of the lochs and moving between these sites. • Common scoters may nest within or adjacent to this route corridor and regularly use Lochan Bad an Losguinn and Lochain Dubha in addition to the main breeding lochs Loch 	<ul style="list-style-type: none"> • This route option would represent a new development running from where it departs the existing route at Tomdoun, north-north-east past Lochan Bad an Losguinn and Lochain Dubha, then almost due east above the woodland edge and along the hill face at approximately 350m altitude before deviating through the narrow corridor between Loch a' Bhainne 	Serious concerns

Section	Route option	Ornithological / environmental issues	Comments	Preference
5F contd./		<p>Loyne and Loch Garry, moving between these sites during the season.</p> <ul style="list-style-type: none"> • Golden plover breed on the higher slopes and are likely to have already suffered displacement due to the wind farm development. • Black grouse occupy the habitat along the length of this route and have several lek sites within or adjacent to this route corridor. • Red-throated diver breed on several of the surrounding hill lochans and make regular foraging flights across this route to the SPA lochs and the sea to feed. • Greenshank and dunlin breed and /or feed within this corridor, around the lochs within the SPA and on the adjacent hill ground. 	<p>and Loch Lundie. As such this route cuts between several of the component lochs forming the West Inverness-shire Lochs SPA.</p> <ul style="list-style-type: none"> • While the consultation document states there were no observations during surveys of qualifying species flying between the lochs or towards the sea, these surveys are but a snapshot. Years of data collection and knowledge of their behaviour clearly demonstrate that both common scoters and black-throated divers undertake both journeys in fulfilling their breeding activity within the SPA. • Collision risk is a concern for all of the species noted opposite but particularly for those species for which the SPA is classified given their flight paths and flight heights. • Disturbance during construction and on-going maintenance is a serious concern for black grouse resident along this route and for all the species listed during the breeding season. Sensitive timing of construction activity could mitigate against the latter. • Construction of tracks between steel lattice towers raises concerns regarding potential displacement, damage and destruction to breeding habitat for both common scoter and black grouse. 	

Section 6: Invergarry/Glen Moriston to Fort Augustus – Replacement of existing lattice towers and Skye T with upgraded lattice towers

Section	Route option	Ornithological/ environmental issues	Comments	Preference
6A	Existing	<ul style="list-style-type: none"> Black-throated divers breed at Loch Lundie adjacent to and within 500m of this route. Black grouse breed, feed and have a lek site within the route corridor and adjacent to this corridor. One golden eagle territory is known within 2km of the route corridor, although its status is unknown. 	<ul style="list-style-type: none"> At its southern end this route runs parallel and within 500m of Loch Lundie which is part of the West Inverness-shire Lochs SPA designated for its black-throated diver and common scoter. This existing route runs through or adjacent to commercial forest for much of its length. Maintaining this association with forest habitat will reduce the collision risk for open ground species. Positioning of the new route immediately adjacent on the lower side of the existing wayleave would be crucial in avoiding the threat of introducing new collision risk, particularly for black-throated divers breeding at Loch Lundie and black grouse breeding on the open ground and using the birch woodland around Loch Lundie. Sensitive timing of all construction and maintenance activities would be necessary to avoid disturbance to protected breeding species, including black-throated divers within the SPA. Cable marking, especially in the proximity of lek sites would be required to reduce collision risk. 	<p>Preferred route</p> <p>Some concerns which could be mitigated</p>
6B	Beauly – Denny wayleave	<ul style="list-style-type: none"> Several black grouse leks are known within this route corridor. 	<ul style="list-style-type: none"> This new route option would run within the existing Beauly – Denny wayleave. Lessons learnt and actual collisions recorded along this section of the B-D 	Moderate concerns

Section	Route option	Ornithological/ environmental issues	Comments	Preference
6B contd./		<ul style="list-style-type: none"> One golden eagle territory (current status unknown) is located within 2km of this route option. 	<p>route should be taken into consideration. We are aware of a black-throated diver collision that occurred on the Beaully-Denny route to the north of section 6B.</p> <ul style="list-style-type: none"> Given the high level of black grouse activity in the area, we agree with the need to give further consideration to potential collision risk, displacement, habitat destruction and disturbance during construction. 	
6C	Skye T	<ul style="list-style-type: none"> One golden eagle territory core (unknown status) lies within 1km of this route. 	<ul style="list-style-type: none"> This route requires use of the southern section of route 6A which passes close by the west Inverness-shire SPA. The same concerns would apply here as for 6A above. 	Some concerns (see 6A above)
6D	Caledonian Canal	<ul style="list-style-type: none"> Numerous migrant species, including those moving in flocks, use the Great Glen corridor as a flyway. Hen harrier, short-eared owl, barn owl and tawny owl are known to breed and hunt along this route corridor. 	<ul style="list-style-type: none"> This new route option would use the western /southern end of the existing route (6A) before cutting on to lower ground alongside the canal. The same concerns apply as for the section of route 6A that lies within 500m of the West Inverness shire Lochs SPA and SSSI. In addition, this route option crosses more open ground than the other options in this section and would introduce new collision risks for a variety of species, both resident and migrant which would be both difficult to assess and mitigate against. 	Least preferred

Tuesday, 22 March 2022



Local Planner
Energy Consents Unit
5 Atlantic Quay
Glasgow
G2 8LU

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Skye Reinforcement Project, Skye, PH35 4HL
Planning Ref: ECU00003395
Our Ref: DSCAS-0056906-2GR
Proposal: Overhead Power Line (OHL > 100KM Section 37 EIA)

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. Loch Ness supplies Invermoriston Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. In the event of an incident occurring that could affect Scottish Water we should be notified immediately using the Customer Helpline number 0800 0778 778.

It is a relatively large catchment and the activity is sufficient distance from the intake that it is likely to be low risk, however care should be taken and water quality protection measures must be implemented.

We would also request further involvement at the more detailed design stages, to determine the most appropriate proposals and mitigation within the catchment to protect water quality and quantity.

Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at www.scottishwater.co.uk/slm

We welcome that reference has been made to the Scottish Water response to the previous correspondence.

The fact that this area is located within a drinking water catchment should be noted in documentation. Also anyone working on site should be made aware of this during site inductions and we would also like to take the opportunity, to request that 3 in advance of any works commencing on site, Scottish Water is notified at protectdwsources@scottishwater.co.uk so we can make our operational teams aware there will be activity taking place in the catchment.

Infrastructure within boundary

A review of our records indicates that there are Scottish Water assets in the area. This should be confirmed however through obtaining plans from our Asset Plan Providers. Details of our Asset Plan Providers are included in the SW list of precautions for assets, which can be found on the activities within our catchments page of our website at www.scottishwater.co.uk/slm.

All Scottish Water assets potentially affected by the activity should be identified, with particular consideration being given to access roads and pipe crossings. If necessary, local Scottish Water personnel may be able to visit the site to offer advice. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with.

In the event that asset conflicts are identified then early contact should be made with HAUC Diversions Team via the Development Services portal - <https://swastroprodweb.azurewebsites.net/home/default>. All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the HAUC for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water.

Scottish Water have produced a list of precautions for a range of activities. The list of precautions for assets details protection measures to be taken if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. The document/s and other supporting information can be found on the activities within our catchments page of our website at www.scottishwater.co.uk/slm.

It should be noted that the proposals will be required to comply with Sewers for Scotland and Water for Scotland 4th Editions 2018, including provision of appropriate clearance distances from Scottish Water assets.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
 - ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
 - ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
 - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ **Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Pamela Strachan

Development Services Analyst

Tel: 0800 389 0379

planningconsultations@scottishwater.co.uk**Scottish Water Disclaimer:**

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

From: campaigning@woodlandtrust.org.uk
Sent: 15 February 2022 12:23
To: Econsents Admin
Cc: campaigning@woodlandtrust.org.uk
Subject: Woodland Trust response to the Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project

Dear Sir/Madam,

Thank you for consulting the Woodland Trust on the Proposed Section 37 Application for Skye Reinforcement Project Scoping Opinion.

The Trust would like to ensure that ancient and veteran trees are appropriately considered as part of the Environmental Impact Assessment (EIA) for this project. Ancient and veteran trees are afforded protection within Scottish Planning Policy (specifically paragraph 216), so their presence should be taken into account as part of any final route alignment.

The Trust therefore recommends that an Arboricultural Impact Assessment is undertaken for the entire route to help inform the EIA report. We would also recommend that the applicants review the Ancient Tree Inventory (ATI); please see the attached link for more information: <https://ati.woodlandtrust.org.uk/>. Please be advised that the ATI is a live database so new tree records are added and updated regularly.

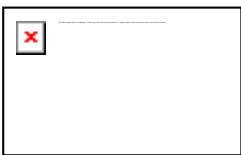
We hope our comments are of use to you; if you have any questions regarding our response, please do not hesitate to contact us.

Kind regards,
Nicole Hillier

Nicole Hillier
Campaigner - Woods under Threat

Email: campaigning@woodlandtrust.org.uk

Woodland Trust, Kempton Way, Grantham, Lincolnshire, NG31 6LL
0330 333 3300
woodlandtrust.org.uk



Stand up for trees

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The Woodland Trust is a charity registered in England (No. 294344) and in Scotland (No. SC038885).

A non-profit making company limited by guarantee.

Registered in England No. 1982873.

Registered Office: Kempton Way, Grantham, Lincolnshire, NG31 6LL.

<http://www.woodlandtrust.org.uk>

From: McPhillips G (Gerard)
Sent: 04 February 2022 13:49
To: Econsents Admin
Cc: Brown C (Carolanne); LOGAN Lesley; DEVENNY Alan; Devine D (David)
Subject: Request for Scoping Opinion for Proposed Section 37 Application for Skye Reinforcement Project (EC00003395)

FAO Carolanne Brown

Carolanne

I trust you're well.

Thank you for your email of 25th January in which you seek Transport Scotland's comments on the Skye Reinforcement Project Scoping Report (EC00003395).

In November 2021, Transport Scotland was consulted by SSEN directly who sought comment on their Consultation Document. We responded in a letter dated 9th November 2021 (attached), providing comment on what we will require in terms of the assessment of potential environmental impacts to the trunk road network. Having reviewed the Scoping Report, I can confirm that this simply confirms that the guidelines and methodology identified in our previous response will be used in the forthcoming assessment.

I can therefore confirm, that our previous response remains valid and Transport Scotland has no further comment to make at this stage.

Regards.

Gerard



Gerard McPhillips
Transport Scotland
Development Management Quality Manager
Roads Directorate
T: 0141 272 7379
M: 07775 547 664
gerard.mcphillips@transport.gov.scot
transport.gov.scot

Joanne Nicolson
SSEN
10 Henderson Road
Inverness
IV1 1SN

joanne.nicolson@sse.com

Your ref:

Our ref:
GB01T19K05

Date:
09/11/2021

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

SKYE REINFORCEMENT PROJECT ALIGNMENT AND DESIGN SOLUTION CONSULTATION

With reference to your recent correspondence on the above development, we acknowledge receipt of your Consultation Document (CD) prepared in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

Proposed Development

We understand that due to an existing Overhead Line (OHL) now reaching the end of its operational life, SSEN are seeking to replace this with a new transmission line running from Admore in the north of Skye to Fort Augustus on the mainland. The proposed alignment broadly follows the existing route and, assuming construction commences in Summer 2023, will be complete by Autumn 2026.

Proposed Route

We note that Section 1 of the proposed route crosses the A87(T) near to Glen Varragill Forest and again at Sligachan. Section 2 crosses the A87(T) at several points around the southern end of Loch Ainort. Sections 3 and 4 are remote from the trunk road, while Section 5 crosses the A87(T) at the north shore of Loch Gary.

Transport Scotland would state that any proposed works at, or changes to, the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager. At this early stage in the application process, we would consider it helpful to engage with the Area Manager for the A87(T) who is David Devine. David can be contacted on david.devine@transport.gov.scot or 0141 272 7357.

Assessment of Environmental Impacts

Given the scale of the proposed line, we would consider that the number of HGVs involved in the construction could potentially have traffic and associated environmental impacts on the trunk road network. Transport Scotland will, therefore, require an assessment of the number of loads generated during the construction stage. This should include an assessment of environmental impacts such as driver delay, pedestrian amenity, severance, safety etc, using the Institute of Environmental Management and Assessment Guidelines. These specify that road links should be taken forward for assessment if:

- Traffic flows will increase by more than 30%, or
- The number of HGVs will increase by more than 30%, or
- Traffic flows will increase by 10% or more in sensitive areas.

Transport Scotland is satisfied that no further assessment is required if the above thresholds are not exceeded.

Abnormal Loads Assessment

It is not clear whether any abnormal load deliveries will be required during the construction period. In the event that these are required, Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

A full Abnormal Loads Assessment report should be provided that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

We trust that the above is satisfactory but should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636.

Yours faithfully

Redacted

Gerard McPhillips

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to the installation of overhead electric line developments.

March 2022

Marine Scotland Science (MSS) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government's Energy Consents Unit (ECU) for the installation and maintenance of overhead electric line (OHEL) developments in Scotland.

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MSS has in-house expertise. The route of OHELs often cross watercourses which support important salmon and trout populations. MSS aims, through our provision of advice to ECU, to ensure that the installation and maintenance of these OHELs do not have a detrimental impact on the fish habitat and populations.

The Electricity Works (Environmental Impact Assessment) (EIA) (Scotland) Regulations (2017) state that the EIA must assess the direct and indirect significant effects of the proposed development on water and biodiversity, and in particular species (such as Atlantic salmon) and habitats protected under the EU Habitats Directive. Salmon and trout are listed as priority species of high conservation interest in the Scottish Biodiversity List and support valuable recreational fisheries.

A good working relationship has been developed over the years between ECU and MSS, which ensures that these fish species are considered by ECU during all stages of the application process of OHEL developments and are similarly considered during the installation and maintenance of future transmission lines. It is important that matters relating to freshwater and diadromous fish and fisheries, particularly salmon and trout, continue to be considered during the installation and maintenance of future OHELs.

In the current document, MSS sets out a revised, more efficient approach to the provision of our advice, which utilises our generic scoping and monitoring programme guidelines (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>). This standing advice provides regulators (e.g. ECU, local planning authorities), developers and consultants with the information required at all stages of the application process for OHEL projects, such that matters relating to freshwater and diadromous fish and fisheries are addressed in the same rigorous manner as is currently being carried out and continue to be fully in line with EIA regulations. At the request of ECU, MSS will still be able to provide further and/or bespoke advice relevant to freshwater and diadromous fish and fisheries e.g. site specific advice, at any stage of the application process for a proposed development, particularly where a development may be considered sensitive or contentious in nature.

MSS will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the

impacts of onshore wind farms on freshwater and diadromous fish populations. This will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MSS provision of advice to ECU

- MSS should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MSS scoping guidelines and standing advice (outlined below) should be provided to the developer as they set out what information should be included in the EIA report;
- if new issues arise which are not dealt with in our guidance or in our previous responses relating to respective developments, MSS can be asked to provide advice in relation to proposed mitigation measures and monitoring programmes which should be outlined in the EIA Report (further details below);
- if new issues arise which are not dealt with in our guidance or in our previous responses, MSS can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MSS cannot provide advice to developers or consultants, our advice is to ECU and/or other regulatory bodies.
- if ECU has identified specific issues during any part of the application process that the standing advice does not address, MSS should be contacted.

MSS Standing Advice for each stage of the EIA process

Scoping

MSS issued generic scoping guidelines

(<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm and transmission line developments and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

If a developer identifies new issues or has a technical query in respect of MSS generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MSS.

Gate check

The detail within the generic scoping guidelines already provides sufficient information relating to water quality and salmon and trout populations for developers at this stage of the application.

Developers will be required to provide a completed gate check checklist (annex 1) in advance of their application submission which should signpost ECU to where all matters relevant to freshwater and diadromous fish and fisheries have been presented in the EIA report. Where matters have not been addressed or a different approach, to that specified in the advice, has been adopted the developer will be required to set out why.

EIA Report

MSS will focus on those developments which may be more sensitive and/or where there are known existing pressures on fish populations (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence/status/Pressures>). The generic scoping guidelines should ensure that the developer has addressed all matters relevant to freshwater and diadromous fish and fisheries and presented them in the appropriate chapters of the EIA report. Use of the gate check checklist should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process:

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:

- any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;
- the presence of a large density of watercourses;
- the presence of large areas of deep peat deposits;
- known acidification problems and/or other existing pressures on fish populations in the area; and
- proposed felling operations.

Post-Consent Monitoring

MSS recommends that regular visual inspections are carried out by the appointed Ecological Clerk of Works (ECoW) on all watercourses paying particular attention to watercourses during and after periods of prolonged precipitation, during the fish migration/spawning period and on watercourses which are downstream of watercourse crossings, where construction is carried out and where vehicular traffic is frequenting. All observations should be carefully recorded and monthly reports submitted to the Planning Authority. An action plan should be established which outlines proposed remediation procedures, should any changes occur. The developer should consider a water quality and/or fish population monitoring

programme particularly if the proposed development area is in a sensitive location e.g. includes a designated area for which fish are a qualifying feature. All proposed mitigation measures should be implemented and reviewed throughout the course of the development.

MSS has published guidance on survey/monitoring programmes associated with onshore wind farm developments (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which developers should follow when drawing up survey and/or monitoring programmes.

If a developer considers that such a monitoring programme is not required then a clear justification should be provided.

Planning Conditions

MSS advises that planning conditions are drawn up to ensure appropriate provision for mitigation measures and monitoring programmes, should the development be given consent. We recommend that the appointment of an ECoW in overseeing the implementation of the proposed mitigation measures, the regular visual inspections of all watercourses and reporting of all observations is outlined within these conditions and that MSS is consulted on this.

Wording suggested by MSS in relation to the appointment of an ECoW for incorporation into planning consents:

1. No development shall commence unless the terms of appointment by the Company of suitably qualified (or equivalent) Ecological Clerk of Works (ECoW), in writing, to the Planning Authority for their written approval. Such approval may only be granted following consultation with Marine Scotland Science and any other advisors or organisations. The terms of appointment shall be to:
 - a. carry out regular visual inspections of all watercourses in line with Marine Scotland Science guidelines;
 - b. monitor compliance to all proposed site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and Marine Scotland Science; and
 - c. submit monthly reports to the Planning Authority and report to the Company's nominated construction project manager and consenting body any incidences of non-compliance with the ECoW works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from prior to commencement of the development (including enabling works), throughout the installation/maintenance period and during any period of restoration works.

Reason: To ensure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments - <https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm>

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments – <https://www.sepa.org.uk/environment/energy/renewable/#wind>

A joint publication by Scottish Renewables, SNH, SEPA, Forestry Commission Scotland, Historic Environment Scotland, MSS and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - <https://www.nature.scot/guidance-good-practice-during-wind-farm-construction>.

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to overhead electric line developments.

March 2022

Annex 1

MSS – EIA Checklist

The generic scoping guidelines should ensure that all matters relevant to freshwater and diadromous fish and fisheries have been addressed and presented in the appropriate chapters of the EIA report. Use of the checklist below should ensure that the EIA report contains the following information; the absence of such information **may necessitate requesting additional information** which could delay the process:

MSS Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or not what MSS has asked for, please set out justification.	ECU/MSS use
1. A map outlining the proposed route of the OHEL including the location of: <ul style="list-style-type: none"> ○ towers/poles; ○ permanent and temporary access tracks, including watercourse crossings; ○ buildings including substations; ○ permanent and temporary construction compounds; ○ all watercourses; and ○ contour lines; 				

2. A description of site surveys for fish habitat, fish populations and water quality including a map outlining the survey sites and the proposed route of OHEL and location of associated access tracks and other infrastructure;				
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;				
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;				
5. Any proposed site specific mitigation measures as outlined in MSS generic scoping guidelines and the joint publication "Good Practice during Wind Farm Construction" (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);				
6. Full details of proposed monitoring following guidelines issued by MSS				

(see wording suggested by MSS for planning conditions).				
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Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MSS advice, please set out reasons.	ECU/MSS use
7. Any designated area (i.e. SAC), for which fish is a qualifying feature, within and/or downstream of the proposed development area;				
8. The presence of a large density of watercourses;				
9. The presence of large areas of deep peat deposits;				
10. Known acidification problems and/or other existing pressures on fish populations in the area; and				
11. Proposed felling operations.				

From: Mark Chapman <mark.chapman@ironsidefarrar.com>

Sent: 07 April 2022 15

To: Young R (Rebecca) <Rebecca.Young@gov.scot>

Cc: McKenzie JR (James) <James.McKenzie@gov.scot>

Subject: Skye Reinforcement Project - Scoping PLHRA Comments

Rebecca

Relative to the scoping opinion, I'd propose the following text:

As part of our term commission for the ECU for provision of advice regarding PLHRA, we have reviewed the Skye Reinforcement Project Environmental Impact Assessment: Scoping Report December 2021 relative to the potential for risks posed by peat slides. This includes the drawings of the Preferred Alignment and Design Solution, Environmental Designations and Constraints Plans, for Sections 0 – 6 of the route.

The Environmental Constraints Plans, as would be anticipated in this part of the country, show substantial areas of Class 1 and or 2 Peat along all seven sections of the route. Preliminary probing also identifies peat along the route. At this scoping stage we have also reviewed The 2016 Carbon and Peatland map: in addition to Class 1 and 2 Peat, this indicates that the route also passes through areas of Class 3 and 5 Peatland. Whilst these areas are not stated on the mapping to be nationally important, with priority habitat or conservation/potential conservation value, they are noted as potentially comprising areas of deep peat. This means that that could also pose a peat landslide risk and should be considered as part of any PLHRA. British Geological Society mapping also shows substantial areas of peat along the proposed route, especially in the northern part of Skye. OS mapping confirms that slopes of greater than 2 degrees are present along the route. These factors confirm that a Peat Landslide Risk Assessment for the works will be required.

The ECU Best Practice Guide 2017 is clear that the principles of the guidance apply to Section 37 applications for above ground overhead lines which pass through peatland environments and that detailed peat landslide risk assessment will be required. On behalf of the ECU, we would review any PLHRA submitted in accordance with the Best Practice Guidelines. As per the ECUBPB, we would anticipate that the PLHRA would include fieldworks and probing, at appropriate frequencies, of towers, tracks, U/G cabling and associated infrastructure including construction related facilities. This would form part of the risk assessment for the route together with desk study, likelihood/consequence assessments and mitigation as required. Substations are noted as being subject to separate EIA applications and any cumulative impact relative to PLHRA should be considered. The PLHRA would be submitted as a self-explanatory standalone document and would be closely linked to both the Geology and Soils and Hydrology chapters and any Peat Management Plan.

The information provided in Section 11.5 of the Scoping Document "Proposed Scope and Methodology of Assessment" identifies a proposed approach which includes and is consistent with the above. If undertaken as proposed, it is considered that this approach would be appropriate for the scheme.

Regards

Mark

Mark Chapman

Director

Ironside Farrar Ltd, 111 McDonald Road, Edinburgh, EH7 4NW T: 0131 550 6500, M 07716741983, www.ironsidefarrar.com



Defence Infrastructure Organisation

Defence Infrastructure Organisation
Safeguarding Department
St George's House
Defence Infrastructure Organisation Head
Office
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference: EC00003395

Tel: 07967 750 890

Our Reference: 10054559

Email: james.houghton109@mod.gov.uk

Ms Carolanne Brown
Energy Consents Unit
Directorate for Energy and Climate Change
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

23 June 2022

By email only

Dear Ms Brown,

MOD Safeguarding – Tactical Training Area 14T (TTA 14T)

Proposal: Scoping Opinion – Proposed S.37 app – Skye Reinforcement Project

Location: Between Fort Augustus and Ardmore

I write to provide an update to MOD advice on the proposed Skye Reinforcement Project, this letter is intended to supersede the earlier response dated 17 March 2022.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant seeks a scoping opinion prior to submitting a Section 37 application for the Skye Reinforcement Project. The project comprises the installation of 160 km of 132kv overhead line suspended through a combination of steel lattice towers (majority of section starting to the north of Invergarry and ending at Edinbane Substation), wooden poles (section between Edinbane Substation and Ardmore Substation), and underground (routing south from Fort Augustus to a point north of Invergarry, and around Glamaig). The proposed overhead cable replaces an existing overhead cable and follows a similar route.

The cable route passes through a part of the UK Military Low flying System known as Tactical Training Area 14T an area within which fixed wing aircraft may operate as low as 100 feet or 30.5

metres above ground level to conduct low level flight training. This section of the proposed cable route would be suspended from steel lattice pylons approximately 28m in height. The proposed cable may form a physical obstruction to aircraft.

To address this impact, and given the location and scale of the development, the MOD will request that a requirement/condition is added to any consent issued, requiring the submission of sufficient data to ensure that the overhead power line and pylons can be accurately charted to allow deconfliction. A draft requirement/condition wording is provided at Appendix A.

The above advice is provided in response to the data and/or information detailed in the developer's Environmental Impact Assessment: Scoping Report dated December 2021 as well as the overview and sectional plans attached to that report. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by a determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

If I can provide any additional information or clarification, please do not hesitate to contact me.

Yours sincerely

James Houghton
Senior Safeguarding Manager

Enc.

Appendix A -- Aviation Charting and Safety Management – Requirement/condition wording.

Appendix A

Aviation Charting and Safety Management

No less than 14 days prior to the commencement of the development, the undertaker shall notify the Ministry of Defence (UK DVOF & Powerlines at the Defence Geographic Centre) in writing of the following details:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. Details of aviation warning lighting fitted to the structure(s)

The information may be provided:

- By email to UK DVOF & Powerlines at: dvof@mod.gov.uk
- By post to:

D-UKDVOF & Power Lines
Air Information Centre
Defence Geographic Centre
DGIA
Elmwood Avenue
Feltham
Middlesex
TW13 7AH

Reason for condition.

To maintain aviation safety.