

*Loch Kemp Storage - EIA Report*

*Appendix 5.2: Scoping Matrix*

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## Appendix 5.2: Scoping Matrix

### Abbreviations

ECU	Energy Consents Unit
THC	The Highland Council
SEPA	Scottish Environmental Protection Agency
NS	NatureScot
HES	Historic Environment Scotland
BT	British Telecom
FMS	Fisheries Management Scotland
F&GCC	Fort Augustus and Glenmoriston Community Council
HIAL	Highlands and Islands Airport
HIA	Highlands and Islands Airport
JRC	Joint Radio Company
MS	Mountaineering Scotland
MSS	Marine Scotland Science
NATS	NATS Safeguarding
NBFB	Ness and Beaully Fisheries Trust
Ness DSFB	Ness District Salmon Fisheries Board
RSPB	Royal Society for the Protection of Birds Scotland
SC	Scottish Canals
SF	Scottish Forestry
S&FCC	Stratherrick and Foyers Community Council
SW	Scottish Water
TS	Transport Scotland

No.	Subject	Summary of Response	Consultee	Scoping Opinion Page Reference	Response / Comments	EIA Report Reference
1	Scoping Consultations	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, and to comply with the information requirements of each consultee unless otherwise stated in this scoping opinion.	ECU01	5	Noted. The EIA Report includes a Scoping Matrix, detailing how comments in the ECU Scoping Opinion have been addressed in the EIA Report.	This document (Volume 4, Appendix 5.2: Scoping Matrix) constitutes the Scoping Matrix and references the relevant EIA report chapters and additional documents generated to address the ECU scoping opinion comments.
2	EIA Scope	Scottish Ministers are broadly satisfied with the scope of the EIA set out at Sections 6 to 20 of the scoping report, subject to consultee comments.	ECU02	5	Noted.	Volume 1, Chapter 5: Scoping and Consultation
3	Scottish Water Assets	Scottish Water (SW) provided information on whether there are any drinking water protected areas or SW assets, on which the Proposed Development could have any significant effect. Scottish Ministers request that the company contacts SW to confirm whether any SW assets may be affected by the development and include details in the EIA Report of any relevant mitigation.	ECU03	5	SW have been contacted to request information on any assets within proximity of the Proposed Development. This information is included in the Chapter 14: Geology, Soil and Water and the Chapter 7: Water Management of the EIA report, together with suitable mitigation measures, where required.	Volume 1, Chapter 14: Geology, Soil and Water. Volume 1: Chapter 7: Water Management.
4	Private Water Supplies	Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the development and detail findings, including risk assessment in the EIA Report.	ECU04	5	Chapter 14: Geology, Soil and Water contains details of any private water supplies identified, assess likely impacts and set out suitable mitigation measures, where required.	Volume 1, Chapter 14: Geology, Soil and Water.

5	Peat Landslide Hazard Risk Assessments	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.	ECU05	6	A PLHRA has been prepared for the Proposed Development in line with best practice guidance and forms the appendix to the Chapter 14: Geology, Soil and Water.	Volume 1, Chapter 14: Geology, Soil and Water. Volume 4, Appendix 14.2: PLHRA
6	LVIA & Cumulative Impacts	Ministers request that the Planning Authority's comment in their response as regards landscape and visual assessment is addressed, and specifically that relating to cumulative effects and viewpoints, as well as addressing Mountaineering Scotland's request in their response for additional required viewpoint assessment.	ECU06	6	A Landscape and Visual Assessment (LVIA) has been undertaken, in accordance with GLVIA3. This includes photomontage visualisations of the Proposed Development to inform and support the LVIA, from the following locations, as agreed with THC and including the Mountaineering Scotland's request: <ol style="list-style-type: none"> <li>1. A82 north of Invermoriston (approximate 244688, 817533);</li> <li>2. The upper Great Glen Way in the vicinity of Alltsigh (246133, 820352);</li> <li>3. Core Path IN25.01 (248956, 816769) near;</li> <li>4. Summit by Suidhe Viewpoint off the B862 (244257, 810363);</li> <li>5. A82 South of Invermoriston, at the entrance to the Scottish Water plant (242564, 815635); and</li> <li>6. Meall Fuar -mhonaidh (245889, 822181).</li> </ol>	Volume 1, Chapter 8: Landscape and Visual Impact Assessment (and associated Figures) Volume 3b: THC Visualisations
7	Spoil Management	Ministers note and welcome the proposal to including a spoil management plan and would encourage use of spoil on site (e.g., in dam construction) and details should be provided where possible on other developments where otherwise spoil may be used rather than sent to waste.	ECU07	6	The EIA Report includes a Draft Borrow Pit Screening Report and an Outline Spoil Management Plan detailing the locations, estimated volumes and nature of spoil/material that would be required, and the potential re-use destinations/options for spoil (subject to	Volume 1, Chapter 3: Description of Development.

					change). These documents form the appendices to the Chapter 3: Description of Development.	Volume 4, Appendix 3.4: Outline Spoil Management Plan  Volume 4, Appendix 3.5: Draft Borrow Pit Screening Report
8	Forestry Removal	As stated by the planning authority a specific chapter on forestry should be included setting out where the Control of Woodland Removal Policy (CoWRP) applies and how compliance has been demonstrated.	ECU08	6	Proposals on forestry, felling and compensatory planting (in line with the CoWRP) have been detailed in Chapter 19: Forestry and associated appendices)	Volume 1, Chapter 19: Forestry.  Volume 4, Appendix 19.1: Dell Estate, Whitebridge Plantation Woodland Management Plan 2022 – 2041  Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management  Volume 4, Appendix 19.3: Loch Kemp Storage: Forest to Bog Restoration Proposals
9	Pre-application Consultation and Alternatives	Ministers acknowledge and welcome that the Company have carried out detailed pre-application consultation. This should be documented in the EIA Report to aid the discussion of how alternative iterations of the proposal were considered before arriving at the final design proposed in the application. This should include a description of such reasonable alternatives (in terms of project design and locations studied by the developer) 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.	ECU09	6	The EIA Report includes a chapter on design evolution and reasonable alternatives and a chapter on scoping and consultation.	Volume 1, Chapter 2– Design Evolution and Alternatives.  Volume 1, Chapter 5– Scoping and Consultation

10	Impact on Fish Species	The EIA Report should include comprehensive considerations of potential impacts on fish species and their habitats (including potential cumulative impacts).	ECU10	6	<p>An assessment on fish and their habitats has been included in the Chapter 13: Fish, supported by survey data.</p> <p>Surveys have included:</p> <ul style="list-style-type: none"> <li>• Riverine fish habitat assessment (including salmonid spawning suitability);</li> <li>• Loch fish habitat assessment (including salmonid spawning suitability); and</li> <li>• Electrofishing surveys (fish population assessment).</li> </ul>	<p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys.</p>
11	Impact on Designated Sites	<p>Ministers note the advice from NS that impacts from the Proposed Development as presented in the Scoping Report have the potential to have adverse effects on the integrity of the Ness Woods SAC. It will be necessary for Ministers to understand through detailed survey work the value and sensitivity of bryophytes and protected mammals in the SAC, and the extent of woodland habitat that would be lost as a result of the Proposed Development.</p> <p>Ministers agree with the requirements set out by NS in relation to the River Moriston SAC, Lochs SPA and Knockie Lochs SSSI, and would ask that the Applicant comply with all of the information requirements as requested in NS's consultation response. The Company should set out any development which is integral to the project and for which planning permission may be sought as part of the application, which set out to avoid, minimise or remove negative effects on the SAC or which may contribute positively to the conservation objectives of the SAC.</p>	ECU11	6	<p>The EIA Report includes a detailed assessment on potential impacts of the Proposed Development on Ness Woods SAC, River Moriston SAC, Urquhart Bay Woods SAC, Loch Knockie and nearby Lochs SPA and Knockie Lochs SSSI, as well as a Shadow Habitats Regulations Appraisal (HRA) in the case of the European sites, which has been submitted as a standalone document alongside the EIA Report.</p> <p>Where relevant, these assessments, including within the Shadow HRA, have been informed by survey work. For example, a phase habitat survey, NVC survey, Bryophyte surveys, lichen surveys, tree tagging, Ground Water Dependent Terrestrial Ecosystems (GWDTE) survey and protected species surveys has been undertaken for the Ness Woods SAC, which would be directly impacted by the Proposed Development. As the Shadow HRA determines that adverse effects on the integrity of the Ness Woods SAC as a result of the Proposed Development cannot be ruled out, with residual effects likely to result in undermining conservation objectives for the SAC's two</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 10: Terrestrial Ecology and associated appendices.</p> <p>Volume 1, Chapter 11: Ornithology and associated appendices.</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p> <p>Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for</p>

					woodland's two woodland qualifying habitats, a Compensatory Measures Package for this designated site has also been developed for this designated site in consultation with NS.  Chapter 2: Design Evolution and Alternatives details how the Applicant has endeavoured to minimise the impact of the Proposed Development on the Ness Woods SAC.	Derogation Report. (Supporting Document)
12	Impact on Local and National Socio-economic Impact.	It will be important for the Company to set out a detailed section on the alternative solutions (as referred to above); a comprehensive analysis of the socio-economic benefits (both local and national) that would be realised by construction and operation of the project, and to set out any necessary compensatory measures that may be proposed to ensure the coherence of the UK Site network.	ECU12	7	The EIA Report includes a design evolution and alternatives chapter and a socio-economic assessment.	Volume 1, Chapter 2: Design Evolution and Alternatives.  Volume 1, Chapter 20: Socio Economics and tourism and associated Appendices.
13	Impact of Grid Connection on SAC and Cumulative Effects	Ministers note NS's request for details of the underground grid connection in any cumulative assessment but acknowledge that for regulatory reasons the grid connection route will be decided by and applied for by another party under a different process. Ministers are content that the impacts of the grid connection on the SAC will need to be considered separately at that time.	ECU13	7	Regarding the grid connection route and potential consequences on the Ness Woods SAC, the connection route would be via a tunnel under the SAC to a tunnel portal outwith the SAC, and would therefore not adversely affect the SAC. This element of the work forms part of the section 36 application. A buried cable would then follow a track outwith the SAC between the tunnel portal and a new stitching station near Dell Farm, under 'Associated Works'. The cable (both within the tunnel and the buried cable) and switching station platform will form separate application(s) to be submitted by the Applicant, but has been considered in the section 36 application under 'cumulative effects'. Therefore, the consenting responsibility for the tunnel + cable to the new switching station platform will lie with Applicant and the new switching station equipment and the buried	Volume 1, Chapter 2— Design Evolution and Alternatives.  Cumulative Assessments in Sections in Volume 1, Chapters 7-20



					cable to Foyers substation, will lie with SSEN Transmission..	
14	Refinement of Design	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, radio links, finalisation of viewpoints, cultural heritage impacts, and cumulative assessments and request that they are kept informed of relevant discussions in that regard.	ECU14	7	The EIA Report outlines and describes the consultation outcomes with relevant statutory and non-statutory consultees.	Volume 1, Chapter 5: Scoping and Consultation Volume 4, Appendix 5.5: Further Consultation with Consultees
15	Mitigation Measures	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.	ECU15	7	Mitigation measures are proposed at the end of each technical chapter. A consolidated Schedule of Mitigation has been included as an appendix to the EIA Report.	Volume 1, Chapters 7-20. Volume 4, Appendix 3.2: Schedule of Mitigation.
16	Further Consultation	It is acknowledged that the environmental impact assessment (EIA) 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.	ECU16	8	The Energy Consents Unit have been kept informed of any further discussions with consultees.	Volume 1, Chapter 5: Scoping and Consultation Volume 4, Appendix 5.5: Further Consultation with Consultees

17	ECU Consultation	Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit (ECU) at the pre-application stage and before proposals reach design freeze.	ECU17	8	The Applicant has been in regular contact with the ECU during the pre-application stages.	Volume 1, Chapter 5: Scoping and Consultation Volume 4, Appendix 5.5: Further Consultation with Consultees
18	Scoping Matrix	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.	ECU18	8	The EIA Report includes a Scoping Matrix, detailing where comments in the Scoping Opinion are addressed in the EIA Report.	Volume 4, Appendix 5.2: Scoping Matrix
19	EIA Report Structure	The EIA Report must include: <ul style="list-style-type: none"> <li>• a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied;</li> <li>• a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;</li> <li>• the risk of accidents, having regard in particular to substances or technologies used;</li> <li>• an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light / flicker, heat, radiation, etc.) resulting from the operation of the development; and</li> <li>• the estimated cumulative impact of the project with other consented or operation development.</li> </ul>	THC1	11	Chapter 3: Description of Development details the physical characteristics of the Proposed Development and the land use requirements at all phases of the development. A site layout plan has been provided as part of this chapter and illustrates all of the main elements of the proposal.  Where applicable, the EIA Report includes descriptions of the main characteristics of the production processes, the risk of accidents, an estimate, by type and quantity, of expected residues and emissions resulting from the operation of the Proposed Development; and the estimated cumulative impact of the Proposed Development with other consented or operation development.	Volume 1, Chapter 3: Description of Development Volume 2, Figure 3.1: Proposed Development

20	Consideration of Alternatives	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: <ul style="list-style-type: none"> <li>• the range of technologies that may have been considered;</li> <li>• locational criteria and economic parameters used in the initial site selection;</li> <li>• options for access;</li> <li>• design and locational options for all elements of the Proposed Development (including grid connection); and</li> <li>• the environmental effects of the different options examined.</li> </ul>	THC2	12	These items have been addressed in the Chapter 2: Design Evolution and Alternatives of the EIA Report as far as practicable.	Volume 1, Chapter 2: Design Evolution and Alternatives
21	Assessment	The EIA Report must provide a description of the aspects of the environment likely to be significantly affected by the development.	THC3	12	The technical chapters of the EIA Report have provided a description of the aspects of the environment likely to be significantly affected by the Proposed Development.	Volume 1, Chapters 7 - 20.
22	Land use and Policy	The EIA Report should recognise the existing land uses affected by the development having regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG).	THC4	12	Relevant planning policies have been discussed in Chapter 6: Planning, as well as within the technical chapters (where relevant). A Planning Statement has been submitted alongside the EIA Report as part of the s.36 application.	Volume 1, Chapter 6: Planning Planning Statement (Supporting Document)
23	Policy - NPF 4	The EIA / application Planning Statement should recognise progress with National Planning Framework 4 (NPF4) and THC's response to it.	THC5	13	NPF4 has been discussed in Chapter 6: Planning, as well as within the technical chapters (where relevant). A Planning Statement has been submitted alongside the EIA Report as part of the s.36 application.	Volume 1, Chapter 6: Planning Planning Statement (Supporting Document)

24	Sustainability	THC's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics. A Sustainable Design Statement is required.	THC6	13	A Design and Sustainability Statement has been prepared as an Appendix to the EIA Report.	Volume 4, Appendix 3.1: Design and Sustainability Statement
25	Alternative fuels - Hydrogen	The developer should consider the potential for generation of alternative fuels as part of the development. Consideration to be given to an element of local use of the energy and particular use of Hydrogen generation if there is an opportunity in the development for redundancy supply profiles. THC also encourage the inclusion of electric car charging facilities within all new developments. A strategy for the provision of charging points within the development should be submitted with the application.	THC7	13	It is not proposed that electric charging points have been provided as part of the Proposed Development as it is anticipated that weekly operational trips would be limited.	Volume 1, Chapter 2: Design Evolution and Alternatives
26	Landscape and Visual Impact	THC expects the EIA Report to consider the landscape and visual impact of the development. THC's position that it is not possible to use panoramic images for the purposes of visual impact assessment. THC, 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.	THC8	13	The EIA Report includes a landscape and visual assessment and visualisations to both THC Standards and NS Guidelines. The Applicant has undertaken consultation with THC to determine suitable viewpoint locations for the Proposed Development as detailed in Chapter 5: Scoping and Consultation and Chapter 8: Landscape and Visual Impact Assessment.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 8: Landscape and Visual Impact Assessment Volume 3a – NS Visualisations Volume 3b – THC Visualisations

27	LVIA Visualisation Standards	Separate volumes of visualisations should be prepared to both THC Standards and NS guidance. These should be provided in hard copy.	THC9	13	The EIA Report has provided visualisations to both THC Standards and NS Guidelines in separate Volumes.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment Volume 3a – Visualisations to NatureScot Guidelines Volume 3b – Visualisations to THC Guidelines
28	Montage Generation	This assessment should include the expected impact of all aspects of the development including any borrow pits, tracks, cable routes, lochside infrastructure and landscaping. The principal structures will be a primary concern. In addition, given the proposal will involve significant reprofiling of the site and surrounds, THC require montages at different stages to consider the impacts of the proposal and any landscaping given the likely prolonged construction period and time required for landscaping to establish. THC recommend that montages are produced for the year 1 of the construction process, year 3 of the construction process, completion of construction and at year 1, 7 and 10 post completion. All elements of a development are important to consider within any EIA Report.	THC10	14	This matter was addressed in a letter (Ref 120019-L-THC3-1.0.0) issued by ASH to THC on the 10 <sup>th</sup> November 2022, where it was proposed to include two sets of indicative photomontages at the construction stage, as well as photomontages at one year after completion of construction, and ten years after completion of construction. THC responded to this letter (via email) on the 17 <sup>th</sup> November 2022 and agreed to this approach.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 8: Landscape and Visual Impact Assessment Volume 3b – Visualisations to THC Guidelines
29	LVIA Study Area	THC consider that the study area for cumulative and solus effects should be extended to 10 km from the outermost elements of the Proposed Development and consider that the assessment of landscape and visual impact should be completed in full across the entire study area. THC do not consider it to be acceptable to screen out viewpoints for a full assessment based upon distance.	THC11	14	This matter was addressed in a letter (Ref 120019-L-THC3-1.0.0) issued by ASH to THC on the 10 <sup>th</sup> November 2022, which confirmed that the LVIA study area would be extended from 6 km to 10 km from the outermost elements of the Proposed Development, as requested.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 8: Landscape and Visual Impact Assessment

30	LVIA Cumulative Impacts	There are a number of similar applications in this area. THC agree with the list of projects identified for inclusion in the cumulative assessment. THC consider this should be expanded to include wind energy development in the study areas as well as they have an influence on receptors in the area. THC are happy to advise on the cumulative baseline in due course.	THC12	14	Consultation with THC on the inclusion of projects to be included in the cumulative assessment has been undertaken. The THC interactive Wind Turbine Map has been reviewed and identified a number of wind farm schemes for inclusion within the 10 km study area.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment Volume 1, Chapter 4 – EIA Process and Methodology (4.6 Cumulative effects)
31	Agreement of Viewpoints	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.	THC13	14	Further consultation has been undertaken with THC and the final list of Visualisation Locations has been included in the EIA Report has been agreed.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 8: Landscape and Visual Impact Assessment
32	Micrositing of Viewpoints	THC acknowledge that there will be some micrositing of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. THC 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.	THC14	14	This advice was considered when undertaking the photography for the visualisations.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment Volume 3b – Visualisations to THC Guidelines
33	Consultation on Viewpoints with Community Councils	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.	THC15	14	No further visualisation locations have been suggested.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment
34	Justification of Viewpoints	The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information.	THC16	14	A final list of viewpoints, as agreed with THC, alongside a justification and explanation for their selection has been included in the LVIA Chapter of the EIA Report.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 8: Landscape and Visual Impact Assessment

35	LVIA Methodology in EIA Report	Further the LVIA Chapter of the EIA Report should clearly set out the methodology.	THC17	15	This matter was addressed in a letter (Ref 120019-L-THC3-1.0.0) issued by ASH to THC on the 10 <sup>th</sup> November 2022.  The LVIA Chapter sets out the methodology and criteria used within the assessment. In line with best practice there has been an emphasis on narrative text describing the landscape and visual effects, and judgements made about significance do not rely on the use of a matrix.	Volume 1, Chapter 5: Scoping and Consultation  Volume 1, Chapter 8: Landscape and Visual Impact Assessment
36	LVIA - Impact on Recreational Routes and Receptors	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.	THC18	15	In a letter (Ref 120019-L-THC3-1.0.0) issued to THC issued on the 10 <sup>th</sup> November 2022, ASH advised that the LVIA comprises a receptor-based assessment (rather than a Viewpoint-based assessment) considers the potential for effects on visual amenity within the study area. This takes into consideration visual receptors located at residential properties and workplaces, recreational sites and those using roads and Core Paths and other recreational routes throughout the study area. Consideration is also be given to potential visual effects on boat users in Loch Ness.	Volume 1, Chapter 5: Scoping and Consultation  Volume 1, Chapter 8: Landscape and Visual Impact Assessment
37	Panoramic Digital Viewer Submission	Given the cumulative impact of renewable energy in this area it is expected that the Applicant should present images for presentation within the Panoramic Digital Viewer deployed by THC – see visualisation standards document.	THC19	15	It is understood that THC Panoramic Digital Viewer is not currently functioning. However, visualisations have all been produced to THC Standards.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment
38	Council OWESG LVIA Chapter	THC expect an assessment of the proposal against the criterion set out in THC's OWESG to be included within the LVIA chapter of the EIA Report.	THC20	15	An assessment has been included and is detailed in the LVIA Chapter of the EIA Report.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment
39	Impact on Special Landscape Areas	Given the scale of the proposals there may be and impact on the Loch Ness and Duntelchaig SLA. Assessment of the proposal against impacts on this designation must be undertaken.	THC21	15	The LVIA includes consideration of all national and regional designated landscapes within the study area, including the Loch Ness and Duntelchaig Special Landscape Area.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment

40	Impact on Residential Visual Amenity	It is considered that Residential Visual Amenity should not be scoped out of the EIA Report.	THC22	15	In a letter (Ref 120019-L-THC3-1.0.0) issued to THC issued on the 10 <sup>th</sup> November 2022, ASH advised that the LVIA comprises a receptor-based assessment rather than a Viewpoint-based assessment and considers the potential for effects on visual amenity within the study area. This takes into consideration visual receptors located at residential properties, as well as workplaces, recreational sites and those using roads and Core Paths and other recreational routes throughout the study area.	Volume 1, Chapter 5: Scoping and Consultation  Volume 1, Chapter 8: Landscape and Visual Impact Assessment
41	Impact on Peat	The EIA Report 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. THC are of the view this should include probing not just at the point of infrastructure as proposed by the Proposed Development but also covering the areas of ground which would be subject to micrositing limits.	THC23	15	This matter was addressed in a letter (sent via email) from ASH (with input from SLR) to THC on the 25 <sup>th</sup> May 2022. This letter confirmed that SLR (project lead for Geology, Soil and Water) is happy with the approach suggested by THC and would undertake peat probing within these areas, in addition to the proposed inundation area surrounding Loch Kemp.	Volume 1, Chapter 5: Scoping and Consultation  Volume 1, Chapter 14: Geology, Soil and Water.  Volume 4: Appendix 14.1: Peat Management Plan
42	Carbon Balance Calculations	Carbon balance calculations should be undertaken and included within the EIA Report with a summary of the results provided focussing on the carbon payback period for the development.	THC24	15	The EIA Report considers the carbon balance of the Proposed Development and a summary has been provided.	Volume 4, Appendix 3.6: Carbon Balance



43	Impact on Geology - Borrow Pits	The EIA Report 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.	THC25	15	A detailed assessment of the likely impacts of the Proposed Development to geological receptors, soils and water, has been included in Chapter 14: Geology, Soil and Water (and associated appendices). A Draft Borrow Pit Screening Report and an Outline Spoil Management Plan have been provided as appendices.	<p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 4, Appendix 3.4 Outline Spoil Management Plan.</p> <p>Volume 4, Appendix 3.5 Draft Borrow Pit Screening Report.</p> <p>Volume 4: Appendix 14.1: Peat Management Plan</p>
44	Impact on the Water Environment	<p>The EIA Report needs to address the nature of the hydrology and hydrogeology of the site, 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.</p> <p>Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans.</p>	THC26	16	<p>A detailed assessment of the likely impacts of the Proposed Development to all hydrological receptors has been included in Chapter 14: Geology, Soil and Water.</p> <p>Assessments of the impact of rainfall on the run-off and sedimentation have been included with corresponding mitigation measures. Consultation with SEPA is ongoing and has been detailed in Chapter 5: Scoping and Consultation.</p> <p>A detailed assessment of the likely impacts of the Proposed Development on aquatic flora and fauna has been undertaken and is detailed in Chapter 12: Aquatic Ecology and Chapter 13: Fish.</p>	<p>Volume 1, Chapter 5: Scoping and Consultation.</p> <p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 1, Chapter 12: Aquatic Ecology.</p> <p>Volume 1, Chapter 13: Fish</p> <p>Volume 4: Appendix 5.5: Further Consultation with Consultees</p>

45	Impact of Culverting related to Access Tracks on Watercourses	If culverting should be 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 EIA Report 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.	THC27	16	Culverts would be required for track drainage. There are two burn crossings at Dam 1 and Dam 2, in each case the Dam structure would provide the crossing. Details on culverts and watercourse crossing has been provided in Chapter 14: Geology, Soil and Water.	Volume 1, Chapter 14: Geology, Soil and Water.  Volume 4, Appendix 14.3 Schedule of Watercourse Crossings.
46	Impact on Water Resources from Abstraction	The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIA Report 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.	THC28	16	This matter was addressed in a letter (sent via email) from ASH (with input from SLR) to THC on the 25 <sup>th</sup> May 2022.  Any impact on water resources due to abstraction has been described in the CAR licence application. The assessment would identify, licensed water abstractions, private water supplies, potential impacts to water resources and mitigation measures where appropriate.	Volume 1, Chapter 5: Scoping and Consultation.  Volume 1, Chapter 14: Geology, Soil and Water.
47	Impact on Private Water Supplies	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.	THC29	16	There is one Private Water Supply (PWS) within the Site classed as a surface water abstraction from Loch Paiteag, located at NGR 247402 815421. It serves six properties within Dell Estate, which are party to the Application. It has been agreed that the Dell Estate water supply would be re-routed to avoid any potential impact.  There are twelve PWSs in the wider Study Area, Potential Impacts on these PWSs has been assessed as part of Chapter 14: Geology, Soil and Water.	Volume 1, Chapter 14: Geology, Soil and Water.

48	Consultation with Red John PSH - Water Levels	It is anticipated that detailed comments will be provided on impacts on the water environment, on water levels in Loch Ness, by SEPA. However, it is noted in Chapter 6 of the Scoping Report that the operator of Red John PSH has not been listed as being subject to discussion on water management. It is considered they should be part of the discussion as it is a scheme with an extant consent.	THC30	16	<p>This matter was addressed in a letter (sent via email) from ASH to THC on the 25<sup>th</sup> May 2022. This letter noted that the Developer would take this comment on board and would seek to engage in discussion with the operator of the Red John Pump Storage scheme. This dialogue has commenced and has been detailed in the Chapter 5: Scoping and Consultation. However, the Applicant has been advised by the developer of Red John PSH that they are precluded from sharing information on water management under the terms of their Non-Disclosure Agreement (NDA) with SSE, who operate the Foyer PSH.</p> <p>It should be noted that the Proposed Development would have a curtailment / stop pumping level imposed under CAR. The stop pumping level for the Proposed Development would not reduce loch level below the stop-pumping level of existing Foyers PSH stop-pumping level, so the minimum water levels in loch ness would continue to be driven by Foyer PSH.</p> <p>Chapter 7: Water Management includes a cumulative assessment, which considers the cumulative impact of the Proposed Development and other pumped storage schemes on water levels in Loch Ness, including Foyers and Red John. The assessment has been informed by hydrological modelling.</p>	<p>Volume 1, Chapter 5: Scoping and Consultation</p> <p>Volume 1: Chapter 7: Water Management.</p> <p>Volume 4, Appendix 7.1 Loch Ness PSH – hydrological modelling Technical Note</p>
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49	Flood risk Assessment and Drainage Impact Assessment	THC's Flood Risk Management Team have set out that the application should include a Flood Risk Assessment and Drainage Impact Assessment.	THC31	16	<p>Chapter 14: Geology, Soil and Water presents a screening assessment of flood risk sources and principles that would be adopted to control and manage the rate and quality of runoff shed from site during the construction phase of the project.</p> <p>A Drainage Impact Assessment for the construction phase would be included in the CEMP, which would be prepared following granting of planning permission and it is anticipated would be secured by a planning condition. Measures to manage runoff during construction would also be agreed with SEPA following grant of planning and in accordance with a Construction Site Licence as required by the Controlled Activity Regulations.</p> <p>Flood risk during the operational phase of development would be controlled and managed by a separate Controlled Activity Regulations authorisation which would be agreed with SEPA.</p>	<p>Volume 1, Chapter 14: Geology, Soil and Water</p> <p>Volume 1: Chapter 7: Water Management.</p>
50	Peat Landslide Hazard Risk Assessment	Where there is a demonstrable requirement for PLHRA, the assessment should be undertaken as part of the EIA process to provide the determining authority with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures.	THC32	17	<p>A PLHRA has been included as an Appendix to the Chapter 14: Geology, Soil and Water and has been undertaken in line with relevant guidance.</p>	<p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 4, Appendix 14.2: PLHRA</p>

51	Baseline Ecology and Ornithology Survey	<p>The EIA Report 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 EIA Report should provide an account of the habitats present on the Proposed Development site. Habitat enhancement and mitigation measures should be provided.</p> <p>It is expected that the EIA Report will address whether the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.</p>	THC33	17	<p>A full suite of baseline habitat, protected species and ornithology surveys have been undertaken and has been detailed in the Terrestrial Ecology and Ornithology Chapters of the EIA Report (and associated appendices). Where relevant, these Chapters address whether or not the Proposed Development could assist or impede delivery of elements of relevant Biodiversity Action Plans.</p> <p>Details of the assessed impact to blanket bog by the Proposed Development are detailed in the Chapter 10: Terrestrial Ecology.</p>	<p>Volume 1, Chapter 10: Terrestrial Ecology (and associated appendices)</p> <p>Volume 1, Chapter 11: Ornithology (and associated appendices)</p> <p>Volume 4, Appendix 10.7: Outline Habitat Management Plan (non-SAC)</p>
52	Impact on Designated Sites	<p>The EIA Report 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. NS provide advice on the impact on designated sites.</p>	THC34	17	<p>Potential impacts on the nature conservation interests of all the designated sites in the vicinity of the Proposed Development have been assessed and has been detailed in relevant chapters of the EIA Report.</p> <p>A Shadow HRA, containing information to inform an Appropriate Assessment, has been completed. A Compensatory Package has also been developed for Ness Woods SAC, which would be directly impacted by the Proposed Development.</p>	<p>Volume 1, Chapter 10: Terrestrial Ecology (and associated appendices)</p> <p>Volume 1, Chapter 11: Ornithology) and associated appendices)</p> <p>Volume 1, Chapter 12: Aquatic Ecology.</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p> <p>Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for</p>

						Derogation Report. (Supporting Document)
53	Impact on Wild Deer	If wild deer are present or will use the site an assessment of the potential impact on deer will be required. This should address deer welfare, habitats and other interests.	THC35	17	Potential impacts on deer have been considered as part of Chapter 10: Terrestrial Ecology and the Outline HMP.	Volume 1, Chapter 10: Terrestrial Ecology  Volume 4, Appendix 10.7: Outline Habitat Management Plan (non- SAC)
54	Impact on Water Ecology	The EIA Report needs to address the aquatic interests within local watercourses, including downstream 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 EIA Report should evidence consultation input from the local fishery board(s) where relevant.	THC36	17	Potential impacts on aquatic interests within local watercourses has been addressed in the Fish and Aquatic Ecology Chapters of the EIA Report. Consultation with the local fisheries boards is ongoing and has been detailed in the respective chapters of the EIA Report.	Volume 1, Chapter 12: Aquatic Ecology  Volume 1, Chapter 13: Fish.
55	Impact on GWDTE	The EIA Report should include an assessment of the effects on Ground Water Dependent Terrestrial Ecosystems (GWDTE).	THC37	17	Both the Chapter 10: Terrestrial Ecology and Chapter 14: Geology, Soil and Water of the EIA Report include an assessment of the potential effects of the Proposed Development on GWDTE.	Volume 1, Chapter 10: Terrestrial Ecology  Volume 1, Chapter 14: Geology, Soil and Water.

56	Impact on European Designated Sites and HRA	Given the proposals potential impact on European designated sites, it is envisaged that a HRA should accompany the application. Sufficient information will be required to allow Scottish Ministers to come to a view on the impact on the integrity of the designated site. NS will provide information in this regard.	THC38	17	A Shadow HRA, containing information to inform an Appropriate Assessment, for the Proposed Development has been completed. A Compensatory Package has also been developed for Ness Woods SAC, which would be directly impacted by the Proposed Development.	Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)  Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for Derogation Report. (Supporting Document)
57	Cultural Heritage	The EIA Report needs to identify all designated sites which may be affected by the development either directly or indirectly.	THC39	17	An assessment of the potential impact of the Proposed Development on all types of cultural heritage features, Chapter 15: Cultural Heritage. This Chapter also highlights, were relevant, the interrelationships between the features.	Volume 1, Chapter 15: Cultural Heritage
58	Cultural Heritage - Impact on Setting	THC 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.	THC40	18	An assessment of the potential setting impacts of the Proposed Development on designated cultural heritage features has been included in Chapter 15: Cultural Heritage. This Chapter also highlights, were relevant, the interrelationships between the features.  No significant setting impacts on designated cultural heritage features are anticipated so no visualisations have been proposed.	Volume 1, Chapter 15: Cultural Heritage
59	Cultural Heritage - Impact to Upstanding Features	THC's Historic Environment Team (HET) are generally satisfied with the information presented in the scoping request. It considers the methodology acceptable but note that the assessment must consider potential impacts to upstanding features as	THC41	18	Noted. In cases where unavoidable impacts would be experienced, mitigation measures have been described in detail in Chapter 15: Cultural Heritage and have been included in the Schedule of Mitigation	Volume 1, Chapter 15: Cultural Heritage  Volume 4, Appendix 3.2: Schedule of Mitigation

		well as potential for buried features and deposits. It requests that where impacts are unavoidable, mitigation will be required to be set out in detail.				
60	Noise - Operational Noise	The Applicant will be required to submit a noise assessment with regard to the operational phase of the development. The assessment should be carried out in accordance with good practice.	THC42	18	An assessment of operational noise has been undertaken and has been included in Chapter 17: Noise and Vibration. Relevant Standards used and also the baseline noise monitoring locations, and method and duration of data acquisition, were agreed (via email) with the appointed THC Environmental Health Officer (EHO) prior to undertaking the noise survey. This consultation has been detailed in the Chapter 5: Scoping and Consultation.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 17: Noise and Vibration
61	Noise - Cumulative Noise	The noise assessment must consider the potential cumulative effect from any other existing or consented developments. Where applications run concurrently, developers and consultants are advised to consider adopting a joint approach to noise assessments. The noise assessment must consider predicted and consented levels from such developments. The Applicant should agree appropriate limits with the THC's EHO. The assessment should include a map showing developments which may have a cumulative impact and all noise sensitive properties including any for which a financial involvement relaxation is being claimed.	THC43	18	The potential cumulative effect of the Proposed Development along with other developments has been considered in Chapter 17: Noise and Vibration. Assessment methodologies have been agreed with the THC EHO and these include appropriate and recognised thresholds for significant and adverse effects, along with typical criteria generally considered acceptable. This consultation has been detailed Chapter 5: Scoping and Consultation.	Volume 1, Chapter 17: Noise and Vibration Volume 1, Chapter 5: Scoping and Consultation



62	Noise - Background Noise Measurements	If background noise surveys are required, these should be undertaken in accordance with good practice guidance. It is recommended that monitoring locations be agreed with the THC's EHO	THC44	20	Background noise survey duration, methodology, and measurement positions were submitted to THC's appointed EHO prior to the survey. The EHO then formally responded with some additional observations which have been noted and all matters are formally agreed. Care was taken to ensure proxy measurement locations were not subjected to localised sources of noise at the proxy location. The consultation with the EHO has been detailed in Chapter 5: Scoping and Consultation.	Volume 1, Chapter 17: Noise and Vibration  Volume 1, Chapter 5: Scoping and Consultation
63	Noise - Construction Noise and Vibration	Given the location, construction noise and vibration may be an issue at sensitive properties. Further, consideration will need to be given to construction traffic and a construction noise assessment will be required alongside the application. 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.	THC45	20	<p>A construction noise and vibration assessment has been undertaken and has been detailed in Chapter 5: Scoping and Consultation. The noise from moving construction traffic along tracks on the site, including the access road, has been assessed. Noise from construction traffic (HGVs/LGVs/cars) travelling on public roads has also been undertaken. This includes a cumulative effect assessment including construction phases of other developments. It is expected that some construction noise would be audible during evening and night periods. A construction noise assessment for night has therefore been undertaken and has been included.</p> <p>Best practical means as required in BS 5228-1 would be employed as described within this Standard and has been included within the "outline Construction Noise and Vibration Management Plan", which has been included as an appendix.</p>	Volume 1, Chapter 17: Noise and Vibration  Volume 4, Appendix 17.3: Outline Construction Noise and Vibration Management Plan

64	Traffic and Transport - Construction Traffic Management Plan	THC Transport Planning will require any application for planning permission associated with this proposal to submit a Construction Traffic Management Plan (CTMP) for the approval of the Planning Authority.	THC46	21	An Indicative CTMP, detailing the issues specified by THC Transport Planning, has been provided as part of the Transport Assessment.	Volume 1, Chapter 16: Traffic, Access, and Transport Volume 4, Appendix 16.1: Transport Assessment
65	Traffic and Transport - Transport Assessment	THC Transport Planning would generally expect a Transport Assessment to be submitted with any future planning application and a High National Traffic Forecast be applied.	THC47	21	A Transport Assessment has been included as an Appendix to Chapter 16: Traffic, Access, and Transport and has been undertaken in line with guidance provided by THC Transport Planning in their Scoping Response. A National Road Traffic Forecast (NRTF) high growth factor has been used in the assessment to estimate future year flows.	Volume 1, Chapter 16: Traffic, Access, and Transport Volume 4, Appendix 16.1: Transport Assessment
66	Socio-economic, Tourism and Recreation	The EIA Report 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 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 decommissioning of the development.	THC48	21	A "Socio-economics and Tourism" Chapter has been provided as part of the EIA Report.	Volume 1, Chapter 20: Socio Economics and Tourism
67	Socio-economic, Tourism and Recreation - Impact on Core Paths	The site is 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.	THC49	22	Potential impacts on public access have been assessed in Chapter 9: Land Use and Recreation. A Draft Outdoor Access Management Plan has also been provided as an Appendix. A commitment for the appointed Principal Contractor to the prepare a final Outdoor Access Management Plan has also been included in the EIA Report.	Volume 1, Chapter 9: Land Use and Recreation Volume 4, Appendix 9.1: Appendix 9.1: Draft Outdoor Access Management Plan

68	Socio-economic, Tourism and Recreation - Access Management Plan	An Access Management Plan is required to be submitted with the application. This must consider the construction and operational impacts of the Proposed Development and how these will be managed. Further the Access Officer has requested that the EIA considers the NS Guidance on assessing a developments impact on public access.	THC50	22	A Draft Outdoor Access Management Plan have been provided as an Appendix to the EIA Report. A commitment for the appointed Principal Contractor to the prepare a final Outdoor Access Management Plan in line with NS Guidance has been included in the EIA Report.	Volume 1, Chapter 9: Land Use and Recreation Volume 4, Appendix 9.1: Appendix 9.1: Draft Outdoor Access Management Plan
69	Aviation, Radar and Telecoms - Impact on Existing Community Assets	The EIA Report needs to recognise community assets that are currently in operation for example TV, radio, tele-communication links, aviation interests including radar, MOD safeguards, etc. In this regard the applicant 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. THC consider the results of these surveys should be contained within the EIA Report to determine whether any suspensive conditions are required in relation to such issues.	THC51	22	Chapter 5: Scoping and Consultation summarises all consultations with statutory and non-statutory consultees that have been undertaken in relation to the Proposed Development, including those highlighted by THC.	Volume 1, Chapter 5: Scoping and Consultation Volume 4, Appendix 5.2: Scoping Matrix Volume 4, Appendix 5.4: Gate Check Matrix Volume 4, Appendix 5.5: Further Consultation with Consultees
70	Aviation, Radar and Telecoms - Impact on Radar and Airports	There should be continued dialogue with HIAL over the impact on the radar at airports in the area and the information gathered through the original application and the approach to satisfaction of conditions should be utilised here.	THC52	23	The HIAL Scoping Report has confirmed that their calculations show that the Proposed Development would not infringe safeguarding criteria for Inverness Airport. Therefore, HIAL has no objections to the proposal.	Volume 1, Chapter 5: Scoping and Consultation

71	Health and Safety - Climatic Factors	The EIA Report 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 phases of development including construction, operation and decommissioning. Issues such as dust, air borne pollution and / or vapours, noise, light, shadow-flicker 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 through the site.	THC53	23	Climatic factors have been considered throughout the EIA Report where relevant. During the construction phase such factors would also be considered in the CEMP that would be developed by the Principal Contractor and any associated health and safety impacts due to climatic factors will be addressed in the in the health and safety register. An outline CEMP has been included as an Appendix.	Volume 4, Appendix 3.3: Outline CEMP
72	Health and Safety - Climatic Factors - Dust Suppression	Depending on the proximity of the working area 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.	THC54	23	Any construction or operational activity that could give rise to dust have been detailed in the Chapter 18: Air Quality. Dust associated to construction activities, would be managed by a site-specific dust management plan, which would be included as part of the CEMP (to be prepared by the Principal Contractor) and designed using best practice methods. An outline CEMP has been included as an Appendix to the EIA Report.	Volume 1, Chapter 18: Air Quality Volume 4, Appendix 3.3: Outline CEMP Volume 4, Appendix 18.1: Dust Monitoring Scheme
73	Health and Safety - Climatic Factors - Construction Environmental Management Plan	Many of the aforementioned matters could be addressed by a CEMD for the proposal. While acceptable in principle, THC request that an Outline CEMD is included with the application.	THC55	23	Noted, an outline CEMP has been produced as an Appendix to the EIA Report and included within the application.	Volume 4, Appendix 3.3: Outline CEMP

74	Forestry - Impact on Threatened Species and Woodland	<p>It is advised that a specific chapter on forestry is included in the EIA Report where there is likely to be an adverse impact on woodland. The EIA Report 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 EIA Report 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.</p>	THC56	23	<p>A chapter on Forestry assessment been included In the EIA Report alongside associated technical appendices and figures, to assess and describe any impacts to commercial forestry, including a description of the species mix. Chapter 19: Forestry outlines which areas of forestry are to be felled as part of the Proposed Development and describe the compensatory planting that is proposed.</p> <p>Non-commercial forestry, including the woodlands within the Ness Woods SAC, has been addressed as part of the Terrestrial Ecology assessment. Baseline Reports on lichens and bryophytes has been included as Appendices to this Chapter.</p>	<p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 1, Chapter 19: Forestry</p> <p>Volume 4, Appendix 10.1: Terrestrial Ecology Report</p> <p>Volume 4, Appendix 10.2: Bryophyte Survey Report</p> <p>Volume 4, Appendix 10.3: Terrestrial Lichen Survey Report</p> <p>Volume 4, Appendix 10.4: Freshwater Lichen Survey Report</p> <p>Volume 4, Appendix 10.5: Ness Woods SAC Tree Tagging Information, and sample Root Protection Area Information</p> <p>Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management</p>
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75	Forestry - Impact on Tree Removal	If trees are to be removed, compliance with the Scottish Government's CoWRP must be demonstrated. Areas of retained forestry or tree groups should be clearly indicated and methods for their protection during construction clearly described. 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. Further as part of habitat management proposals and to offset the carbon of the construction process, it is considered that areas of woodland should be planted.	THC57	23	<p>Details of the commercial forestry that would be removed to accommodate the Proposed Development, including as a result of temporary construction areas, has been detailed in Chapter 19: Forestry, whilst details on non-commercial trees that would be removed has been detailed in Chapter 10: Terrestrial Ecology. Chapter 2: Design Evolution and Alternatives details the various design iterations that have been considered to minimise the impacts on Ancient Woodland, particularly within the Ness Woods SAC.</p> <p>Details of compensatory planting in line with the Scottish Government's COWPR, for all woodland removed on site (commercial and non-commercial) have been outlined in Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management. An Outline Habitat Management Plan is included in included as an Appendix and a Compensatory Measures Package for the loss of qualifying habitat within the Ness Woods SAC is included in the Derogation Report.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives</p> <p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 1, Chapter 19: Forestry</p> <p>Volume 4, Appendix 10.7: Outline Habitat Management Plan (non-SAC)</p> <p>Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management</p> <p>Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for Derogation Report. (Supporting Document)</p>
76	Significant Effects on the Environment - Impacts on the Environment	Leading from the assessment of the environmental elements the EIA Report 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.	THC58	24	The assessment of likely significant environmental effects is undertaken within each of the technical chapters of the EIA Report.	Volume 1, Chapters 7 to 20.
77	Significant Effects on the Environment - Scale of Impact	THC 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, negative or strong negative.	THC59	24	The approach to the assessment of effects in the EIA Report is set out in the EIA Process and Methodology chapter and defined within each of the technical chapters. Effects are assessed in	Volume 1, Chapter 4 – EIA Process and Methodology

					accordance with best practice and industry standards across the technical topics.	Volume 1, Chapters 7 to 20.
78	Significant Effects on the Environment - Mitigation	A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment must be set out within the EIA Report and be followed through within the application for development. The EIA Report 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).	THC60	24	Mitigation measures have been discussed in each of the technical chapters of the EIA Report where relevant. All mitigation measures identified within the EIA Report have been included within a schedule of mitigation.	Volume 1, Chapters 2 to 20. Volume 4, Appendix 3.2: Schedule of Mitigation
79	Layout and Drawings	For a development of this scale, it is especially important to ensure that detailed layout plans submitted at the application stage are provided for all elements of the development. The plans submitted with the application must detail all the temporary or ancillary works such as laydown areas, rock and peat storage areas and site compounds, which SEPA presume will be extensive for a development of this size. The application submission should include plans which show above and below ground infrastructure separately.	SEPA 1	26	Detailed site layout plans showing these details have been submitted as part of the application.	Volume 2, various figures, including Figure 3.1 – 3.8.
80	Waste Material Management and Re-Use	The developer should investigate opportunities to work with other local developers to share supporting infrastructure (such as laydown areas, overflow carparks and support facilities) and to find genuine uses for excavated waste materials.	SEPA 2	27	Where practical and subject to programme, work sequence, Contractors and Health, Safety and Environment, the Applicant will explore potential opportunities to share infrastructure with other local Developers.  In relation to excavated materials, the proposed scheme has been designed with a “cut / fill” balance of material. This removes the need for	Volume 1, Chapter 3: Description of Development. Volume 4, Appendix 3.4 Outline Spoil Management Plan

					<p>the import or disposal of material during construction to/from the development. In the event that during construction a positive or negative balance is identified, the Applicant, where practical, will explore opportunities with local developers to enable the re-use of materials with the aim of avoiding materials going to waste.</p> <p>An Outline Spoil Management Plan is also included as an appendix.</p>	
81	Use of Existing Infrastructure	The final layout should make as much use as possible of existing infrastructure such as existing tracks, where it makes sense to do so.	SEPA 3	27	<p>The Proposed Development has utilised existing tracks where possible, as described in Chapter 2: Design Evolution and Alternatives. However, some existing tracks would be lost to the inundation area once the scheme is operational, meaning new operational tracks would need to be constructed around Loch Kemp, although these would require less land take than new construction tracks. Further details on access tracks have been provided in the Chapter 3: Description of Development.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives</p> <p>Volume 1, Chapter 3: Description of Development.</p>
82	Impact on Invasive Non-Native Species, Salmon Smolt Movement and Morphology	<p>SEPA are aware of the following invasive non-native species in the Ness catchment - Flatworm (<i>Phagocata woodworthi</i>), Freshwater shrimp (<i>Crangonyx pseudogracilis</i>) and Nuttall's Waterweed (<i>Elodea Nuttallii</i>). The assessment should determine whether the species are already present in the Loch Kemp system and if they are not measures should be outlined to stop the spread.</p> <p>Consideration may also need to be given to whether the development will result in an effect on salmon smolt movement from Loch Dochfour into the River Ness, as issue SEPA is currently considering. This can be discussed further as part of CAR preapplication discussions.</p>	SEPA 4	27	<p><u>Non-Native Species</u></p> <p>This matter was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH (with input from GAVIA) to ECU on the 29<sup>th</sup> April 2022. This letter confirmed that surveys to identify whether the invasive non-native species identified by SEPA are already present in the Loch Kemp system had been and, where relevant, the EIA Report would outline measures that should be undertaken to stop the spread of these species. However, the letter advised that whilst good practice measures to prevent the spread of non-native invasive species would be implemented during construction, it would not be guaranteed that these measures would be successful at stopping the spread of these species within the</p>	<p>Volume 1, Chapter 5: Scoping and Consultation.</p> <p>Volume 1, Chapter 12: Aquatic Ecology.</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 3.2: Schedule of Mitigation</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage</p>



		The assessment should include information on the morphological impact on Loch Kemp.			<p>Loch Kemp system, as invertebrate species can be spread by other vectors that are out with the Applicant's control. Measures proposed to prevent the spread of non-native invasive species into the Loch Kemp System would therefore need to be pragmatic and proportionate to the development.</p> <p><u>Salmon Smolt Movement</u> The effect on salmon smolt movement from Loch Dochfour into the River Ness is considered a cumulative effect to the Proposed Development and have been addressed in Chapter 13: Fish, as well as the Shadow HRA Report. There are no modifications to the Dochfour Weir proposed as part of the application.</p> <p>Potential effects on fish, including assessment on fish spawning and foraging habitat, have been addressed in Chapter 13: Fish.</p> <p><u>Morphology</u> On the 24<sup>th</sup> of May 2022 (following the design workshop), ASH contacted SEPA (via email) to request that SEPA clarify what information would be required to assess the morphological impact of the Proposed Development on Loch Kemp. SEPA responded on the 29<sup>th</sup> May 2022 to confirm that following further internal discussion, they had concluded an assessment of the morphology is not required as part of the EIA Report.</p>	1 and 2) (Supporting Document)
83	Impact to Water	<p>Due to the steep slopes and potential for pollution there needs to be a significant buffer between the track down to the outlet and the All a'Chinn Mhoraich. Areas of existing track that cannot be used should be identified for restoration.</p> <p>Detailed drawing of the potential pier or loading area</p>	SEPA 5	27	<p>The buffer between the access track down to the lower reservoir works and the All a'Chinn Mhoraich would be as large as possible but the topography in this area is challenging for track construction so the opportunity to microsite the track is limited. Changes to the access track to the lower reservoir works to increase the buffer</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1: Chapter 7: Water Management.</p>

		in Loch Ness should be provided accompanied by an assessment of effects on the water body.			<p>between the track and the All a'Chinn Mhoraich have been detailed in Chapter 2: Design Evolution and Alternatives.</p> <p>The design of the quayside and pier has been updated to a smaller footprint, which both extensions to the powerhouse platform-drawings of the quayside and pier area during construction and operation are included in Volume 2, Figures 3.4: Indicative Layout of Lower Reservoir Works – During Construction and Figure 3.5: Indicative Layout of Lower Reservoir Works – During Operation respectively.</p>	<p>Volume 2, Figure 3.4: Indicative Layout of Lower Reservoir Works – During Construction</p> <p>Volume 2, Figure 3.5: Indicative Layout of Lower Reservoir Works – During Operation respectively.</p>
84	Impact and Management of Peat	<p>A Peat Management Plan will be required for this development. All excavated peat must be reused on site with permanent storage or disposal not being acceptable.</p> <p>Disturbance of peat should be minimised, and the final submission should include a plan showing the extend of disturbed area. The area of peatland disturbed (including due in maximum inundation and the effects of inundation due to erosion on the surrounding peat) should be confirmed. Information should be provided on how areas of disturbed and undisturbed peat within the inundation area will be managed so that carbon loss is reduced. Floating track should be used to reduce the volume of excavated peat and should be shown on a clear plan. The Plan should include proposals for peatland restoration works on the site as mitigation for peat habitat loss.</p>	SEPA 6	27	<p>The site layout has been designed to minimise impacts on peat, as detailed Chapter 2: Design Evolution and Alternatives.</p> <p>A Peat Management Plan has been included as an Appendix to Chapter 14: Geology, Soil and Water and details how excavated peat would be reused on-site and confirms the area of peatland disturbed. The outline HMP includes proposals for peatland restoration works on the site as mitigation for peat habitat lost.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 4, Appendix 14.1: Peat Management Plan</p> <p>Volume 4, Appendix 10.7: Outline Habitat Management Plan (non-SAC)</p> <p>Volume 4, Appendix 19.3: Loch Kemp Storage: Forest to Bog Restoration Proposals</p>

85	Further Consultation - Habitat Surveys	SEPA are generally content with the habitat survey proposals outlined but would welcome further engagement once the NVC survey work has been carried out.	SEPA 7	28	Noted. Consultation with SEPA is ongoing and has been detailed in the Scoping and Consultation Chapter of the EIA Report.	Volume 1, Chapter 5: Scoping and Consultation
86	Borrow Pits and Spoil Management	SEPA welcome the proposal to include a spoil management plan. This should include information in relation to the type and volumes of material that will be excavated on site accompanied by clear information on temporary storage (which is likely to require an extensive area), reuse on site and use or disposal elsewhere. Any material that cannot be appropriately used within the site works will be considered waste and waste management legislation would apply.	SEPA 8	28	<p>An Outline Spoil Management Plan has been included as an Appendix to the EIA Report. Any traffic associated with the removal and transportation of spoil materials has been outlined in Chapter 16: Traffic, Access and Transport but at this stage it is anticipated that the spoil material would all be used on-site and would therefore not be transported off-site.</p> <p>At least one borrow pit have would be required to construct the new access track from the B862 and other enabling works. Although the intention is to limit the use of additional borrow pits, a number of potential borrow pits have been identified and included in the application for the Proposed Development in case they are required. Where possible, these potentials borrow pits have been located within the area that would be 'lost' to the inundation area once the Proposed Development is operational. A Draft Borrow Pit Screening Report has been included as an Appendix to the EIA Report.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives</p> <p>Volume 1, Chapter 16: Traffic, Access and Transport</p> <p>Volume 4, Appendix 3.4: Outline Spoil Management Plan</p> <p>Volume 4, Appendix 3.5: Draft Borrow Pit Screening Report</p> <p>Volume 4, Appendix 16.1: Transport Assessment</p>
87	Pollution and CEMP	<p>SEPA can confirm that from our perspective an outline CEMP need not be provided with the application. This is on the understanding that:</p> <p>(1) the proposed Spoil Management Plan will address all aspects of spoil management (minimisation, handling, processing, reuse on site, reuse off site and if required disposal) and any related waste management,</p> <p>(2) Peat management is covered by a Peat Management Plan</p>	SEPA 9	28	<p>An outline CEMP listing the topics that would be included in the CEMP developed by the Principal Contractor has been included as an Appendix to the EIA Report.</p> <p>An Outline Spoil Management Plan, a Peat Management Plan and a Schedule of Mitigation have all be included as appendices. Chapter 2: Design Evolution and Alternatives details how impacts on the environment have been</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives</p> <p>Volume 4, Appendix 3.3: Outline CEMP</p> <p>Volume 4, Appendix 3.2: Schedule of Mitigation</p>

		(3) detailed site plans are submitted which demonstrate how impacts on the environment have been minimised through design and (4) all mitigation is detailed within a suitably robust schedule of mitigation.			minimised through design. This Chapter is supported by detailed site plans.	Volume 4, Appendix 3.4: Outline Spoil Management Plan  Volume 4, Appendix 14.1: Peat Management Plan
88	Site Layout	All maps must be based on an adequate scale with which to assess the information. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. 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. Cabling must be laid in ground already disturbed such as verges.	SEPA 10	30	Site layout figures prepared to the standards advised by SEPA have been included in Volume 2 the EIA Report.	Volume 2, Figures
89	Water Environment - CAR	The proposed hydro scheme will require an authorisation from SEPA under CAR. It is likely that the CAR application will be subject to a derogation (exemption under the Water Framework Directive) assessment and third-party consultation which could result in amendments to the Proposed Development. SEPA therefore encourage applicants to twin-track applications for consent under planning and CAR to ensure that CAR requirements can be accommodated more easily when proposals are at their most fluid.	SEPA 11	30	Consultation with SEPA in relation to the CAR application is ongoing.	Volume 1, Chapter 5: Scoping and Consultation

90	Water Environment - CAR	<p>Should the Applicant choose not to twin-track their applications then the following details must be included in the planning submission to allow us to provide an indication of the potential consentability of the proposal under CAR:</p> <p>a) The location and design of the intakes and outfalls and their impact upon the morphology of the water environment.</p> <p>b) Compensation flow.</p> <p>c) Fish passages.</p> <p>d) Other relevant CAR or planning applications or consents for abstractions/hydro schemes.</p> <p>e) Sensitive water uses, water dependent species (including bryophytes) and ecosystems.</p>	SEPA 12	30	<p>Noted. Consultation with SEPA in relation to the CAR application is ongoing. However, the EIA Report contains information on the location of intakes and outfalls and their impact upon the morphology of the water environment in Chapter 7: Water Management. The EIA Report also contain information on fish passages and other sensitive water users in the Fish and Aquatic Ecology Chapters, where relevant.</p> <p>The management of the upper reservoir and the rate and volume of discharge of water to watercourses downstream of the upper reservoir would be agreed with and regulated by SEPA. The management controls would be secured by a CAR authorisation.</p>	<p>Volume 1, Chapter 5: Scoping and Consultation</p> <p>Volume 1: Chapter 7: Water Management.</p> <p>Volume 1, Chapter 12: Aquatic Ecology.</p> <p>Volume 1, Chapter 13: Fish.</p>
91	Impact on Water	<p>Other elements of the Proposed Development 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:</p> <p>a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.</p> <p>b) A buffer of at least 10m drawn 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.</p> <p>c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.</p>	SEPA 13	31	<p>Watercourse diversions and other engineering activities in or impacting the water environment has been detailed in the Chapter 7: Water Management. A Schedule of Watercourse Crossings has been included as an Appendix to Chapter 14: Geology, Soil and Water. This Chapter is supported by figures illustrating the Proposed Development in relation to all lochs and watercourses and proposed watercourse crossings and engineering works.</p> <p>A buffer of at least 10 m from watercourses and loch has been included in the development design wherever feasible. This buffer has been illustrated on the Figures associated with Chapter 14: Geology, Soil and Water. Complete avoidance of watercourses and lochs is not feasible as parts of the Proposed Development, including the dams, intake structures, outlet and tailrace structures and the temporary causeway are located within Loch Kemp or Loch Ness.</p>	<p>Volume 1: Chapter 7: Water Management.</p> <p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 2, Figure 14.1: Local Hydrology</p> <p>Volume 4, Appendix 14.3: Schedule of Water Crossings</p>

92	Water Abstractions	If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.	SEPA 14	31	<p>Abstraction and discharge rates between the lower and upper reservoirs have been described in Chapter 7: Water Management. Water abstraction from Loch Kemp and Loch Ness would likely be required during construction but this would be secured by a CAR authorisation.</p> <p>There is one PWS within the Site, which serves six properties within Dell Estate, who are party to the Application. The Estate water supply would be re-routed to avoid impacts to the water supply. This has already been agreed with Dell Estate and has been included as part of the Proposed Development works in the EIA Report.</p> <p>There are twelve PWSs in the wider study area. Potential impacts on these PWS has been assessed as part Chapter 14: Geology, Soil and Water.</p>	<p>Volume 1, Chapter 3: Description of Development.</p> <p>Volume 1: Chapter 7: Water Management.</p> <p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 2, Figure 3.1 Proposed Development.</p>
93	Watercourse Crossings	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.	SEPA 15	31	<p>All permanent watercourse crossings would be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information has been provided to justify smaller structures. Further information has been provided in Chapter 14: Geology, Soil and Water. A schedule of watercourse crossings has been presented.</p> <p>A screening assessment of flood risk has also been included in this Chapter.</p>	<p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 4, Appendix 14.3: Schedule of Watercourse Crossings</p>
94	Site Layout - CO2 Release Management	The planning submission must: a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO <sub>2</sub> ; and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks,	SEPA 16	31	<p>Chapter 2: Design Evolution and Alternatives details how the Proposed Development has been designed to minimise the disturbance of peat.</p> <p>A Peat Management Plan has been included as an Appendix to Chapter 14: Geology, Soil and</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives</p> <p>Volume 1, Chapter 14: Geology, Soil and Water.</p>

		drainage channels, cable trenches, or the storage and re-use of excavated peat.			Water. This plan outlines the preventative / mitigation measures to avoid significant drying or oxidation of peat.	Volume 4, Appendix 14.1: Peat Management Plan
95	Site Layout - CO2 Release Management	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 GWDTE. 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.	SEPA 17	32	A Peat Management Plan has been included as an Appendix to Chapter 14: Geology, Soil and Water. This plan includes detailed drawings showing peat depths overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors.	Volume 1, Chapter 14: Geology, Soil and Water. Volume 4, Appendix 14.1: Peat Management Plan
96	Peat Management	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.	SEPA 18	32	Noted.	Volume 4, Appendix 14.1: Peat Management Plan

97	Impact on GWDTE	<p>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:</p> <p>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.</p> <p>b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. SEPA are likely to seek conditions securing appropriate mitigation for all GWDTE affected.</p>	SEPA 19	32	<p>Chapter 14: Geology, Soil and Water includes detailed drawings showing GWDTE habitats (and appropriate buffers from excavations) overlain by the Proposed Development to demonstrate how the development avoids areas of GWDTE.</p>	<p>Volume 1, Chapter 14: Geology, Soil and Water</p> <p>Volume 2, Figure 14.8: Potential GWDTE</p>
98	Impact on Existing Groundwater Abstractions	<p>Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:</p> <p>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.</p> <p>b) If the minimum buffers above cannot be achieved, a detailed site specific and/or quantitative risk assessment will be required. SEPA are likely to seek</p>	SEPA 20	33	<p>Chapter 14: Geology, Soil and Water includes detailed drawings showing existing groundwater abstractions (and appropriate buffers from excavations) overlain by the Proposed Development to demonstrate how the development avoids existing groundwater abstractions.</p>	<p>Volume 1, Chapter 14: Geology, Soil and Water.</p> <p>Volume 2, Figure 14.7- Groundwater Vulnerability</p>



		conditions securing appropriate mitigation for all existing groundwater abstractions affected.				
99	Forest Removal and Forest Waste	If tree felling is proposed, the submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.	SEPA 21	33	Chapter 19: Forestry outlines which areas of forestry are to be felled as part of the Proposed Development. Non-commercial forestry, including the woodlands within the Ness Woods SAC, has been addressed as part of the terrestrial ecology assessment of the EIA Report.  These chapters (and associated figures and appendices) include figures showing the boundaries of where felling would take place and a description of what is proposed for this timber in accordance with relevant policy and guidance.	Volume 1, Chapter 10: Terrestrial Ecology  Volume 1, Chapter 19: Forestry.  Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management.
100	Borrow Pits and Spoil Management	In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 Controlling the Environmental Effects of Surface Mineral Workings (PAN 50) a Site Management Plan should be submitted in support of any application. SEPA provide a list of information that should be submitted for each borrow pit, including a map showing the location, size, depths and dimensions, details of temporary and permanent infrastructure overlain with all lochs and watercourses to a distance of 250 m, justification for the proposed location of borrow pits 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. Details of temporary storage of materials and restoration proposals should also be provided.	SEPA 22	33	Noted. This information has been included in the Draft Borrow Pit Screening Report, which has been included as an Appendix to the EIA Report.	Volume 4, Appendix 3.5: Draft Borrow Pit Screening Report

101	Pollution prevention and Environmental Management	One of SEPA's key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. A schedule of mitigation supported by appropriate maps and plans must be submitted.	SEPA 23	34	Mitigation measures have been discussed in each of the technical chapters of the EIA Report where relevant. All mitigation measures identified within the EIA Report have been included within a schedule of mitigation.	Volume 1, Chapters 7-20 Volume 4, Appendix 3.2: Schedule of Mitigation
102	Impact on SAC	This Proposed Development may well be unable to meet most or even all of the conservation objectives for Ness Woods SAC and has potential to adversely affect site integrity. NS would welcome the opportunity to meet with ECU and the developer as soon as possible.	NS 1	35	Regular correspondence with NS about the potential impacts of the Proposed Development on the Ness Woods SAC has been undertaken throughout the EIA process. This correspondence have been detailed in Chapter 5: Scoping and Consultation.  A Shadow HRA to inform an Appropriate Assessment has been prepared for the Ness Woods SAC.  The Shadow HRA determines that adverse effects on the integrity of the Ness Woods SAC cannot be ruled out, with residual effects likely to result in undermining conservation objectives for the SAC's two woodland qualifying features. Therefore, a Derogation Report, which includes a Compensatory Measures Package for the Ness Woods SAC, is included with the application, to assist the competent authority in their decision on whether the Proposed Development can be justified for IROPI, and whether compensatory measures can be secured.	Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 10: Terrestrial Ecology Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document) Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for Derogation Report. (Supporting Document)
103	Background	NS provided pre-application advice to the consultants on the 25 November 2021 and advised on the challenges of taking this project forward, the likely impact on designated sites and the limited possibilities of mitigating these impacts.	NS 2	36	Noted. As stated above, regular correspondence with NS has been undertaken throughout the EIA process. Pre-application advice has been referred to in compiling the EIA Report.	Volume 1, Chapter 5: Scoping and Consultation

104	Scope	<p>The key issues relevant to NS's interests which need to be addressed in EIA Report are:</p> <ul style="list-style-type: none"> <li>- The impacts on the qualifying habitats of Ness Woods SAC</li> <li>- The impacts on the qualifying interests of River Moriston SAC</li> <li>- The impacts on the notified features of Easter Ness Woods Site of Special Scientific Interest (SSSI)</li> <li>- The impacts on protected species, such as: arctic char, otter and bryophytes</li> </ul>	NS 3	36	<p>Noted. These key issues have been addressed in the relevant chapters of the EIA Report and the Shadow HRA, as follows:</p> <ul style="list-style-type: none"> <li>• The impacts on the qualifying habitats of Ness Woods SAC have been addressed in the Chapter 10: Terrestrial Ecology and the Shadow HRA;</li> <li>• The impacts on the qualifying interests of River Moriston SAC have been addressed in Chapter 13: Fish and the Shadow HRA;</li> <li>• The impacts on the notified features of Easter Ness Woods SSSI has been addressed in Chapter 10: Terrestrial Ecology;</li> <li>• The impacts on arctic char has been addressed in Chapter 13: Fish; and</li> <li>• The impacts on otter and bryophytes has been addressed in Chapter 10: Terrestrial Ecology (and associated appendices) and the Shadow HRA.</li> </ul>	<p>Volume 1, Chapter 10: Terrestrial Ecology</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 10.1: Terrestrial Ecology Report</p> <p>Volume 4, Appendix 10.2: Bryophyte Survey Report</p> <p>Volume 4, Appendix 10.3: Terrestrial Lichen Survey Report</p> <p>Volume 4, Appendix 10.4: Freshwater Lichen Survey Report</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>
105	Scoping Consultation	<p>From the information provided at pre-application and in the scoping report, NS expect the impacts from the Proposed Development on Ness Woods SAC will raise issues of international importance and that it is unlikely that ECU will be able to ascertain that there will be no adverse effect on the integrity of the site. As this has consequences for the potential for the proposal to comply with the Habitats Regulations, NS recommend an early meeting between NS, ECU and the developers to explore possible ways forward.</p>	NS 4	37	<p>Regular correspondence with NS and the ECU about the potential impacts of the Proposed Development on the Ness Woods SAC has been undertaken throughout the EIA process. This correspondence has been detailed, Chapter 5: Scoping and Consultation.</p>	<p>Volume 1, Chapter 5: Scoping and Consultation</p>

106	Alternatives	NS note that alternative sites for the proposed development were reviewed and recommend the EIA records this process, including potential alternatives to the current design and location.	NS 5	37	A description of alternatives has been included in Chapter 2: Design Evolution and Alternatives.	Volume 1, Chapter 2: Design Evolution and Alternatives
107	Additional Information	NS broadly agree with the proposed scope of surveys and assessments to be included in the EIA Report. However, NS advise that extra information provided in their response is included in the EIA Report should this scheme progress to full application.	NS 6	37	Noted. This advice has been included in the relevant chapters of the EIA Report.	Volume 1, Chapters 7 to 20.
108	Format	Each chapter of the EIA Report to be a separate pdf file of no greater than 10 MB in order to make them compatible with NS's corporate filing system, with file names that relate to the content of each chapter.	NS 7	37	Noted	Volume 1, Chapters 1 to 20.
109	Tracks and Impact on Bryophytes	<p>The proposed track would largely follow the route of the existing track which, from the aerial photos, appears to have been established sometime after 2017. To assess the impact of the track, NS would need complete details of it including running width, drainage and any works required to stabilise it. NS would also need details of the materials to be used, from where they would be brought in, and where they would be stored on site. This would enable NS to calculate the area of woodland habitat that would be lost.</p> <p>To assess the impact on bryophytes, NS will need a bryophyte survey, which should assess what species might be sensitive to any impacts from the track, potentially including direct disturbance and ingress of track materials.</p>	NS 8	37	<p>Details of the tracks has been provided in Chapter 2: Design Evolution and Alternatives and Chapter 3: Description of Development. Details. An assessment on the area of woodland habitat that would be lost has been included in Chapter 10: Terrestrial Ecology. Bryophyte surveys have been undertaken and has been included in this (and associated Appendices) alongside an assessment of potential impacts on bryophytes.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives</p> <p>Volume 1, Chapter 3: Description of Development.</p> <p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 4, Appendix 10.2: Bryophyte Survey Report</p>

110	Powerhouse Location	The powerhouse would be constructed in an area of woodland on the shore of Loch Ness, at the foot of the burn flowing from Lochan 'Choin Uire. To assess the impact of the powerhouse NS would need details of the footprint of the powerhouse and any associated infrastructure, to understand the area of woodland habitat that would be lost.	NS 9	37	Details of the powerhouse and surrounding platform has been provided in Chapter 3: Description of Development. Details and assessment on the area of woodland habitat that would be lost has been included in Chapter 10: Terrestrial Ecology.	Volume 1, Chapter 3: Description of Development. Volume 1, Chapter 10: Terrestrial Ecology.
111	Tunnel	The bottom end of the tunnel passes through woodland. To assess the impact of the tunnel NS would require details of any above ground works that would affect the woodland. This would enable NS to assess any loss or disturbance of woodland qualifying habitat.	NS 10	37	Details of the tunnel has been provided in the Chapter 3: Description of Development. Details and assessment on the area of woodland habitat that would be lost within the Ness Woods SAC has been included in Chapter 10: Terrestrial Ecology.	Volume 1, Chapter 3: Description of Development. Volume 1, Chapter 10: Terrestrial Ecology.
112	Dam Flooding within SAC	The dam at the head of Allt an t-sluichd – this will lead to inundation of land within the SAC, and restriction of flow on the Allt an t-sluichd, which is likely to make it unsuitable for any specialised bryophyte communities, which are characteristic features of these woodland types. To assess the impact of the dam, NS would need details of the area within the SAC that will be inundated.	NS 11	37	Details of the dams have been provided in, Chapter 3: Description of Development. Details and assessment on the area of woodland habitat that would be lost has been included in Chapter 10: Terrestrial Ecology. Bryophyte surveys have been undertaken and have been detailed in this chapter (and associated appendices).	Volume 1, Chapter 3: Description of Development. Volume 1, Chapter 10: Terrestrial Ecology. Volume 4, Appendix 10.2: Bryophyte Survey Report
113	Bryophytes	NS will also need a bryophyte survey of the Allt an t-sluichd, in order to understand the value and sensitivity of the bryophytes communities. To assess the impact of the dam on the communities, NS will need information on residual flow.	NS 12	37	Bryophyte surveys of the have been undertaken and has been detailed in Chapter 10: Terrestrial Ecology (and associated appendices) alongside an assessment of potential impacts on bryophytes, including from modifications to the flow rate and water quality of the Allt an t-sluichd during construction and operation.	Volume 1, Chapter 10: Terrestrial Ecology. Volume 4, Appendix 10.2: Bryophyte Survey Report

114	Protected Species - Otter	All of the above elements could impact on the otter feature of the SAC, so a survey will be required. There is also the potential for bats, water vole, squirrel and pine marten to be present within the footprint, so a comprehensive survey including all protected species is expected.	NS 13	37	A protected species surveys, including for otter, has been undertaken and has been detailed in Chapter 10: Terrestrial Ecology. Potential impacts on otter as a qualifying feature of the Ness Woods SAC have also been assessed as part of the Shadow HRA.	<p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 4, Appendix 10.1: Terrestrial Ecology Report</p> <p>Confidential Appendix 10.8: Otter Survey Report (GI Works)</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>
115	River Moriston SAC and Loch Ness	<p>The Proposed Development is across Loch Ness from the River Moriston SAC, designated FWPM and Atlantic Salmon. Atlantic salmon is also the host fish for FWPM. Pump storage takes in and discharges a lot of water and may potentially act as an attractant for returning salmon and /or confuse smolt passage downstream. NS would expect the EIA Report to consider and mitigate the risk to the long-term status of the River Moriston SAC. Monitoring to determine fish behaviour in Loch Ness will be required. The survey should also consider potential impacts caused by the Red John Pump Storage Scheme.</p> <p>Loch Ness is known to support Atlantic Charr. The outfall of the pump storage scheme could affect spawning ground in the Loch so the fish survey should also include impacts on Atlantic Charr.</p>	NS 14	37	<p>In relation to the River Moriston SAC, FWPM surveys have been undertaken at the mouth of the River Morison.</p> <p>In addition, the following surveys have been undertaken in relation to fish and aquatic ecology to inform the relevant EIA assessments:</p> <ul style="list-style-type: none"> <li>• Riverine Macroinvertebrate Surveys;</li> <li>• Loch Macroinvertebrate Surveys;</li> <li>• Aquatic Lichen Surveys.</li> <li>• Riverine fish habitat assessment (including salmonid spawning suitability);</li> <li>• Loch fish habitat assessment (including salmonid spawning suitability); and</li> <li>• Electrofishing surveys (fish population assessment).</li> </ul>	<p>Volume 1: Chapter 12: Aquatic Ecology.</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys</p> <p>Volume 4, Appendix 10.4: Freshwater Lichen Survey report</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>

					Potential impacts to FWPM, Atlantic Salmon and Atlantic Char as a result of the Proposed Development has been assessed and described in Chapter 13: Fish. Potential impacts to River Moriston SAC FWPM and Atlantic Salmon populations has been assessed as part of the Shadow HRA.	
116	Designated Sites - Ornithology	Knockie Lochs and nearby Lochs SPA and Knockie Lochs SSSI are designated for breeding Slavonian Grebe. From NS's records it does not appear that Slovenian Grebe use Loch Kemp however we advise that you seek further advice from RSPB who hold more recent data. NS recommend that Lochan a' Choin Uire, Loch Cluanie and Loch Paiteag are included in the RSPB data search. For all other bird species, NS recommend a thorough desk study to inform the scope of the bird survey work required.	NS 15	37	Consultation with the RSPB provided additional advice on proposed baseline survey requirements, which have been followed as part of this assessment. Full assessments on the impact to bird species have been included in Chapter 11: Ornithology. Potential impacts of the Proposed Development on Knockie Lochs and nearby Lochs SPA have also been considered as part of the Shadow HRA.	Volume 1, Chapter 11: Ornithology.  Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
117	Landscape and Visual Impact	The proposal will not affect any designated landscape and NS agree the proposed scope of the LVIA and suggested range of visualisations.	NS 16	37	Noted and agreed.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment.

118	Scope for Terrestrial Ecology	<p>The proposed scope is broadly appropriate but needs to include the following: Maps of the locations of all built structures and associated land take required to construct the development.</p> <ol style="list-style-type: none"> <li>1. Maps of Annex 1 habitats to extend to 100m beyond the construction footprint; and NVC habitats over the same area.</li> <li>2. Calculations of the total area of each type of Annex 1 habitat that will be lost and disturbed, subdivided according to whether these are expected to be permanent, temporary, direct or indirect, and according to which element of the Proposed Development (powerhouse; access track etc).</li> <li>3. Calculations of the total area of habitat that will cease to function due to fragmentation by the Proposed Development.</li> </ol>	NS 17	41	Noted, this information has been provided in the Chapter 10: Terrestrial Ecology (and associated figures).	<p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 2, Figures 10.1-10.11.</p>
119	Artificial Light at Night	NS advise that it would be worth considering the impact of ALAN (Artificial Light at Night), especially on invertebrates, birds and mammals.	NS 18	41	Noted. The potential impacts of ALAN on invertebrates, birds and mammals has been considered in Chapter 10: Terrestrial Ecology, Chapter 11: Ornithology and Chapter 13: Fish.	<p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 1, Chapter 11: Ornithology.</p> <p>Volume 1, Chapter 13: Fish</p>
120	Ornithology	The survey work already undertaken in 2021 is appropriate. However, NS advise that the proposed surveys for 2022 are expanded to include waterfowl. The assessment should pay particular attention to any potential impacts on Loch Knockie and nearby Lochs SPA and Knockie Lochs SSSI through connectivity to the proposal.	NS 19	41	Noted, an assessment of potential impacts of the Proposed Development on the Loch Knockie and nearby Lochs SPA and Knockie Lochs SSSI has been detailed Chapter 11: Ornithology, as well as the Shadow HRA (for the Loch Knockie and nearby Lochs SPA). Additional breeding bird surveys (waterfowl and black grouse) were carried out in 2022 to satisfy	<p>Volume 1, Chapter 11: Ornithology.</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>



					the request from RSPB Scotland to supplement the baseline data for assessment.	
121	Bryophytes	NS agree with the proposed scope of the bryophyte assessment, with detailed surveys to be carried out on; Allt an t-Sluichd (for the avoidance of doubt the survey should cover the entire length of the burn), the unnamed burn draining from Lochan a'Choin Uire and Allt a'Chinn Mhonaich. NS also welcome the additional surveys on the inflows to Loch Kemp that will be inundated by the damming of Loch Kemp.	NS 20	43	Freshwater bryophyte and lichen surveys have been undertaken on all watercourses referred to. The potential impacts of the Proposed Development on terrestrial and semi-aquatic bryophyte and lichen species identified within (or nearby) these watercourses have been assessed as part of the Chapter 10: Terrestrial Ecology (and associated appendices) and potential impacts of the Proposed Development on fully aquatic species have been addressed as part of Chapter 12: Aquatic Ecology.	<p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 1, Chapter 12 - Aquatic Ecology</p> <p>Volume 4, Appendix 10.2: Bryophyte Survey Report</p> <p>Volume 4, Appendix 10.2: Lichen Survey Report</p> <p>Volume 4, Appendix 10.4: Freshwater Lichen Survey Report</p> <p>Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys</p>
122	Designated Sites - Fish and Aquatic Ecology	<p>NS generally agree with the proposed assessment of the River Moriston SAC as set out in 12.1.18 of the Scoping Report, but it needs to be expanded to include the following:</p> <p>1. An assessment of the implications of modelled flows in and out of the River Ness for the ability of salmon to continue to migrate successfully. Migrating salmon access Loch Ness and ultimately River Moriston through River Ness and flow rates in the River Ness are dependent on loch levels. It is</p>	NS 21	43	The design of the Proposed Development has considered means of reducing impacts on salmon, including smolt around the intake / outtake areas as far as possible. These design measures have been detailed in Chapter 2: Design Evolution and Alternatives and Chapter 13: Fish. An assessment, including a cumulative assessment, of the outstanding potential impacts on salmon and sea trout smolt (following the implementation of mitigation by design) and any further monitoring and	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>

		<p>essential that the impact of this proposal on the flow rates in the River Ness be considered alongside the impact of the existing pumped storage scheme at Foyers, plus other pumped storage schemes planned or being considered around Loch Ness.</p> <p>2. Monitoring and mitigation proposals to minimise impacts on smolts Information on smolt movement in freshwater lochs is limited but it is known that they disperse widely around lochs before heading out towards the sea. There is a risk of smolt entrainment during pumping operations. NS need monitoring and mitigation measures to avoid significant loss of smolts due to entrainment. NS recommend the use of monitoring arrays around the outfall /pumping area and a range of mitigation measures, which include modifying operation of the Proposed Development.</p>			<p>mitigation measures proposed have been included in the Fish Chapter of the EIA Report.</p> <p>The Applicant has made a commitment to Ness DSFB on a without prejudice basis to contribute to further research and practical measures that might be employed to benefit Atlantic salmon. Options that are being considered are tracking surveys, trap and transport, reintroduction of hatcheries and a bubble curtain across the Canal at Dochfour. Both the Applicant and NDSFB recognise that any research and measure to be employed would require the cooperation of other stakeholders to be fully successful.</p> <p>The Applicant has consulted with experts on fish screening and will in any event be deploying the latest thinking and experience on designs irrespective of the outcome of any future study i.e., the Applicant would adopt the precautionary approach.</p>	
123	Fish	NS broadly agree with the proposed scope of the fish assessment in terms of coverage but request that further information is included in the EIA Report. NS advise that full details of type and reasoning behind each survey as well as methodology provided in the EIA Report.	NS 22	43	Further details of the type and reasoning of the survey data have been included in Chapter 13: Fish.	<p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys</p>
124	Fish	Loch Ness also supports both Arctic charr and ferox trout (a piscivorous lacustrine form of trout). NS are aware recent work tracking and field camera by the Ness DSFB has identified some spawning sites for the trout, but nothing is known about the spawning sites of Arctic charr in the area. Similar work to establish spawning areas for Arctic charr is being carried out by SSE in response to their proposals for the pumped storage facility at Loch Lochy (Coire	NS 23	43	<p>Baseline survey works have focused on salmonid spawning habitat suitability at shoreline and perpendicular transects (100 m intervals) within the site boundary and to a buffer of up to 650 m.</p> <p>Shoreline habitats were assessed on foot aided by use of bathyscope. Perpendicular transects were conducted via boat-based Spyball camera</p>	<p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys</p>

		Glas) and we advise a similar methodology is carried out for this EIA.			<p>and were adapted from methodology carried out by Coyle and Adams (2011).</p> <p>The assessment was also supplemented by the best available scientific literature on Arctic charr spawning areas within Loch Ness.</p> <p>The perimeter of Loch Ness is 80,000 m; therefore it was concluded that an assessment of the entire perimeter to quantify all suitable charr spawning habitats would be a huge undertaking and unfeasible at this level of detail. A high-level desk study following a similar methodology to Coire Glas was carried out using geological mapping of superficial deposits and bathymetry but due to timing constraints a field survey could not be carried out pre-submission. Habitat surveys alone would also not provide information on locations of where Arctic charr are spawning. This would be very difficult to evidence with underwater cameras on a waterbody the size of Loch Ness, also given the variation in the timing of spawning.</p>	
125	Designated Sites - Grid Connection	NS note that an underground grid connection has been agreed, but the route has yet to be decided. Based on the location of the powerhouse, this has the potential to further impact on the woodland features of the SAC. This needs to be taken into account and included in a cumulative impact assessment and included in the EIA Report.	NS 24	44	<p>It is proposed that a 275 kV cable from the powerhouse would be routed through the access tunnel, where it would resurface through a cable shaft outside of the Ness Woods SAC and connect into a switching station, where the ownership of the connection would switch from the Applicant to SSEN. The tunnel and the cable shaft would be included as part of the s.36 application for the Proposed Development and assessed as part of the EIA Report. The cable and switching station would form part of a separate application. However, as the cable would be routed through the underground access tunnel, no additional impacts on the Ness Woods SAC are anticipated as a result of the grid connection.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 3: Description of Development.</p> <p>Cumulative Assessments in Volume 1, Chapters 7-20 (where relevant)</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>

					The cable and switching station has been assessed as a cumulative development to the Proposed Development in the EIA Report, where relevant and the Shadow HRA.	
126	Construction Methods and Plans	NS require full details of construction plans and methods for all elements of the Proposed Development at application stage, to enable NS to provide advice on the nature and magnitude of the impacts on the environment. Therefore, NS advise that finalised detailed CMPs are submitted as part of the final application.	NS 25	44	Noted. Information to be included in the CMPs have been provided as part of Chapter 3: Description of Development. A detailed description of the tracks, powerhouse, dams, tunnels, laydown areas and borrow pits is also be included in this chapter (including within supporting figures and appendices). The final CMPs would be prepared by the appointed Principal Contractor.	Volume 1, Chapter 3: Description of Development. Volume 4, Appendix 3.3 Outline CEMP
127	Mitigation and Restoration Plans	NS advise that a schedule of mitigation and restoration is provided which clearly details all measures required for each component of the Proposed Development. These plans should specify techniques that will be deployed to minimise impacts on, and where appropriate, permit full restoration of habitats.	NS 26	44	A Schedule of Mitigation has been included as an appendix to the EIA Report.	Volume 4, Appendix 3.2: Schedule of Mitigation
128	Cultural Heritage	HES would be happy to comment on more information as it becomes available. In particular, it may be useful to the Applicant to agree any requirements for supporting information before finalising the application.	HES 1	45	Noted. Any further consultation undertaken by HES has been detailed in Chapter 5: Scoping and Consultation.	Volume 1, Chapter 5: Scoping and Consultation
129	Cultural Heritage	HES note that the proposed methodology refers to 'heritage importance and sensitivity' and would recommend the approach taken in the EIA Handbook, which focuses on cultural significance. HES expect the assessment to refer to the handbook and the advice it contains.	HES 2	45	Noted, the assessment on cultural heritage includes reference to the EIA handbook.	Volume 1, Chapter 15: Cultural Heritage.

130	Cultural Heritage	It appears likely that any impacts on HES's interests will be on the setting of heritage assets. HES therefore recommend that the assessment follows the advice given in HES's Managing Change guidance note on Setting.	HES 3	46	Noted, the cultural heritage assessment considers HES's advice given in their Managing Change guidance note on Setting.	Volume 1, Chapter 15: Cultural Heritage.
131	Telecommunication	The Project should not cause interference to BT's current and presently planned radio network.	BT 1	47	Noted.	Volume 1, Chapter 5: Scoping and Consultation.
132	Fish	FMS fully endorse the Scoping Response provided by the NESS DSFB and note that the Scottish Government have recognised that Scotland's wild salmon populations are at crisis point and have recently published a Wild Salmon Strategy.	FMS 1	48	Noted. Please refer to the NESS DSFB response.	Volume 1, Chapter 5: Scoping and Consultation. Volume 4, Appendix 5.5: Further Consultation with Consultees
133	Fish	The Proposed Development may cause entrainment and/or impingement of salmon and sea trout smolts at the Loch Ness inlet, in particular those originating from the River Moriston SAC.	DSFB 1	49	The design of the Proposed Development has considered means of reducing impacts on salmon and sea trout smolt around the intake / outtake areas, as detailed in Chapter 2: Design Evolution and Alternatives and Chapter 13: Fish. The Fish Chapter of the EIA Report includes an assessment of cumulative impacts of the Proposed Development working in operation with the Foyers and Red John Pumped Storage Schemes. An assessment of the outstanding potential impacts on salmon and sea trout smolt (following the implementation of mitigation by design) is included in Chapter 13: Fish. Potential adverse impacts on Atlantic salmon associated with the River Moriston SAC are also assessed in the Shadow HRA.	Volume 1, Chapter 2: Design Evolution and Alternatives. Volume 1, Chapter 13: Fish. Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)

134	Fish	<p>There is a knowledge gap regarding the impact of repetitive abstraction and discharge cycles by pumped storage hydro schemes (PSH) on the passage of salmon and sea trout smolts as they migrate through lochs. There is already one operational PSH in Loch Ness (Foyers) with another consented (Red John). If all three schemes become operational salmon smolts migrating along the east side of Loch Ness could encounter three large scale PSH schemes. The effect of cumulative, anthropogenic, delays to their migration is likely to be highly detrimental to their life-time success.</p> <p>Given the national interest in PSH, this issue needs significant, and urgent, research to establish whether PSH intakes do attract, delay and ultimately result in increased smolt mortality. Without this fundamental understanding management of the issue is impossible.</p>	DSFB 2	49	<p>This issue was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH to ECU on the 29<sup>th</sup> April 2022. This letter notes that the Developer recognises that Loch Ness is an important migratory route and refuge for Atlantic salmon and sea trout and intends to consult with Ness DSFB and other relevant stakeholders to discuss how to obtain existing and available data to undertake a review of existing migration datasets for Loch Ness and tributaries. However, the Applicant does not consider it to be possible to facilitate new smolting or adult upstream tracking migration studies mentioned within the Ness DSFB response within the scope of the EIA Report for the Proposed Development.</p> <p>Although the Applicant did not receive a direct response to this letter, it is noted that in the subsequent Scoping Opinion, the ECU advise that the Applicant should note all scoping responses regarding fish species and their habitats and comply with any information requirements set out therein.</p> <p>In response to this, the Applicant has made a commitment to Ness DSFB on a without prejudice basis to contribute to further research and practical measures that might be employed to benefit Atlantic salmon. Options that are being considered are tracking surveys, trap and transport, reintroduction of hatcheries and a bubble curtain across the Canal at Dochfour. Both the Applicant and NDSFB recognise that any research and measure to be employed would require the cooperation of other stakeholders to be fully successful. An appropriately designed fish deterrent system would be installed at the intake of the Proposed Development in Loch Ness, which would deter smolts from the intake. This measure would</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 5: Scoping and Consultation.</p> <p>Volume 1, Chapter 13: Fish.</p> <p>Volume 4, Appendix 5.5: Further Consultation with Consultees</p> <p>Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)</p>
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					<p>serve as mitigation for the Proposed Development. The Applicant maintains that it would not be proportionate for this research to fall within the scope of the EIA Report for the Proposed Development.</p> <p>The design of the Proposed Development has considered means of reducing impacts on salmon and sea trout smolt around the intake / outtake areas. These design measures have been detailed in Chapter 2: Design Evolution and Alternatives.</p> <p>Chapter 13: Fish includes an assessment of cumulative impacts of the Proposed Development working in operation with the Foyers and Red John Pumped Storage Schemes. An assessment of the outstanding potential impacts on salmon and sea trout smolt (following the implementation of mitigation by design) have been included in chapter</p> <p>Potential adverse impacts on Atlantic salmon associated with the River Moriston SAC are also assessed in the Shadow HRA.</p>	
135	Fish	<p>Foyers PSH abstracts and discharges, on a daily basis, more water than would flow down the River Ness during a moderate size spate. Consequently, Foyers PSH already affects water levels in Loch Ness, and River Ness, but the cumulative impact of three PSH schemes in Loch Ness on downstream river levels is significantly greater, and potentially quite destructive to other interests e.g. angling, but also to the ecology of the River Ness.</p> <p>Flow regulating sluices were installed at Dochfour Weir by Scottish &amp; Southern Energy in the 1970s, when Foyers PSH was built, to try and regulate flows in the River Ness. This is only partially successful</p>	DSFB 3	50	<p>This matter was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH to ECU on the 29<sup>th</sup> April 2022.</p> <p>This letter notes the Developer has been in discussions with Scottish Canals since July 2021 and is carrying out hydrological modelling to assess the range of impacts on Loch Ness, taking account of the existing Foyers operation and the proposed Red John scheme. The 'stop-pumping' level adopted would protect Foyers and Red John (if this is built before Kemp) so neither scheme would be worse off under all potential operating profiles and climatic</p>	<p>Volume 1, Chapter 5: Scoping and Consultation</p> <p>Volume 1, Chapter 7: Water Management</p> <p>Volume 1, Chapter 13: Fish</p> <p>Volume 4, Appendix 5.5: Further Consultation with Consultees</p>

		<p>and when the sluices are open it affects the ability of upstream migrating salmon to negotiate the fish pass at Ness Weir.</p> <p>There is a SEPA Car licence controlling the operation of Foyers PSH - minimum loch levels at which abstraction can occur, are specified. A potential scenario whereby all three Ness PSH schemes abstract, simultaneously, during low loch levels, could result in record low water levels in Loch, the River Ness, as well as in the Caledonian Canal.</p> <p>Predicted climate-induced effects include greater duration and frequency of water scarcity in future, indeed, SEPA have recently consulted on measures to address water scarcity. The cumulative operational impact of these schemes will have real potential to exacerbate existing issues, and this is likely to get worse in future. Salmon are threatened by climate change, but measures to address carbon emissions should not exacerbate pressures on already threatened native wildlife.</p>			<p>conditions, albeit in some circumstances there would be some curtailment of the Proposed Development's operations. The level of potential curtailment is factored into the financial viability of the Applicant's project.</p> <p>The Applicant is assessing the cost/benefit of modifications to Ness Weir that would enable more sophisticated controls to be put in place and eliminate the requirement for curtailment. Any proposal to make these modifications would need to be agreed with SSE, SEPA and Scottish Canals, and would form the subject of a separate planning application. The Proposed Development is not dependent on any modifications to Ness Weir. The Applicant therefore recognises that the Water Management of Loch Ness is key and would need to be discussed and agreed with SEPA, as part of the CAR licence application.</p> <p>The letter also confirmed that the EIA Report would include a water management assessment, which would provide reassurance that the compensation flow at Dochfour Weir can be maintained, and it is assumed that this would be covered by a Condition of Consent.</p>	<p>Volume 4, Appendix 7.1: Loch Ness PSH – hydrological modelling Technical Note</p>
136	Fish	<p>Information relating to the behaviour of migratory adult salmonids as they pass through Loch Ness is limited. Disruption to the migratory behaviour of salmon and sea trout resulting from the discharge of water from the outlet of the proposed development could occur. This has the potential to leave them more vulnerable to illegal exploitation and predation. Given the scale of the proposed development, and the cumulative impact of multiple PSHs on Loch Ness, and the potential impacts on migratory salmonid populations in the Ness system, Ness DSFB regard that an extensive desk study, together with both adult and smolt tracking studies, will be</p>	DSFB 4	51	<p>This matter was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH to ECU on the 29<sup>th</sup> April 2022. This letter notes that the Developer recognises that Loch Ness is an important migratory route and refuge for Atlantic salmon and sea trout and intends to consult with Ness DSFB and other relevant stakeholders to discuss how to obtain existing and available data to undertake a review of existing migration datasets for Loch Ness and tributaries. However, the Applicant does not consider it to be possible to facilitate new smolting or adult upstream tracking migration</p>	<p>Volume 1, Chapter 5: Scoping and Consultation</p> <p>Volume 1, Chapter 13: Fish</p> <p>Volume 4, Appendix 5.5: Further Consultation with Consultees</p>



		required to adequately inform the assessment of likely impacts.			<p>studies mentioned within the Ness DSFB response within the scope of the EIA Report for the Proposed Development. The letter notes that whilst such studies should not be discounted as part of a wider research programme, it is considered disproportionate in relation to the Proposed Development.</p> <p>Although the Applicant did not receive a direct response to this letter, it is noted that in the subsequent Scoping Opinion, the ECU advise that the Applicant should note all scoping responses regarding fish species and their habitats and comply with any information requirements set out therein.</p> <p>In response to this, the Applicant has made a commitment to Ness DSFB on a without prejudice basis to contribute to further research and practical measures that might be employed to benefit Atlantic salmon. Options that are being considered are tracking surveys, trap and transport, reintroduction of hatcheries and a bubble curtain across the Canal at Dochfour. Both the Applicant and NDSFB recognise that any research and measure to be employed would require the cooperation of other stakeholders to be fully successful. An appropriately designed fish deterrent system would be installed at the intake of the Proposed Development in Loch Ness, which would deter smolts from the intake. This measure would serve as mitigation for the Proposed Development. The Applicant maintains that it would not be proportionate for this research to fall within the scope of the EIA Report for the Proposed Development.</p>	
137	Fish	Ness DSFB request that the EIA completes a thorough assessment of the cumulative impact on loch and river levels, in the context of climate	DSFB 5	51	Chapter 7: Water Management includes a cumulative assessment, which considers the cumulative impact of the Proposed	Volume 1: Chapter 7: Water Management.

		change, when more extremes in weather are expected.			Development and other pumped storage schemes on water levels within the Loch Ness Catchment, including Foyers and Red John.	Volume 4, Appendix 7.1 – Loch Ness PSH – Hydrological Modelling Technical Note
138	Fish	Ness DSFB welcome this statement “It is proposed to carry out detailed hydrological modelling to explore and assess the potential effects of the Proposed Development on water management within the Loch Ness catchment during the operational phase of the Proposed Development”, however, the cumulative impact of this proposed scheme and others already operational, or consented, needs to be included within the hydrological modelling.	DSFB 6	51	Chapter 7: Water Management includes a cumulative assessment, which considers the cumulative impact of the Proposed Development and other pumped storage schemes on water levels within the Loch Ness Catchment, including Foyers and Red John. The assessment has been informed by hydrological modelling.	Volume 1: Chapter 7: Water Management.  Volume 4, Appendix 7.1 – Loch Ness PSH – Hydrological Modelling Technical Note
139	Fish	The River Moriston estuary lies approximately 2.5 km from the Kemp PSH discharge point. The potential impact of the proposal on salmon smolts emigrating from the River Moriston needs to be considered fully.	DSFB 7	51	An assessment of the outstanding potential impacts on salmon and sea trout smolt (following the implementation of mitigation by design) has been included in Chapter 13: Fish.  Potential adverse impacts of the Proposed Development on Atlantic salmon associated with the River Moriston SAC has been assessed as part of the Shadow HRA	Volume 1, Chapter 13: Fish.  Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
140	Fish	All potential impacts of the Proposed Development, and the cumulative impact of the other PSH schemes in Loch Ness on adult, and smolt, migration through Loch Ness need to be considered.	DSFB 8	51	Chapter 13: Fish includes an assessment, including a cumulative assessment, of the Proposed Development on adult, and smolt, migration of relevant salmonid species through Loch Ness.  Potential adverse impacts of the Proposed Development on Atlantic salmon associated with the River Moriston SAC has been assessed as part of the Shadow HRA. This assessment of in combination effects with other existing and consented PSH schemes on Loch Ness.	Volume 1, Chapter 13: Fish.  Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)

141	Fish	Ness DSFB agree that the scoping document identifies the highest priority impacts of the Proposed Development.	DSFB 9	51	Noted	Volume 1, Chapter 13: Fish.
142	Fish	There are few detailed tracking studies on adult, or smolt stage, salmonid passage or use of Loch Ness, and none that Ness DSFB are aware Annex A Page 42 off studying Atlantic salmon. This is a major knowledge gap that needs to be addressed as part of this EIA. This should have been done during the EIA stage for previous PSH schemes on Loch Ness but were not.	DSFB 10	51	<p>This issue was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH to ECU on the 29<sup>th</sup> April 2022. This letter acknowledged that there would be benefit in such studies being undertaken in the wider context and advises that whilst the Developer would be happy to participate in this research, they do not consider it reasonable to undertake such studies as part of the EIA assessment for the Proposed Development, particularly given the time frames that would be required to obtain meaningful results from such studies. The letter also noted that the completion of such research had not been a requirement for other recently consented PSH schemes.</p> <p>Although the Applicant did not receive a direct response to this letter, it is noted that in the subsequent Scoping Opinion, the ECU advise that the Applicant should not all scoping responses regarding fish species and their habitats and comply with any information requirements set out therein.</p> <p>In response to this, the Applicant has made a commitment to Ness DSFB on a without prejudice basis to contribute to further research and practical measures that might be employed to benefit Atlantic salmon. Options that are being considered are tracking surveys, trap and transport, reintroduction of hatcheries and a bubble curtain across the Canal at Dochfour. Both the Applicant and NDSFB recognise that any research and measure to be employed would require the cooperation of other stakeholders to be fully successful. An</p>	<p>Volume 1, Chapter 5: Scoping and Consultation</p> <p>Volume 1, Chapter 13: Fish</p> <p>Volume 4, Appendix 5.5: Further Consultation with Consultees</p>

					appropriately designed fish deterrent system would be installed at the intake of the Proposed Development in Loch Ness, which would deter smolts from the intake. This measure would serve as mitigation for the Proposed Development. The Applicant maintains that it would not be proportionate for this research to fall within the scope of the EIA Report for the Proposed Development.	
143	Aviation	HIAL's calculations show that, at the given position, this development would not infringe the safeguarding criteria for Inverness Airport. Therefore, Highlands and Islands Airports Limited has no objections to the proposal.	HIAL 1	53	Noted	Volume 1, Chapter 5: Scoping and Consultation
144	Tele-communications	JRC don't have any concerns regarding this development.	JRC 1	54	Noted	Volume 1, Chapter 5: Scoping and Consultation
145	Recreation	MS suggest the inclusion in visualisation assessment of Meall Fuar-mhonaigh, a popular summit.  MS request that visualisation assessment from this viewpoint should include the extent of the proposed drawdown zone surrounding Loch Kemp and the design and construction of new permanent tracks.	MS 1	55	Visualisations from Meall Fuar-mhonaigh have been included in the EIA Report, illustrating views of the Proposed Development during construction, upon completion and 10 years after completion when vegetation, including any mitigation planting, has had the opportunity to establish. Potential effects on visual receptors using this route would also be assessed as part of the LVIA and in the land use and recreation assessment of the EIA Report.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment.  Volume 1, Chapter 9: Land Use and Recreation.  Volume 3a - Figure V3a-6a-6: Visualisation Location 5: Meall Fuar – mhonaigh  Volume 3b - Figure V3b-5a-n: Visualisation Location 5: Meall Fuar - mhonaigh

146	Aviation	The proposed development has been examined from a technical safeguarding aspect and does not conflict with NATS safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.	NATS 1	57	Noted.	Volume 1, Chapter 5: Scoping and Consultation
147	Impact on Woodlands - Ness Woods SAC	A figure is provided for the loss due to inundation (0.4ha), but no area has been calculated for other direct loss of habitat as a result of construction within the SAC. This will need to be presented to inform an Appropriate Assessment. Alternative track route and location options (e.g., for staff accommodation) must also be presented. It is noted that some direct loss of habitat within the SAC may be temporary and it is proposed that areas could be replanted. However, depending on the age of trees to be felled and the resulting fungi and invertebrates that they support; this may not be adequate mitigation to avoid adverse impacts on the SAC. Detailed tree and understory survey work would be required to inform this.	RSPB 1	59	<p>Detailed habitat loss calculations within the Ness Woods SAC have been presented Chapter 10: Terrestrial Ecology and the Shadow HRA.</p> <p>Details on alternative access routes and location options considered have been detailed in Chapter 2: Design Evolution and Alternatives and also the Derogation Report.</p> <p>Detailed survey work has been undertaken in the Ness Woods SAC has been undertaken, including individual tree tagging, bryophyte surveys and lichen surveys.</p> <p>Details on compensatory planting, including the sourcing of compensatory saplings where relevant, have been included in the Forestry Chapter and Appendix 19.2: Loch Kemp Pumped Storage Woodland Management.</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 10: Terrestrial Ecology</p> <p>Volume 4, Appendix 10.2: Bryophyte Survey Report</p> <p>Volume 4, Appendix 10.2: Lichen Survey Report</p> <p>Volume 4, Appendix 10.4: Freshwater Lichen Survey Report</p> <p>Volume 4, Appendix 10.5: Ness Woods SAC Tree Tagging Information, and sample Root Protection Area Information</p> <p>Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys</p> <p>Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management</p>

						Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)  Loch Kemp Storage Case for Derogation Report (Supporting Document)
148	Impact on Woodlands - Ness Woods SAC	Construction within the SAC and associated habitat loss should be avoided as much as possible.	RSPB 2	59	Noted. Details on how the site layout has evolved to minimise habitat loss in the Ness Woods SAC have been detailed in Chapter 2: Design Evolution and Alternatives and the Shadow HRA.	Volume 1, Chapter 2: Design Evolution and Alternatives.  Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
149	Impact on SAC and deer movement.	Ness Woods SAC is in unfavourable condition, largely due to grazing pressure and invasive nonnative species. An assessment should be carried out of how the proposal is likely to affect deer movement and in turn deer impacts on the SAC and an accompanying deer management plan produced or changes incorporated into the existing deer management plan.	RSPB 3	59	Noted, the impact of the Proposed Development on deer and their associated impact on the Ness Woods SAC is presented Chapter 10: Terrestrial Ecology, as well as the Shadow HRA.	Volume 1, Chapter 10: Terrestrial Ecology.  Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
150	Loch Knockie and Nearby Lochs SPA	Loch Knockie is part of the Loch Knockie and Nearby Lochs SPA, designated for breeding Slavonian grebe. It is also designated as part of the Knockie Lochs SSSI. The nearby SPA should be specifically noted in the ornithology chapter. Sufficient information must be gathered to inform the EIA and a HRA.	RSPB 4	59	Noted, an ornithological assessment, which includes consideration of Slavonian grebe, has been undertaken and have been detailed in the Chapter 11: Ornithology. The Shadow HRA includes an assessment of the potential for the Proposed Development to adversely impact Slavonian grebe as the qualifying feature of the Loch Knockie and Nearby Lochs SPA.	Volume 1, Chapter 11: Ornithology  Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)

151	Impact to waterfowl	Given the scale of the proposal and long-term nature of the impacts, RSPB recommend a second year of waterfowl surveys to include additional visits in March/April to check Loch Kemp and surrounding lochans for any birds, paying particular attention to any areas of bottle sedge and willow on lochan edges in May/June.	RSPB 5	59	Noted. These surveys have been undertaken and have been detailed in the Chapter 11: Ornithology. Additional breeding bird surveys (waterfowl and black grouse) were carried out in 2022 to satisfy the request from RSPB Scotland to supplement the baseline data for assessment.	Volume 1, Chapter 11: Ornithology. Volume 4, Appendix 11.2: Ornithological Survey Results
152	Data Availability on Slavonian Grebe	RSPB Scotland does not hold any recent data for breeding Slavonian grebe in this area (using Loch Kemp, Lochan a' Choin Uire, Loch Cluanie or Loch Paiteag). We do hold annual data for Loch Knockie which can be supplied via a data request.	RSPB 6	59	Noted. Annual data for breeding Slavonian grebe Loch Knockie has been requested from RSPB Scotland and used to inform the ornithological assessment and Shadow HRA.	Volume 1, Chapter 11: Ornithology. Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
153	Impact on Birds of Conservation Concern	The site and its surroundings is used by a number of other Schedule 1 or Annex 1 birds as well as other species that are red or amber listed as being of conservation concern and impacts on these species should be fully assessed.	RSPB 7	59	Noted, a full ornithological assessment has been undertaken and is detailed in Chapter 11: Ornithology.	Volume 1, Chapter 11: Ornithology.
154	Impact on Raptors - Golden Eagle	Highland raptor study group should be contacted to provide data on breeding golden eagle, osprey, red kite and hen harrier (present in the 2004 national survey).	RSPB 8	60	Noted. This information has been requested from the Highland raptor study group and used to inform the ornithological assessment, which has been detailed in Chapter 11: Ornithology.	Volume 1, Chapter 11: Ornithology.
155	Impact on Lekking Black Grouse	No detail on the timing of breeding bird surveys has been provided so it is unclear if these would have picked up lekking black grouse. The estate may hold data on any black grouse leks, otherwise, dedicated surveys should be carried out.	RSPB 9	60	Noted. Black grouse surveys have been undertaken to inform the ornithology assessment, which is detailed in Chapter 11: Ornithology.	Volume 1, Chapter 11: Ornithology.

156	Loss of Woodland/ Ancient Woodland	The area of woodland likely to be lost should be clearly mapped and area calculated, and figures presented for ancient and native woodland. Any loss of ancient woodland should be avoided.	RSPB 10	60	Noted. Loss of ancient woodland has been avoided where feasible, as described in Chapter 2: Design Evolution and Alternatives.  Loss of native, non-commercial woodland has been detailed in Chapter 10: Terrestrial Ecology and loss of commercial woodland has been detailed in Chapter 19: Forestry.	Volume 1, Chapter 2: Design Evolution and Alternatives.  Volume 1, Chapter 10: Terrestrial Ecology.  Volume 1, Chapter 19: Forestry.  Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management
157	Loss of Woodland	The Proposed Development should satisfy the requirements of the CoWRP and the Highland-wide Local Development Plan policies 51 and 52 and other relevant policies.	RSPB 11	60	Noted. A commitment to undertaking compensatory planting in line with the CoWRP and other relevant policies has been included in Chapter 19: Forestry.	Volume 1, Chapter 19: Forestry
158	Habitat Management Plan and Biodiversity Gain	A habitat management plan should be proposed that increases native woodland, improves SAC site condition and delivers net biodiversity gain.	RSPB 12	60	Noted, an outline HMP has been prepared and has been provided as an appendix to Chapter 10: Terrestrial Ecology. A Compensatory Measures Package for the loss of qualifying habitat (including trees) within the Ness Woods SAC is also being developed in consultation with NS and considers deer management.  Biodiversity net gain for the Proposed Development has been considered using a methodology that has been agreed with THC.	Volume 1, Chapter 10: Terrestrial Ecology.  Volume 4, Appendix 10.7: Outline Habitat Management Plan (non SAC)  Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for Derogation Report. (Supporting Document)
159	Planting Plan and Deer Management Plan	A planting plan needs to include careful consideration of tree provenance and be accompanied by an updated deer management plan.	RSPB 13	60	Noted. An extensive tree tagging exercise within the Ness Woods SAC has been undertaken and has been detailed in Chapter 10: Terrestrial	Volume 1, Chapter 10: Terrestrial Ecology.  Volume 4, Appendix 10.7: Outline Habitat



					<p>Ecology. This chapter also includes details on deer management.</p> <p>A commitment to undertaking compensatory planting in line with the CoWRP has been included in Chapter 19: Forestry.</p>	<p>Management Plan (non SAC)</p> <p>Volume 4, Appendix 10.5: Ness Woods SAC tree tagging information.</p> <p>Volume 1, Chapter 19: Forestry.</p> <p>Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management</p>
160	Cumulative Impact on Engineering - Water Management	The assessment should include consideration of the cumulative effect of the proposal, along with the existing schemes at Foyers, Glen Doe and the approved 'Red John' scheme on Water Management, including canal operational considerations, asset fatigue through increased fluctuation and effects to flows to the River Ness from the Ness Weir on Loch Dochfour or other proposed alternative, taking cognisance of seasonal variations and considerations or implications to migratory species to which the detail of proposals may provide benefit.	SC1	62	Chapter 7: Water Management considers the impacts on the water levels of Loch Ness / the River Ness, including cumulative impacts with other PSH Schemes.	<p>Volume 1: Chapter 7: Water Management</p> <p>Volume 4, Appendix 7.1 – Loch Ness PSH- Hydrological Modelling Technical Note.</p>
161	Impact on Water Levels	The impact that varying water levels might have on Scottish Canals operations needs to be considered. This should include the use of leisure and commercial moorings at Dochgarroch West and the bottom of Fort Augustus as not all of the structures are floating pontoons, so access on and off jetties / wharves during the highest and lowest water levels should be assessed.	SC2	62	<p>Scottish Canals have been consulted during the EIA process, as detailed in Chapter 5: Scoping and Consultation.</p> <p>Loch level fluctuations and operation of the Canal have been considered Chapter 7: Water Management. Potential impacts on boat moorings has been considered in Chapter 9: Land Use and Recreation.</p>	<p>Volume 1, Chapter 5: Scoping and Consultation.</p> <p>Volume 1: Chapter 7: Water Management</p> <p>Volume 1, Chapter 9: Land Use and Recreation.</p> <p>Volume 4, Appendix 7.1 – Loch Ness PSH- Hydrological Modelling Technical Note.</p>

162	Impact on Sediment Deposition - Stilling Basin	Sediment deposition from non-controlled river discharges create deltas within the canal. The Dochfour Burn in particular creates a hazard to navigation during normal water levels. Fluctuating water levels on Loch Dochfour may make the requirement to dredge the outfall of Dochfour Burn more frequent and urgent, as shallower water pushes deeper drafted vessels across the channel, compromising the ability for vessels to pass in this area. The creation of a stilling basin on the Dochfour Burn upstream of the discharge point to the canal should be assessed as a possible solution in dealing with the sediment delta deposited in the canal, at low water levels.	SC4	63	Due to the loch level curtailment that would be in place for all PSH developments on Loch Ness, the lowest Loch Ness levels would still be governed by Foyers PSH and the Proposed Development would operate above these levels. Foyers PSH operation would therefore be the driver of any issues relating to sediment deposition from non- controlled river discharges rather than the Red John PSH (if constructed) or the Proposed Development.	Volume 1: Chapter 7: Water Management. Volume 4, Appendix 7.1 – Loch Ness PSH- Hydrological Modelling Technical Note.
163	Impact on Salmon smolt Sluice and Ness Wier	Scottish Canals has a smolt sluice adjacent to the Dochgarroch Lock which must be fully operational between 1 <sup>st</sup> April to 1 <sup>st</sup> July annually to move salmon smolt from the entrance of the canal at Loch Dochfour back to the River Ness system. The assessment should consider the impact of fluctuating water levels on the smolt sluice and the fish pass within the Ness Weir.	SC5	63	Due to the loch level curtailment that would be in place for all PSH developments on Loch Ness, Foyers PSH operation would be the key driver of any impacts on the smolt sluice and the fish pass within the Ness Weir, as they would be able to draw down Loch Ness water levels lower than Red John PSH (if constructed) and/or the Proposed Development. However, this issue has been considered in Chapter 13: Fish as well as within the Shadow HRA.	Volume 1: Chapter 7: Water Management. Volume 4, Appendix 7.1 – Loch Ness PSH- Hydrological Modelling Technical Note. Volume 1, Chapter 13: Fish. Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
164	Scoping Opinion	SW 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.	SW1	64	Noted	Volume 1, Chapter 5: Scoping and Consultation

165	Impact on Drinking Water Quality	From a water quantity perspective this activity is likely to be of low risk, however from a water quality point of view SW need to ensure mitigations are implemented to reduce any risks that could affect public drinking water supplies, especially given that there is a lot of other potential developments in this catchment.	SW3	64	Noted. Potential impacts on water quality, including cumulative effects, have been assessed and has been detailed Chapter 14: Geology, Soil and Water.	Volume 1, Chapter 14: Geology, Soil and Water.
166	Impact on Drinking Water Quality - Design Stages	SW 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.	SW7	65	Noted. Further consultation will be sought at the appropriate stage in the design process of the Proposed Development by the Appointed Principal Contractor.	Volume 1, Chapter 14: Geology, Soil and Water.
167	Impact on Drinking Water Quality - Notification of Works	SW request that they are notified 3 months in advance of any works commencing on site. This will enable SW to be aware of activities in the catchment and to determine if a site meeting would be appropriate and beneficial.	SW8	65	Noted. The Appointed Principal Contractor would be advised to contact Scottish Water 3 months in advance of any works commencing on site.	Volume 1, Chapter 14: Geology, Soil and Water.
168	Environmental Impact	There is concern as to how much of the natural habitat will be destroyed in the pre-construction and the construction works that will be required as well as the displacement of wildlife that will occur due to noise throughout the period of construction.	S&FCC 1	68	Assessments of habitat loss and disturbance to wildlife has been assessed in the relevant chapters of the EIA Report, including the terrestrial ecology, ornithology, aquatic ecology and fish assessment.	Volume 1, Chapter 10: Terrestrial Ecology Volume 1, Chapter 11: Ornithology Volume 1, Chapter 12 - Aquatic Ecology Volume 1, Chapter 13: Fish.
169	Water Management	The issue of large quantities of water being pumped out of and back into Loch Ness from various locations, with Red John having approval and the potential of other schemes, the calculations and estimates of the effects that could be caused will need to be shown.	S&FCC 2	68	Details of the hydrological modelling that has been undertaken in relation to the Proposed Development has been described in Chapter 7: Water Management and has been used to inform other assessments in the EIA Report where relevant. This modelling includes consideration of cumulative effects with Red John PSH.	Volume 1: Chapter 7: Water Management. Volume 4, Appendix 7.1 – Hydrological modelling Summary.

170	Visual Impact	The proposed dam will be visible from places in the Stratherrick and Foyers area including the Suidhe Viewpoint, which is on the Loch Ness 360 route. With tourism being the main economy for South Loch Ness, further deterioration of the mountains and the views will take its toll.	S&FCC 3	68	These issues have been assessed in the landscape and visual, land use and recreation and socioeconomics and tourism assessments of the EIA Report.	Volume 1, Chapter 8: Landscape and Visual Impact Assessment. Volume 1, Chapter 9: Land Use and Recreation. Volume 1, Chapter 20: Socio Economics and tourism.
171	Roads and Transport - Impact on Road Condition and Road Safety	Both the B862 and the B851 are narrow and mostly single track roads as one would expect from B category roads in the Highlands and as such, were never designed for heavy construction vehicles and high levels of traffic. The adverse impact that large amounts of construction traffic will have on the structural integrity of these routes and the road safety standards encountered by local residents must be considered. Many sections already suffer from significant verge deterioration.	S&FCC 4	68	A transport assessment has been included as an appendix to Chapter 16: Traffic, Access and Transport.	Volume 1, Chapter 16: Traffic, Access and Transport. Volume 4, Appendix 16.1: Transport Assessment.
172	Impact on Recreation	The Whitebridge plantation is a very popular walking area for local residents and visitors alike. It is also used by horse riders as a safe off road hacking route. There are various circular routes available which is why it makes it a popular location.	S&FCC 5	68	Potential impacts on recreation have been considered in Chapter 9: Land Use and Recreation. A commitment for the Appointed Principal Contractor to prepare an Outdoor Access Management Plan (OAMP) has been included in the EIA Report. A draft OAMP has been included as an appendix to the EIA Report.	Volume 1, Chapter 9: Land Use and Recreation. Volume 4, Appendix 9.1 Draft Outdoor Access Management Plan
173	Impact on Local Businesses and Accommodation	Concerns were raised as to who would stay in the proposed camp given that Whitebridge is 25 miles from Inverness. Conversely, if the camp was to house the proposed 200-300 workforce, this would swamp the local area as there are no local facilities apart from one small hotel.	S&FCC 6	68	The workers camp onsite would contain facilities such as a canteen, gym, cinema and other communal areas for the workers to use. Workers would be strongly discouraged from using facilities in Whitebridge or any other local villages. Workers would also be transported to	Volume 1, Chapter 3: Description of Development.

					<p>site by bus / transporters and would not take their own vehicles to site, which would make it difficult for workers to leave the site.</p> <p>The Applicant is committed to setting up a community liaison group during construction so locals can raise any issues or concerns.</p>	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment.</p>
174	Cumulative Impact	For some time, the Community Council have been very concerned about the amount of schemes that have planning and are being planned for the area and if they were all to go ahead, how this would be managed in the Community.	S&FCC 7	68	<p>Where relevant, the EIA includes an assessment of cumulative effects with other operational, in construction or consented schemes in the area.</p> <p>The Applicant is committed to setting up a community liaison group during construction so locals can raise any issues or concerns.</p>	<p>Volume 1, Chapter 4: EIA Process and Methodology.</p> <p>Volume 1, Chapter 5: Scoping and Consultation</p> <p>Cumulative Assessments in Volume 1, Chapter 7-20</p>
175	Traffic and Transport - Access	It is proposed that the Proposed Development access will be taken from a new junction with the B862, approximately 700m south-west of the Whitebridge Hotel. As the B862 is a local road, Transport Scotland has no comment to make on the access junction itself.	TS1	70	Noted.	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment.</p>
176	Traffic and Transport - Base Traffic	TS note that National Road Traffic Forecast (NRTF) Low Traffic Growth assumptions will be used to provide a common future year baseline to coincide with the expected peak level of construction traffic. TS is satisfied with this approach but would add that traffic flows from an appropriate year should be used, avoiding any influence of the COVID19 Global Pandemic. Data is also available from TS and TS would ask that the use of DFT "estimated" traffic flows from previous counts is avoided.	TS2	70	Noted and agreed.	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment.</p>

177	Traffic and Transport - Assessment Methodology	<p>TS note that the Transport Assessment Guidance (Transport Scotland, 2012) and the thresholds as indicated within the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic are to be used as a screening process for the assessment.</p> <p>The Scoping Report also indicates that potential trunk road related environmental impacts such as driver delay, pedestrian amenity, severance, safety etc will be considered and assessed where appropriate (i.e. where IEMA Guidelines for further assessment are breached). These specify that road links should be taken forward for assessment if:</p> <ul style="list-style-type: none"> <li>• Traffic flows will increase by more than 30%, or</li> <li>• The number of HGVs will increase by more than 30%, or</li> <li>• Traffic flows will increase by 10% or more in sensitive areas.</li> </ul> <p>This approach is considered acceptable, and TS are content that no further assessment is required if the above thresholds are not exceeded.</p>	TS3	70	Noted. The Transport Assessment has been undertaken in accordance with the approach outlined in the Scoping Report, details of which are included in Chapter 16: Traffic, Access and Transport and Appendix 16.1: Transport Assessment.	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment.</p>
178	Traffic and Transport - Operational Impacts	<p>It is noted that any impacts associated with the operational phase of the development are to be scoped out of the EIA Report. TS would consider this to be appropriate in this instance.</p>	TS4	70	Noted.	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment.</p>
179	Traffic and Transport - Construction Traffic Management Plan	<p>The Scoping Report states that a Construction Traffic Management Plan (CTMP) will be developed as part of the proposed development. This is welcomed and TS would ask that a copy of this be forwarded when it becomes available.</p>	TS5	70	Noted. An indicative CTMP has been included as part of Volume 4, Appendix 16.1: Transport Assessment.	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment.</p>

180	Traffic and Transport - Abnormal Loads Assessment	<p>The Scoping Report states that where Abnormal Indivisible Loads (AIL) are required on site, a Route Survey Report (RSR) will be provided to outline the access routes and associated mitigation required to physically accommodate movement of these loads.</p> <p>This is acceptable, however, TS will require to be satisfied that the size of AILs proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route. TS ask that this information is submitted as a Appendix to the EIA.</p>	TS6	70	<p>A RSR has been included as part of Appendix 16.1: Transport Assessment. This outlines locations along the AIL delivery routes where mitigation measures are required. Consultation has been undertaken with THC's abnormal loads and structures team and TS prior to any AIL deliveries being made which is in line with the AIL permitting process.</p>	<p>Volume 1, Chapter 16: Traffic, Access and Transport.</p> <p>Volume 4, Appendix 16.1: Transport Assessment</p>
181	Structure of EIA - Woodland Impacts	<p>As the proposed development area includes woodland, SF recommends that all impacts on woodland are set out in one section of the EIA Report.</p>	SF1	72	<p>Due the loss of non-commercial woodland that forms part of the qualifying features of the Ness Woods SAC associated with the Proposed Development, it has been agreed with the Tree Officer at THC that the EIA would assess impacts on commercial forestry in the forestry assessment and non-commercial woodland in the terrestrial ecology assessment of the EIA Report. However, these chapters cross reference each other where relevant.</p>	<p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 1, Chapter 19: Forestry.</p>
182	Woodland Removal - Compensatory Planting	<p>Any woodland removal for development purposes will be subject to Scottish Governments' CoWRP. This policy seeks to avoid the removal of woodland, but where permanent removal is essential for development purposes the area must be replaced elsewhere by compensatory planting. All proposed compensatory planting, felling and restocking proposals need to be compliant with requirements of UK Forestry Standard (UKFS).</p>	SF2	72	<p>The site has been designed to minimise woodland removal where possible as detailed Chapter 2: Design Evolution and Alternatives.</p> <p>It is not possible for the Proposed Development to completely avoid woodland removal and a commitment to undertaking compensatory planting in line with CoWRP has been made in the Chapter 19: Forestry.</p> <p>To compensate for the loss of native woodland within the Ness Woods SAC, a Compensatory</p>	<p>Volume 1, Chapter 2: Design Evolution and Alternatives.</p> <p>Volume 1, Chapter 10: Terrestrial Ecology.</p> <p>Volume 1, Chapter 19: Forestry.</p> <p>Appendix 10.5: Ness Woods SAC Tree Tagging Information, and sample Root</p>

					Measures Package has been developed in consultation with NatureScot.	Protection Area Information  Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management  Compensatory Measures Package contained within Section 4 of the Loch Kemp Storage Case for Derogation Report. (Supporting Document)
183	Woodland Removal - Compensatory Planting	The EIA Report should set out how this policy has been applied and quantify any permanent woodland removal. Any proposed compensatory planting areas will be the subject of the Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, and therefore a separate application will be required to be submitted to SF for a formal opinion on whether consent is required.	SF3	72	A commitment to undertaking compensatory planting in line with CoWRP has been made in Chapter 19: Forestry. This Chapter quantifies any permanent woodland removal that would be required for the construction and operation of the Proposed Development. Potential areas for compensatory planting have been identified on Dell Estate and has been detailed in Appendix 19.2: Loch Kemp Pumped Storage Woodland Management. It is acknowledged this would be subject to a separate consenting process.	Volume 1, Chapter 19: Forestry.  Volume 4, Appendix 19.2: Loch Kemp Pumped Storage Woodland Management
184	Impact on Fisheries - Salmonids	MSS agree with the concerns raised by the Ness DSFB and NS regarding the potential impacts of the proposed development on migratory salmonids that use Loch Ness to travel to and from their marine feeding grounds. SEPA similarly expressed concerns regarding potential impacts on smolt movements specifically in relation to Loch Dochfour as Dochfour weir may be a partial barrier to migratory fish in certain flow conditions.	MSS1	75	Noted. Please refer to relevant Ness DSFB, NS and SEPA responses. Potential impacts on migratory salmonids, including smolt, have been assessed and has been detailed in Chapter 13: Fish.	Volume 1, Chapter 2: Design Evolution and Alternatives.  Volume 1, Chapter 5: Scoping and Consultation.  Volume 1, Chapter 7: Water Management  Volume 1, Chapter 13: Fish.



						Loch Kemp Storage Habitats Regulations Appraisal Report (Stage 1 and 2) (Supporting Document)
185	Impact to Fisheries - Surveys	MSS welcome the proposal by the developer to carry out surveys to identify fish species and their habitats within the watercourses and areas of the lochs which could be at risk of being impacted as a result of the Proposed Development. MSS advise that full details and further discussion of surveys including methodology and the survey results should be presented in the EIA Report.	MSS2	75	Noted. Full details and further discussion of fish surveys including methodology, has been detailed in Chapter 13: Fish.	Volume 1, Chapter 13: Fish. Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys
186	Impact to Fisheries - Habitat Use by Species	MSS advise that the EIA Report should include the different habitat use by fish species within the waterbodies e.g., spawning areas used by Arctic charr and ferox trout in Loch Ness.	MSS3	75	Noted. This has been detailed in the Chapter 13: Fish.	Volume 1, Chapter 13: Fish. Volume 4, Appendix 12.1: Loch Kemp Baseline Aquatic Surveys
187	Impacts to Fisheries - List of Impact Considerations	The information on the presence of fish species and their habitat use should be used to assess the potential impacts of the construction and operation of the proposed development on the fish populations and associated fisheries.	MSS4	76	The potential impacts of the construction and operation of the Proposed Development on fish has been detailed in Chapter 13: Fish.	Volume 1, Chapter 13: Fish.
188	Impact to Fisheries - Cumulative Impact	MSS advise that a cumulative impact assessment on the fish populations as a result of the present proposal and other local developments (operational and consented) should be carried out and discussed by the developer in the EIA Report. This assessment should inform appropriate mitigation measures and monitoring requirements.	MSS5	76	A cumulative impact assessment has been detailed in the Chapter 13: Fish.	Volume 1, Chapter 13: Fish.

189	Impact to Fisheries - Mitigation	Proposed mitigation measures (e.g., the avoidance of identified valuable fish habitat, appropriate screen mesh size and velocity of water approaching water inlets and monitoring of water quantity and quality and fish behaviour and migration patterns) should be drawn up to avoid and/or minimise any potential impacts and full details of all mitigation should be provided in the EIA Report.	MSS6	76	The Design of the Proposed Development has considered means of minimising impacts on fish populations, including smolt. This has been detailed in Chapter 2: Design Evolution and Alternatives. Further proposed mitigation measures to minimise potential impacts on Fish has been described in Chapter 13: Fish.	Volume 1, Chapter 2: Design Evolution and Alternatives. Volume 1, Chapter 13: Fish.
190	Monitoring of Fish Populations	The Ness DSFB and NS discuss monitoring of fish populations and MSS advise that the developer should consider such monitoring (e.g., smolt/adult trapping, acoustic telemetry) to identify any impacts (including cumulative impacts) on fish populations, should they occur, throughout the construction and operation of the proposed development. Full details of proposed monitoring should be discussed in the EIA Report.	MSS7	76	<p>the Applicant has made a commitment to Ness DSFB on a without prejudice basis to contribute to further research and practical measures that might be employed to benefit Atlantic salmon. Options that are being considered are tracking surveys, trap and transport, reintroduction of hatcheries and a bubble curtain across the Canal at Dochfour. Both the Applicant and NDSFB recognise that any research and measure to be employed would require the cooperation of other stakeholders to be fully successful. An appropriately designed fish deterrent system would be installed at the intake of the Proposed Development in Loch Ness, which would deter smolts from the intake. This measure would serve as mitigation for the Proposed Development. The Applicant maintains that it would not be proportionate for this research to fall within the scope of the EIA Report for the Proposed Development.</p> <p>The Applicant has consulted with experts on fish screening and will in any event be deploying the latest thinking and experience on designs irrespective of the outcome of any future study i.e., the Applicant will adopt the precautionary approach.</p> <p>Consultation between the Applicant and Ness DSFB on this matter has been detailed Chapter 5: Scoping and Consultation.</p>	Volume 1, Chapter 2: Design Evolution and Alternatives. Volume 1, Chapter 5: Scoping and Consultation Volume 1, Chapter 13: Fish

191	Controlled Activity Regulations	All works should be carried out in accordance with SEPA regulations under the Controlled Activity Regulations (CAR) licence conditions.	MSS8	76	Noted.	Volume 1, Chapter 5: Scoping and Consultation  Volume 1, Chapter 7: Water Management.  Volume 1, Chapter 14, Geology, Soil and Water.
192	Impact on Fisheries - Fish Survey Results	MSS advise that full details regarding the proposed fish surveys, results from the fish surveys of fish species and their habitat use and the potential impacts (including potential cumulative impacts) on fish populations should be presented in the EIA Report. Appropriate mitigation measures to minimise and/or avoid potential impacts on fish and associated fisheries and full details on proposed monitoring should also be discussed in the EIA Report.	MSS9	76	Noted. This information has been provided in Volume 1, Chapter 2: Design Evolution and Alternatives.  Surveys to date have included: <ul style="list-style-type: none"> <li>• Riverine fish habitat assessment (including salmonid spawning suitability);</li> <li>• Loch fish habitat assessment (including salmonid spawning suitability); and</li> <li>• Electrofishing surveys (fish population assessment).</li> </ul>	Volume 1, Chapter 13: Fish.