

Loch Kemp Storage - EIA Report
Appendix 5.3: Gate Check Report

November 2023

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1. Introduction

1.1 Introduction

- 1.1.1 This Gate Check Report has been prepared by ASH design + assessment Limited (ASH) on behalf of Loch Kemp Storage Ltd. (“the Applicant”). This report is submitted to the Energy Consents Unit (ECU) of the Scottish Government in advance of an application to the Scottish Ministers under Section 36 of The Electricity Act 1989 for consent to build and operate a new pumped storage scheme with an installed capacity of up to 600 MW.
- 1.1.2 The proposals for which consent under Section 36 of the Electricity Act 1989 will be sought by the Applicant are referred to in this report as ‘the Proposed Development’. The application for Section 36 consent is being prepared by Statera Energy (UK) Limited (SEL) (“the Developer”), on behalf of the Applicant. Deemed planning permission under Section 57(2) of the Town and Country Planning Act 1997, as amended, will also be sought.
- 1.1.3 SEL currently own, operate or have under construction 1,020 MW of battery storage and flexible generation projects across the UK, with a further 13 gigawatts (GW) in development, comprising a mix of pumped storage, battery storage, flexible generation and hydrogen production.
- 1.1.4 The Proposed Development comprises the construction and operation of a pumped storage scheme of up to 600 MW, utilising the existing Loch Kemp as the upper storage reservoir and Loch Ness as the lower reservoir. To allow drawdown for storage, Loch Kemp would be raised by approximately 28 m from its existing 177 m AOD elevation to approximately 205 m AOD. Four new saddle dams between 16 – 34 m high and four minor cut off dams would be constructed around Loch Kemp to form the upper reservoir.
- 1.1.5 A new powerhouse would be constructed on the shore of Loch Ness, with integral tailrace arrangement with fish screens connecting the system to Loch Ness. The scheme would utilise an underground tunnelled waterway system to link between the intake on Loch Kemp and the powerhouse at Loch Ness, with the inclusion of a surge shaft (with associated access) on the hilltop between Loch Kemp and Loch Ness.
- 1.1.6 The slopes between the upper and lower reservoir encompass a combination of woodlands, most of which from part of the Ness Woods Special Area of Conservation (SAC), whilst the upper area consists primarily of upland moorland and managed land for game shooting. The location of the Proposed Development is shown on **Figure 1**, and the site layout is shown on **Figure 2**.
- 1.1.7 Access during the construction and operation of the Proposed Development would utilise the existing B862 public road and Dell Estate forestry tracks (to be upgraded and extended) and would involve a new access onto the B862, and the creation of other new access tracks around the site, including a new access track to the lower reservoir works on the shore of Loch Ness. The Caledonian Canal system would also be used as far as practicable in the delivery of various equipment and materials for the project.
- 1.1.8 The Proposed Development would also house visitor facilities within the powerhouse building. Access by the public to and from the powerhouse, would be via the quayside on Loch Ness and would be carefully controlled to restrict access to the powerhouse building only.

1.2 Pumped Storage Hydro

- 1.2.1 Pumped Storage Hydro is the oldest type of large-scale energy storage and works on a very simple principle, exploiting gravitational potential energy. At times of peak electricity demand, water stored in the upper reservoir is released to the lower reservoir, flowing through a turbine. This converts the energy of the water into useable electrical energy. At times of low electricity demand, the excess energy on the grid can be used to pump water back to the upper reservoir and stored again until times of high demand. In simple terms, a Pumped Storage Hydro project is effectively a big battery, connected to the electricity grid. Scotland has the UK's highest mountains largest inland lochs and highest rainfall in the UK. There is also an abundance of wind power that far exceeds the needs for Scotland so this excess energy on the grid will need to be managed with pumped hydro and other storage in the future. The Draft Energy Strategy and Just Transition Plan (Scottish Government, January 2023) recognises the crucial role that pumped storage hydro has, together with other storage technologies, in Scotland's energy system.

1.3 Purpose of this Document

- 1.3.1 The purpose of this Gate Check Report is to satisfy the requirements of the gate checking procedures for Applications under Section 36 of The Electricity Act 1989, namely, to outline consultations with statutory and non-statutory consultees, engagement with the local community and how matters raised during the scoping process have been dealt with in the EIA Report.

2. The Proposed Development

- 2.1.1 The primary function of the Proposed Development would be to store and release energy to or from the electricity transmission system as required, to help balance supply and demand for electricity at a national scale. The Proposed Development would operate by transferring water between the lower reservoir (Loch Ness) and the upper reservoir (the enlarged Loch Kemp), through the tailrace tunnel, powerhouse, pressure tunnel and headrace tunnel.
- 2.1.2 The Proposed Development would either be operated in the 'generating' mode, when electricity would be generated by releasing water from the upper reservoir at Loch Kemp through the reversible pump turbines and into Loch Ness, or in the 'pumping' mode, when electricity is used to drive water through the reversible pump turbines in the other direction from Loch Ness to the upper reservoir.
- 2.1.3 The generating capacity of the project would be up to 600 MW, with a generation energy storage capacity of up to almost 9 Gigawatt Hours (GWh).
- 2.1.4 The principal components of the Proposed Development are described below.

Dams and Upper Reservoir

- 2.1.5 Four new saddle dams between 16 – 34 m high and four minor cut-off dams would be constructed around Loch Kemp to enable the storage of water by increasing the size of the existing Loch Kemp to form the upper reservoir. The loch would be raised by approximately 28 m from its existing 177 m AOD elevation to approximately 205 m AOD.

Underground Waterway System

- 2.1.6 Screened intakes would feed an underground tunnel carrying water between the upper and lower reservoirs, through the powerhouse. The underground waterway system would require up to two surge shafts located on a local high point.

Powerhouse Building

- 2.1.7 A series of shafts with a surface powerhouse building located on the shore of Loch Ness would contain reversible pump turbines and motor generators together with associated equipment such as transformers. The powerhouse building would also house administration and visitor facilities. Also located within the powerhouse building would be a 275 kV gas insulated switchgear (GIS) substation, firefighting equipment and emergency diesel generator. The GIS substation within the powerhouse building would be owned and operated as part of the of the Proposed Development's electrical infrastructure.
- 2.1.8 The visitor facilities within the powerhouse building would likely comprise a café and information / interpretation exhibits about pumped storage, a viewing platform, a meeting room, and toilets. Access to and from the site by the public would be via the quayside on Loch Ness only. Access into the wider site by the public would not be permitted because of the sensitivity of the adjacent Ness Woods SAC.

Outlet Area

- 2.1.9 A tailrace structure would be located on the shore of Loch Ness, integral with the powerhouse building.

- 2.1.10 The onshore elements of the outlet area, the powerhouse building and the access tunnel would be located on an area of hardstanding. Due to the steep topography surrounding the powerhouse building, this hardstanding area would likely comprise two levels. The upper and lower level would be connected by an access track to the rear (east) of the powerhouse building.

Quayside

- 2.1.11 A quayside would be constructed adjacent to the powerhouse building and outlet area. This would allow delivery of larger items by boat during construction, such as the electrical and mechanical (E&M) equipment, as well as access to the powerhouse from the loch during the operating phase, including access to the visitor facilities within the powerhouse building, by the public.

Access Tunnels

- 2.1.12 Tunnels would be constructed to facilitate access to the underground waterway system.

Cable Tunnel and Vertical Cable Shaft

- 2.1.13 A short tunnel would extend from the access tunnel connecting to a vertical shaft from ground level. It is proposed that the grid connection for the Proposed Development, a 275 kV cable, would be housed within the tunnel and would resurface from the tunnel via the vertical cable shaft outwith the Ness Woods SAC to connect to a switching station (as described further in Section 2.2).

Access Roads

- 2.1.14 A series of temporary and permanent access roads would be provided for the construction of the Proposed Development and for operational and emergency access. Existing estate access and forestry tracks would be upgraded where feasible to minimise impact. Additional new access tracks would also be required as many of the existing tracks would be lost to the inundation area once the Proposed Development is operational. Tracks used for construction would generally be 8 m in width to allow two way construction traffic movement, however all tracks would be reinstated to approximately 4 m wide post construction. A new access junction would also be constructed from the B862 to the south of Whitebridge to access the Proposed Development site.

Rock Disposal

- 2.1.15 Most of the rock from the excavated tunnels and shafts would be removed via the shafts and tunnel portals near the powerhouse on the shore at Loch Ness. The excavated rock from the underground works would be reused in a positive manner in the dams, powerhouse platform, powerhouse building, and localised area of construction works wherever feasible.

Site Establishment

- 2.1.16 There would be a need for site establishment and lay down areas in the vicinity of the upper reservoir and lower reservoir works, as well as a self-contained workers' camp within the Whitebridge Plantation. Borrow pits would also be required to provide aggregate to construct suitable access tracks and site establishment areas, in advance of tunnel spoil being available for use. **Figure 2** shows the indicative location of the proposed site establishment areas / laydown areas and borrow pits.

Pre-Construction Planting

- 2.1.17 Areas of native planting that will be undertaken pre-construction (at the request of the landowner) are illustrated on **Figure 2**. These are considered advanced works of the Proposed Development.

2.2 Associated Works

Grid Connection

- 2.2.1 A grid connection, in the form of a 275 kV underground cable, is required to connect the Proposed Development to the national grid. This would be subject to a separate consenting process. The cable would be routed from the powerhouse through the cable tunnel, resurfacing through the cable shaft, located to the west of Lochan a Choin Uire, outwith the Ness Woods SAC. The cable would then be undergrounded and follow the access tracks that would be constructed as part of the Proposed Development to connect to a 275 kV Switching Station located to the north-east of Loch Kemp, near Dell Farm (as shown on **Figure 2**).
- 2.2.2 The cable between the powerhouse and switching station are considered Associated Works to the Proposed Development and would be considered as part of the cumulative assessment within the EIA Report. Separate consent would be required for these elements.
- 2.2.3 Works to complete the grid connection between the switching station and the point of connection to the National Grid, anticipated to be at the existing Foyers Substation, would also form part of a separate application by Scottish Hydro Electric Transmission plc, operating and known as Scottish and Southern Electricity Networks Transmission ("SSEN Transmission"). The Applicant has accepted a Grid Connection Offer from National Grid and a 275 kV buried connection has been requested, but the route is yet to be confirmed by SSEN Transmission. As such, consideration of the environmental effects associated with the grid connection between the switching station and Foyers Substation cannot be considered in the Section 36 Application and supporting EIA Report for the Proposed Development.

3. Design Evolution

3.1 Design Evolution

- 3.1.1 The Applicant has held numerous meetings with statutory consultees during the design phase of the Proposed Development and this has played an integral part in the design evolution process, particularly in relation to reducing the impacts on the Ness Woods Special Area of Conservation (SAC), as described in Section 3.2 of this report. Further information on the consultation that has been undertaken with statutory consultees in relation the design of the Proposed Development is provided in Section 4.
- 3.1.2 A key change to the Proposed Development since the Scoping Opinion was received is that it is now proposed to be a scheme up to 600-Megawatt (MW), rather than a 300 MW Scheme. However, in terms of design, the only difference this change makes is that the underground tunnels between the upper and lower reservoirs would be a twin tunnel configuration to allow for the increased water design flow rates.
- 3.1.3 A full description of the design evolution of the Proposed Development will be provided in the EIA Report. However, **Table 3.1** summarises the key design changes that have been made to the Proposed Development following the submission of the request for a Scoping Opinion in December 2021:

Table 3.1: Summary of Design Evolution of the Proposed Development since Scoping

Design Change	Reason / Justification
Ness Woods SAC	The Proposed Development is located partly within the Ness Woods SAC, as shown on Figure 2 . It will not be possible to completely avoid direct impacts on this designated site, as it stretches along the eastern shore of Loch Ness, where the lower reservoir works (and associated access) would need to be constructed. However, a number of design measures have been implemented to minimise impacts on the SAC, as summarised in Section 3.2 of this report
Site Boundary	The Site Boundary has been increased in response to design changes.
Development Area	The Development Area shows the extent of the main construction works.
Dam 1	Dam 1 is proposed to be a roller compacted concrete (RCC) dam rather than a rockfill dam to minimise the footprint of this dam on the Ness Woods SAC.
Dam 3 Location and Inundation Area.	Dam 3 has been located further eastwards following peat probing to avoid an area of very deep peat (4m +). The access tracks surrounding Dam 3 have also been revised to reflect this design change. The eastern side of Dam 3, facing Dell Lodge, would be landscaped with mitigation earthworks and planting of native tree species. The surface area of the maximum inundation area has also increased in size to approximately 41 km ² due to the relocation of Dam 3.
Dam 4	Dam 4 is proposed to be an RCC dam rather than a rockfill dam as additional structural stability is required due to the potential impounding on both sides of the dam from the upstream burn entering Loch Kemp. The dam would incorporate a pump system to manage the impounding on the upstream face of the dam into Loch Kemp.
Inlet Structure	The full extent of the inlet structure, including the excavation area and temporary cofferdam, is now illustrated on Figure 2 . An access track to the vertical cable inlet structure has also been added to the site design.

Surge Shaft.	A second surge shaft has been added to the Proposed Development due to the 600 MW configuration requiring twin pressure tunnels and therefore, a separate surge shaft for each tunnel for hydraulic reasons.
Underground Tunnels and Cable Shaft	The full extent of the access tunnels and cable tunnel, including the vertical cable shaft is now illustrated on Figure 2 . An access track to the vertical cable shaft has also been added.
Control Kiosks	Three Control Kiosks have been added to the site layout near Dam 1, Dam 4 and the inlet structure. These contain the control and instrumentation (C&I) equipment for the operation of the Proposed Development and may also contain emergency diesel generators for backup operational power.
Lower Reservoir Works and Powerhouse Building	The extent of the lower reservoir works is now illustrated on Figure 2 . This includes the powerhouse building, powerhouse platform and access tunnel adit, access tracks, outlet area / tailrace and temporary coffer dams. The design of the powerhouse building has been developed in discussion with key stakeholders at two workshops. The materials palette comprises largely reconstituted stone from the site, concrete, glass and steel, with mitigation earthworks, and planting to reflect and harmonise with the adjacent native woodland. The powerhouse also now includes a visitor centre, accessible to the public via the quayside on Loch Ness.
Access Tracks	Revisions have been made to access tracks for various reasons, including: <ul style="list-style-type: none"> - To minimise impact on areas of deep peat; - To minimise impact on areas of Annex 1 habitat, including blanket bog; - To minimise impact on qualifying habitat within the Ness Woods SAC; - To avoid a cultural heritage asset; - To increase the distance between access tracks and watercourses / waterbodies, including the Allt a'Chinn Mhonaich; - To increase the distance between access tracks and property at Easter Drummond (near access junction with B862); - To provide maintenance access to all dam locations; and - To provide operational and Estate access around Loch Kemp to replace the existing tracks that would be lost to the inundation area once the Proposed Development is operational.
Estate Water Supply	As part of the Proposed Development works it is proposed to reroute the estate water supply, servicing six properties on Dell Estate, to avoid any disturbance or contamination of this water supply during construction.
Pre-Construction Planting	Areas of native planting that will be undertaken pre-construction (at the request of the landowner) have been identified and are now illustrated on Figure 2 .
Borrow Pits, Welfare Area and Laydown Areas	Proposed laydown areas and indicative borrow pit locations are now illustrated on Figure 2 . The size and location of the main welfare compound has also been revised. Where required, new access tracks to these areas have also been included in the site layout.

3.2 Design Evolution in Ness Woods SAC

3.2.1 The following design measures have been implemented to minimise impacts on the Ness Woods SAC:

- The powerhouse location has been sited on a flat area close to Loch Ness shore, which is dominated by bracken, and whilst this area is still classified as part of the woodland qualifying interest habitat, construction in this area would reduce tree loss compared to more densely wooded areas;

- Multiple access track route options have been considered to try to reduce land-take within the woodland qualifying interest habitat, as well as to reduce the level of impact on bryophyte and lichen communities of conservation value, and minimise tree loss as far as possible;
- Tracks within the SAC would be 6 m width with passing places during construction rather than 8 m, which would be the standard for most tracks outside the SAC. All tracks would be reinstated to 4 m (with passing places) following construction;
- The infrastructure footprint, and working corridor (i.e. land used for construction), has been reduced as far as is practically feasible;
- It is proposed to deliver some of the larger E&M equipment to the lower reservoir works site by boat (via the Caledonian Canal);
- The access track through the SAC would follow the route of the existing 4x4 track as far as practical, to reduce additional land take;
- The qualifying habitats of the SAC have been mapped and the access track has been routed through areas of non-qualifying habitat as far as practical;
- The access track has been micro-sited to ensure it is at least 10 m away from the top of the banks of the Allt a'Chinn Mhonaich watercourse for the entirety of the route following advice from SEPA as a pollution prevention measure. No storage of material would be permitted in this buffer area;
- A cable tunnel is proposed to route the proposed grid connection, a 275 kV cable, from the powerhouse below ground and beneath the Ness Woods SAC. The cable would enter the access tunnel through the tunnel adit and exit the tunnel through a cable shaft located outside the SAC (and then continue onwards as a buried cable to connect to a 275 kV AIS switching station, as described in Section 2.2). This would ensure that there would be no additional land take in the Ness Woods SAC, as a result of the grid connection for the Proposed Development;
- No construction compounds, laydown areas, or welfare compounds are proposed within the Ness Woods SAC outside of the footprint of the powerhouse platform, to avoid additional land take in the SAC;
- Dam 1, which is located within the Ness Woods SAC, would be a roller compacted concrete dam rather than a rockfill dam, which reduces the land-take of the dam within Ness Woods SAC by approximately 50%;
- As the cable route is proposed to follow the route of the proposed access track, where the tracks passes over Dam 1 it is also proposed to route the cable over Dam 1, again ensuring that there would be no additional land take in the Ness Woods SAC, as a result of the grid connection;
- An option previously being considered of a conveyer belt through Ness Woods SAC to transport some construction materials has been removed from the scheme; and
- Access to and from the visitor centre by the public would be via the quayside on Loch Ness only.

3.2.2 An assessment of the potential direct and indirect impacts of the Proposed Development on Ness Woods SAC following the implementation of these design measures will be included in the Terrestrial Ecology Chapter of the EIA Report. A Shadow Habitats Regulation Appraisal (HRA) is being undertaken for the Ness Woods SAC and will be submitted alongside the EIA Report for the Proposed Development. A Compensatory Measures Package is also being developed in consultation with NatureScot.

4. Consultation

4.1 Scoping Stage

- 4.1.1 A formal request for a Scoping Opinion was made to the Scottish Ministers under Regulation 12 of the EIA Regulations in December 2021. A Scoping Report was submitted to support the request, which sought input from statutory and non-statutory consultees regarding the information to be provided within an EIA Report to accompany a section 36 application under the Electricity Act 1989.
- 4.1.2 A Scoping Opinion was subsequently provided by the Scottish Ministers on 21 October 2022, which has been considered in detail during the EIA process. A matrix detailing the key issues that were raised throughout the scoping stage is included in **Appendix 1** and summarised in Section 4.4.

4.2 Post-Scoping Consultation

- 4.2.1 Following submission of the Scoping Report, a virtual Pre-Application Meeting with the Scottish Government's Energy Consents Unit (ECU), THC, NatureScot and SEPA was held on 11th May 2022 to discuss the Proposed Development, providing the Applicant an opportunity to present the proposals to the Council, and seek advice on the acceptability of the project, and likely requirements and expectations for a future application.
- 4.2.2 Following this meeting, THC provided a formal pre-application response on 8th June 2022, detailing their understanding of the project, and setting out relevant planning policy and environmental considerations that would need to be addressed as part of the application supporting documents.
- 4.2.3 A design workshop hosted by THC took place on 24th May attended by ECU, THC, NatureScot, and SEPA, and a follow-up workshop was held on 27th July 2022 attended by ECU and THC, to provide an update on the project design, following the advice provided by consultees during the Pre-Application meeting, the formal pre-application response, and the initial design workshop.
- 4.2.4 Following the departure of the initial THC case officer, a further briefing and update call took place with THC and SEPA on 29th June 2023, followed by a further update call with SEPA on 14th July 2023.
- 4.2.5 Extensive consultation has also taken place with NatureScot during the course of the survey, design, and assessment of the scheme, to discuss options to minimise any potential effects of the scheme on the Ness Wood SAC.
- 4.2.6 Further consultation has also been undertaken with the following consultees:
- ECU;
 - THC;
 - THC's Environmental Health Department;
 - NatureScot;
 - SEPA (both licencing and planning);
 - Caledonian Canals;

- Forestry and Land Scotland;
- Ness District Salmon Fisheries Board; and
- Scottish Forestry.

4.2.7 This consultation will be detailed in the EIA Report for the Proposed Development.

4.3 Public Exhibitions

4.3.1 A series of in person public exhibitions were held locally at Scoping stage, at the following locations:

- Glenmoriston Millennium Hall, Invermoriston, Tuesday 30th November 2021, 1pm – 7.30pm;
- Fort Augustus Village Hall, Fort Augustus, Wednesday 1st December 2021, 1pm – 7.30pm; and
- The Wildside Centre, Whitebridge, Thursday 2nd December 2021, 1pm – 7.30pm.

4.3.2 A virtual public exhibition event, hosted via the project website (www.lochkempstorage.co.uk), was also held on Wednesday 8th December 2021, between 12pm – 2pm, and between 6pm - 8pm.

4.3.3 Further public exhibitions were held in December 2022 at the same locations as listed above.

4.3.4 To ensure early public engagement about the Proposed Development, the Applicant undertook the following steps:

- Contacted Stratherrick and Foyers Community Council and Fort Augustus and Glenmoriston Community Council to invite them to the public exhibitions (as described above). Dores and Essich Community Council, Strathdearn Community Council and Strathnairn Community Council were also contacted;
- Councillor (Cllr) Balance, Cllr Crawford, Cllr Fraser, and Cllr Knox were all contacted and invited to the 2022 public exhibitions, but did not attend;
- The Inverness Chambers of Commerce advertised the 2022 public exhibition events on the w/c 5th December 2022;
- Over 400 leaflets were distributed in November 2021 and December 2022 to addresses within a 10 km buffer of the Site;
- Posters were displayed at the Public Exhibition venues, community notice boards and where possible at local amenities during the exhibitions in both 2021 and 2022; and
- Adverts were placed in the public notice section of the Inverness Courier on the 12th and 19th November 2021 and on the 18th November and 5th December 2022. The Press and Journal ran coverage of the events in 2022.

4.3.5 A project website (www.lochkempstorage.co.uk) was created and has been regularly updated with the latest notices, plans and information about public exhibitions.

4.4 Key Scoping Issues

4.4.1 The Scoping Opinion made reference to site specific issues of interest to the Scottish Ministers, that should be considered and addressed, in addition to those laid out in responses from consultees. The

issues raised by Scottish Ministers are set out below. Specific responses from statutory and non-statutory consultees are included within **Appendix 1**.

EIA Application and Scope

“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”

“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.”

- 4.4.2 A scoping matrix can be found in Appendix 1 of this document, summarising all consultation comments received as part of EIA scoping process. The scoping matrix also describes and identifies where within the EIA Report scoping comments will be addressed, where relevant. The EIA Report for the Proposed Development will also include a Scoping Matrix as an appendix.

Drinking Water and Water Assets

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

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

- 4.4.3 Scottish Water have been contacted to request information on any assets within proximity of the Proposed Development. A combination of desk studies and site survey work has been undertaken to ascertain the presence of any private water supplies which could be impacted by the Proposed Development. The “Geology, Soils and Water” Chapter of the EIA Report will contain details of any assets and / or private water supplies identified, assess likely impacts and set out suitable mitigation measures, where required.

Peat Landslide Management

“Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at <http://www.gov.scot/Publications/2017/04/8868>, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required.”

- 4.4.4 A PLHRA will be prepared for the Proposed Development in line with best practice guidance and will form part of the “Geology, Soils and Water” Chapter of the EIA Report.

Landscape and Visual Impact

“The scoping report considers landscape and visual impact of the development and identified viewpoints to be assessed within the landscape and visual impact assessment. Please address the Planning Authority’s request in their response as regards landscape and visual assessment and specifically that relating to cumulative effects and viewpoints and address Mountaineering Scotland’s request in their response for additional required viewpoint assessment.”

- 4.4.5 The EIA Report will include photomontages from the following locations, as agreed with THC:

- In the vicinity of A82 north of Invermoriston (approximate 244688, 817533);
- The upper Great Glen Way in the vicinity of Alltsigh (246133, 820352);
- Core Path IN25.01 (248956, 816769) near Whitebridge;
- Summit by Suidhe Viewpoint off the B862 (244257, 810363);
- A82 South of Invermoriston (242564, 815635); and
- Meall Fuar-mhonaidh (245889, 822181).

Spoil Management and Forestry

“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. As stated by the planning authority a specific chapter on forestry should be included setting out where the Control of Woodland Removal policy applies and how compliance has been demonstrated.”

- 4.4.6 The EIA Report will include a draft borrow pit screening report and a draft spoil management plan detailing the locations, estimated volumes and nature of spoil/material that will be translocated throughout the construction phase of the Proposed Development. Details of potential re-use destinations/options will also be listed (subject to change). Proposals on forestry, felling, translocation and compensatory planting (in line with the Control of Woodland Removal policy) will be detailed in the EIA Report within the “Forestry” Chapter.

Design Evolution 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. Ministers agree with NatureScot and the Planning Authority that the EIA 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. Please note the Planning Authority and NatureScot’s responses regarding alternatives.”

“It will be important for the Company to set out a detailed section on the alternative solutions (as referred to above) which have been explored (both in terms of location and layout); 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.”

- 4.4.7 The EIA Report will include a chapter on “Design Evolution and Alternatives” in line with comments made by NatureScot and THC. This chapter will expand upon the design changes summarised in Section 3 of this Report. Details on pre-application consultation will also be set out in the EIA Report.

Impact on Fisheries and Aquatic Habitats

“Ministers agree with MSS, NatureScot, SEPA, Scottish Canals and the Ness DSFB that the EIAR should include comprehensive considerations of potential impacts on fish species and their habitats (including potential cumulative impacts). Please note MSS, NatureScot, SEPA, Scottish Canals and the Ness DSFB’s responses regarding fish species and their habitats and comply with any information requirements set out therein.”

- 4.4.8 The EIA Report will include chapters addressing the impact on “Fish” and “Aquatic Ecology” throughout different stages of the Proposed Development lifecycle (construction and operation), cumulative effects, and mitigation. The EIA Report will also include details of survey data collected in response to consultation with Ness DSFB, MSS, NatureScot, Scottish Canals.

- 4.4.9 Fish Surveys undertaken include:

- Riverine Macroinvertebrate Surveys;
- Loch Macroinvertebrate Surveys;
- Aquatic Lichen Surveys;
- Riverine fish habitat assessment (including salmonid spawning suitability);
- Loch fish habitat assessment (including salmonid spawning suitability); and
- Electrofishing surveys (fish population assessment).

- 4.4.10 The Applicant raised Ness DSFB’s request for detailed tracking studies on adult, or smolt stage, salmonid passage or use of Loch Ness in a letter to ECU (Ref 120019-L-NESS DSFB1-1.0.0) issued on the 29th April 2022. This letter acknowledges that there would be benefit in such studies being undertaken in the wider context and advises that whilst the Applicant 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 notes that the completion of such research has not been a requirement for other recently consented PSH schemes.

- 4.4.11 Although the Applicant did not receive a direct response to this letter, it is noted that in the 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.

- 4.4.12 In response to this, the Applicant has made a commitment to Ness DSFB to contribute to the cost of a smolt tracking study, but both the Applicant and Ness DSFB recognise that it will need other parties to co-operate. 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. The Applicant is also in discussion with Ness DSFB about the feasibility of undertaking trap and transport / 'trap and truck' for smolt mitigation. These discussions will be detailed in the 'Scoping and Consultation' Chapter of the EIA Report.

- 4.4.13 The Applicant maintains that it would not be proportionate for the level of research requested by Ness DSFB to fall within the scope of the EIA Report for the Proposed Development.

Designated Sites

"Ministers note the advice from NatureScot that impacts from the scheme as presented in the Scoping Report have the potential to have adverse effects on the integrity of the Ness Woods Special Area of Conservation ("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. Ministers agree with the requirements set out by NatureScot 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 NatureScot's consultation response."

"In considering whether the proposed Development will have an adverse effect on the integrity of the Ness Woods SAC, Scottish Ministers shall have regard to the manner in which the Development is proposed to be carried out, and any conditions or restrictions which they propose to be imposed on any permission. 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."

- 4.4.14 The EIA Report will include a detailed assessment on the potential impacts of the Proposed Development on Ness Woods SAC, River Moriston SAC, Loch Knockie and nearby Lochs SPA and Knockie Lochs SSSI, as well as a shadow Habitats Regulations Assessment (HRA) in the case of the European sites. These assessments have been informed by a phase 1 habitat survey, NVC survey, Bryophyte surveys, lichen surveys, GWDTE survey, tree tagging and protected species surveys. As it is anticipated that the Shadow HRA for the Ness Woods SAC will determine 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, a Compensatory Measures Package for the site is also being developed for this designated site in consultation with NatureScot.
- 4.4.15 The "Design Evolution and Alternatives" Chapter of the EIA Report will expand how the Applicant has endeavoured to minimise the impact of the Proposed Development on the Ness Woods SAC, as summarised in Section 3.2 of this Report.

Underground Connection

"Ministers note NatureScot'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 and any

consideration on application for the grid connection would include the effects of that in cumulation with the PSH development.”

- 4.4.16 It is anticipated that the grid connection cable would be routed within a tunnel and cable shaft built as part of the pumped storage scheme through the Ness Woods SAC (as described in Section 2.2 above). As the underground cable between the powerhouse and switching station are considered Associated Works to the Proposed Development, separate consent would be required for these elements but they will be considered as part of the cumulative assessments within the EIA Report. As the cable would be routed through the tunnel beneath the SAC, no additional land take from the SAC is anticipated as part of the grid connection applications.
- 4.4.17 Works to complete the grid connection between the switching station and the point of connection to the National Grid are not known at this stage and therefore consideration of the environmental effects associated with the grid connection between the switching station and Foyers Substation cannot be considered in the Section 36 Application and supporting EIA Report for the Proposed Development.

Further Consultation

“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.”

- 4.4.18 The EIA Report will outline and describe the pre-application consultation undertaken, together with the outcomes of this consultation with relevant statutory and non-statutory consultees.

Mitigation

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

- 4.4.19 Mitigation measures will be set out at the end of each technical chapter of the EIA Report, as relevant. All mitigation measures will be consolidated into a Schedule of Mitigation, to be included as an appendix to the EIA Report.

5. Submission Information

5.1 Submission

- 5.1.1 It is the intention to submit a Section 36 application for the Proposed Development in late September 2023.

5.2 Advertisement

- 5.2.1 In accordance with Regulation 4 of the Electricity (Applications for Consent) regulations 1990, and Regulation 14 of the EIA Regulations, the application will be advertised in the Edinburgh Gazette, a national newspaper, and a local newspaper (to be agreed in consultation with ECU). It is proposed to advertise the application in The Scotsman, the Edinburgh Gazette, the Press and Journal and the Inverness Courier
- 5.2.2 In agreement with the ECU, the advert will describe the application, state where hard copies of the EIA Report are located, state a date by which any persons can make representations to the Scottish Ministers in relation to the application, and the address to where representations are to be sent. It is anticipated that the Applicant will arrange for hard copies of the EIA Report to be issued to local Highland Council offices, The Wildside Centre in Whitebridge and the Fort Augustus Village Hall.

5.3 Public Viewing of EIA report

- 5.3.1 In accordance with Regulation 18 of the EIA regulations, copies of the EIA report will be available to view on the application website at: <https://www.lochkempstorage.co.uk/>.
- 5.3.2 Hard copies of the EIA Report will also be available to view at the following locations:
- Fort Augustus Village Hall;
 - The Wildside Centre, Whitebridge;
 - Local Highland Council Offices (locations to be agreed with ECU); and
 - Additional copies will be made available subject to a reasonable fee when requested.

5.4 Consultee List

- 5.4.1 The list of consultees to be sent a copy of the submitted EIA Report will be agreed with the ECU. It is anticipated to include those consultees consulted during the scoping process, and any other stakeholders the Applicant or ECU are aware of with a potential interest in the project or its potential effects, as noted in **Table 5.1**.

Table 5.1 - Consultees to be informed of the EIA Report

Statutory Consultees	
ECU	SEPA
The Highland Council	NatureScot
Historic Environment Scotland	Transport Scotland
Scottish Forestry	Marine Scotland Science
Non-Statutory Consultees	
British Telecommunications plc	RSPB Scotland
Civil Aviation Authority (Airspace)	Scottish Canals
	Scottish Canoe Association
Defence Infrastructure Organisation	
Fisheries Management Scotland	Scottish Rights of Way and Access Society (ScotWays)
Highlands and Islands Airport Ltd	Scottish Water
John Muir Trust	Scottish Wild Land Group (SWLG)
Joint Radio Company	Scottish Wildlife Trust
Mountaineering Council of Scotland	
NATS Safeguarding	The Crown Estate Scotland
Ness and Beaully Fisheries Trust	
Ness District Salmon Fishery Board	Visit Scotland
Community Councils and Local Groups	
Stratherrick and Foyers Community Council	Fort Augustus and Glenmoriston Community Council

5.5 Conclusion

- 5.5.1 The Applicant welcomes any comments that the ECU or any of the statutory consultees may have in relation to this Gate Check Report.

Appendix 1 - Gate Check 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
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 will include a Scoping Matrix, detailing how comments in the ECU Scoping Opinion have been addressed in the EIA Report.
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.
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 will be included in the "Geology, Soils and Water" Chapter of the EIA Report, together with suitable mitigation measures, where required.
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	The "Geology, Soils and Water" Chapter of the EIA Report will contain details of any private water supplies identified, assess likely impacts and set out suitable mitigation measures, where required.
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 will be prepared for the Proposed Development in line with best practice guidance and will form an appendix to the "Geology, Soils and Water" Chapter of the EIA Report.

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	<p>A Landscape and Visual Assessment (LVIA) will be undertaken, in accordance with GLVIA3. This will include 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:</p> <ol style="list-style-type: none"> 1. A82 north of Invermoriston (approximate 244688, 817533); 2. The upper Great Glen Way in the vicinity of Alltsigh (246133, 820352); 3. Core Path IN25.01 (248956, 816769) near; 4. Summit by Suidhe Viewpoint off the B862 (244257, 810363); 5. A82 South of Invermoriston, at the entrance to the Scottish Water plant (242564, 815635); and 6. Meall Fuar -mhonaidh (245889, 822181).
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 will include a draft borrow pit screening report and a spoil management plan detailing the locations, estimated volumes and nature of spoil/material that will be required, and the potential re-use destinations/options for spoil (subject to change). These documents will form appendices to the 'Development Description' Chapter of the EIA 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) will be detailed in the 'Forestry' Chapter (and associated appendices) of the EIA Report
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.	ECU09	6	The EIA Report will include a chapter on design evolution and reasonable alternatives. Details on pre-application consultation will also be set out in the EIA Report.

		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.			
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 will be included in the "Fish" Chapter of the EIA Report, supported by survey data.</p> <p>Surveys have included:</p> <ul style="list-style-type: none"> • Riverine fish habitat assessment (including salmonid spawning suitability); • Loch fish habitat assessment (including salmonid spawning suitability); and • Electrofishing surveys (fish population assessment).
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</p>	ECU11	6	<p>The EIA Report will include 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 will be 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 will be directly impacted by the Proposed Development. As it is anticipated that the Shadow HRA will determine that adverse effects on the integrity of the Ness Woods SAC as a result of the Proposed Development cannot be</p>

		effects on the SAC or which may contribute positively to the conservation objectives of the SAC.			ruled out, with residual effects likely to result in undermining conservation objectives for the SAC's two woodland's two woodland qualifying habitats, a Compensatory Measures Package for this designated site is also being developed for this designated site in consultation with NS. The "Design Evolution and Alternatives" Chapter of the EIA Report will detail how the Applicant has endeavoured to minimise the impact of the Proposed Development on the Ness Woods SAC.
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 will include a design evolution and alternatives chapter. A socio-economic assessment has also been carried out and will be reported within the "Socio-economic and Tourism" Chapter of the EIA Report.
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	The EIA Report will include consideration of the cumulative impact of the underground grid connection where necessary. It is anticipated that the underground cable would be routed within a tunnel built as part of the Proposed Development through the SAC and will therefore not result in additional land take from the SAC.
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 will outline and describe the consultation outcomes with relevant statutory and non-statutory 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	ECU15	7	Mitigation measures are proposed at the end of each technical chapter. A consolidated Schedule of

		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.			Mitigation will also be presented as an appendix to the EIA Report.
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	This has been noted. The Energy Consents Unit have been kept informed of any further discussions 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.
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 will include a Scoping Matrix, detailing where comments in the Scoping Opinion are addressed in the EIA Report.
19	EIA Report Structure	The EIA Report must include: <ul style="list-style-type: none"> • 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; • a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used; • the risk of accidents, having regard in particular to substances or technologies used; • 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 	THC1	11	The EIA Report will include a "Description of Development" Chapter detailing the physical characteristics of the Proposed Development and the land use requirements at all phases of the development. A site layout plan with eight figure OS Grid co-ordinates will be provided as part of this chapter and will illustrate all of the main elements of the proposal. The EIA Report will also include a description 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.

		<ul style="list-style-type: none"> the estimated cumulative impact of the project with other consented or operation development. 			
20	Consideration of Alternatives	<p>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:</p> <ul style="list-style-type: none"> the range of technologies that may have been considered; locational criteria and economic parameters used in the initial site selection; options for access; design and locational options for all elements of the Proposed Development (including grid connection); and the environmental effects of the different options examined. 	THC2	12	These items will be addressed in the "Design Evolution and Alternatives" Chapter of the EIA Report as far as practicable.
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 will provide a description of the aspects of the environment likely to be significantly affected by the Proposed Development.
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 will be discussed in the "Planning" Chapter of the EIA Report, as well as within the technical chapters (where relevant). A Planning Statement will also be submitted alongside the EIA Report as part of the s.36 application.
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 will be discussed in the "Planning" Chapter of the EIA Report, as well as within the technical chapters (where relevant). A Planning Statement will also be submitted alongside the EIA Report as part of the s.36 application.

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" will be provided as an Appendix to the EIA Report.
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	Consideration on the potential to generate alternative fuels will be provided in the "Design Evolution and Alternatives" Chapter of the EIA Report. It is not proposed that electric charging points will be provided as part of the Proposed Development as it is anticipated that weekly operational trips will be limited.
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 will include a landscape and visual assessment and will provide visualisations to both THC and NS Standards. The Applicant has undertaken consultation with THC to determine suitable viewpoint locations for the Proposed Development. This consultation will be detailed in the "Scoping and Consultation" and LVIA Chapters of the EIA Report.
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 will provide visualisations to both THC and NS Standards in separate Volumes.

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 th 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 th November 2022 and agreed to this approach.
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 th 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.
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.
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 VPs to be included in the EIA Report has been agreed.

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.
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 viewpoint locations have been suggested.
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 will be included in the LVIA Chapter of the EIA Report.
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 th November 2022. The LVIA Chapter will clearly set out the methodology and criteria used within the assessment. In line with best practice there will be an emphasis on narrative text describing the landscape and visual effects, and judgements made about significance will not rely on the use of a matrix.
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 th November 2022, ASH advised that the LVIA will comprise a receptor-based assessment, (rather than a Viewpoint-based assessment), as set out in Section 7 of the Scoping Report and will consider the potential for effects on visual amenity within the study area. This will take 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 will also be given to potential visual effects on boat users in Loch Ness.

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	The viewpoint visualisations will be submitted using the Panoramic Digital Viewer.
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 will be detailed in the LVIA Chapter of the EIA Report.
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 will include consideration of all national and regional designated landscapes within the study area, including the Loch Ness and Duntelchaig Special Landscape Area.
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 th November 2022, ASH advised that the LVIA will comprise a receptor-based assessment, (rather than a Viewpoint-based assessment), as set out in Section 7 of the Scoping Report and would consider the potential for effects on visual amenity within the study area. This will take 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.
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 micro-siting limits.	THC23	15	This matter was addressed in a letter (sent via email) from ASH (with input from SLR) to THC on the 25 th May 2022. This letter confirmed that SLR (project lead for Geology, Soils and Water) are 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.

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 will consider the carbon balance of the Proposed Development and a summary will be provided.
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, will be included in the "Geology, Soils and Water" Chapter of the EIA Report (and associated appendices). A Draft Borrow Pit Screening Report will also be provided as an appendix to the main EIA Report.
44	Impact on the Water Environment	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. Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans.	THC26	16	A detailed assessment of the likely impacts of the Proposed Development to all hydrological receptors will be included in "Geology, Soils and Water" Chapter of the EIA Report (and associated appendices). 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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report (and associated appendices).
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 will be required for track drainage. There are two burn crossings at Dam 1 and Dam 2, in each case the Dam structure will provide the crossing. Details on culverts and watercourse crossing will be provided in "Geology, Soils and Water" chapter of the EIA Report (and associated appendices).

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	<p>This matter was addressed in a letter (sent via email) from ASH (with input from SLR) to THC on the 25th May 2022.</p> <p>Any impact on water resources due to abstraction will be described in the CAR licence application. The assessment will identify, licensed water abstractions, private water supplies, potential impacts to water resources and mitigation measures where appropriate.</p>
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	<p>There is one Private Water Supply 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 will be re-routed to avoid any potential impact. This will be outlined in the EIA Report.</p> <p>It is not anticipated that any other private water supplies will be impacted but this will be assessed as part of the Geology, Soils and Water Chapter of the EIA Report and a Private Water Supplies assessment will be included as a confidential appendix to this chapter if required.</p>
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 25th May 2022. This letter noted that the Developer would take this comment on board and will seek to engage in discussion with the operator of the Red John Pump Storage scheme. This dialogue has commenced and will be detailed in the "Scoping and Consultation" Chapter of the EIA Report. 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 be below the stop-pumping level of the Red John PSH (if constructed) and would be</p>

					<p>above the Foyers PSH stop-pumping level, so the minimum water level (as a result of PSH projects) would continue to be driven by Foyer PSH.</p> <p>The "Water Management" Chapter of the EIA Report will include a cumulative assessment, which will consider 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 will be informed by hydrological modelling.</p>
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>The "Geology, Soils and Water" Chapter of the EIA Report will present 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>
50	Peat Landslide Hazard Risk Assessment	Where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide 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 will be included as an Appendix to the "Geology, Soils and Water" Chapter of the EIA Report and will be undertaken in line with relevant guidance.</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 will be detailed in the "Terrestrial Ecology" and "Ornithology" Chapters (and associated appendices) of the EIA Report. Where relevant, these Chapters will 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 will also be detailed in the "Terrestrial Ecology" Chapter (and associated appendices) of the EIA Report.</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 will be detailed in relevant chapters of the EIA Report.</p> <p>A Shadow HRA, containing information to inform an Appropriate Assessment, has been completed and will form a standalone document to be submitted alongside the EIA Report. A Compensatory Package is also being developed for Ness Woods SAC, which will be directly impacted by the Proposed Development.</p>
53	Impact on Wild Deer	<p>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.</p>	THC35	17	<p>Potential impacts on deer will be considered as part of the "Terrestrial Ecology" Chapter of the EIA Report.</p>
54	Impact on Water Ecology	<p>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</p>	THC36	17	<p>Potential impacts on aquatic interests within local watercourses will be addressed in the "Fish" and "Aquatic Ecology" Chapters of the EIA Report (and associated appendices). Consultation with the local fisheries boards is ongoing and will be detailed in the respective chapters of the EIA Report.</p>

		should evidence consultation input from the local fishery board(s) where relevant.			
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 "Terrestrial Ecology" and "Geology, Soils and Water" Chapter of the EIA Report will include an assessment of the potential effects of the Proposed Development on GWDTE.
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 and will form a standalone document to be submitted alongside the EIA Report. A Compensatory Package is also being developed for Ness Woods SAC, which will be directly impacted by the Proposed Development.
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, including setting effects, will be included in the "Cultural Heritage" Chapter of the EIA Report. This Chapter will also highlight, were relevant, the interrelationships between the features.
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 will be included in the "Cultural Heritage" Chapter of the EIA Report. This Chapter will also highlight, were relevant, the interrelationships between the features. No significant setting impacts on designated cultural heritage features are anticipated so no visualisations have been proposed.

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 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.	THC41	18	Noted. In cases where unavoidable impacts will be experienced, mitigation measures will be described in detail in the "Cultural Heritage" Chapter and will also be included in the Schedule of Mitigation, which will be included as an Appendix to the EIA Report.
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 will be included in the "Noise and Vibration" Chapter of the EIA Report (and associated appendices). 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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.
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 will be considered in the "Noise and Vibration" Chapter of the EIA Report. Assessment methodologies have been agreed with the THC EHO (via email) and these include appropriate and recognised thresholds for significant and adverse effects, along with typical criteria generally considered acceptable. This consultation will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.

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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.
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 will be detailed in the "Noise and Vibration" Chapter of the EIA Report (and associated appendices). 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 will be audible during evening and night periods. A construction noise assessment for night has therefore been undertaken and will be included in the "Noise and Vibration" Chapter.</p> <p>Best practical means as required in BS 5228-1 will be employed as described within this Standard, and will be included within the "outline Construction Noise and Vibration Management Plan", which will be included as an appendix to the "Noise and Vibration" Chapter.</p>
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, will be provided as part of the Transport Assessment, which will be included as an Appendix to the "Traffic, Access and Transport" Chapter of the EIA Report.

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 will be included as an Appendix to the "Traffic, Access and Transport" Chapter or the EIA Report and will be 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.
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 will be provided as part of the EIA Report.
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 will be assessed in the "Land Used and Recreation" Chapter of the EIA Report. A "Draft Outdoor Access Management Plan" will also be provided as an Appendix to the EIA Report. A commitment for the appointed Principal Contractor to the prepare a final Outdoor Access Management Plan will also be included in the EIA Report.
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" will be 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 will be included in the EIA Report.

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	The EIA Report will list all consultations with statutory and non-statutory consultees including those highlighted by THC. Evidence of correspondence and consultation will be provided within the 'Scoping and Consultation' Chapter of the EIA Report and associated appendices (where relevant). Further assessment will be included where consultees have raised potential impacts of the Proposed Development on community assets.
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.
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 will be considered throughout the EIA Report where relevant. During the construction phase such factors would also be considered in the CEMP that will 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 will be included as an Appendix to the EIA Report.

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 will be detailed in the "Air Quality" Chapter of the EIA Report (and associated appendices). 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 will be included as an Appendix to the EIA Report.
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 will be produced as an Appendix to the EIA Report and included within the application.
74	Forestry - Impact on Threatened Species and Woodland	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.	THC56	23	A chapter on Forestry will be 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. The "Forestry" Chapter will outline which areas of forestry are to be felled as part of the Proposed Development and describe the compensatory planting that is proposed. Non-commercial forestry, including the woodlands within the Ness Woods SAC, will be addressed as part of the "Terrestrial Ecology" Chapter of the EIA Report (and associated Appendices). Baseline Reports on lichens and bryophytes will be included as Appendices to this Chapter.

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	Details of the commercial forestry that will be removed, including as a result of temporary construction areas, will be detailed in the "Forestry" Chapter of the EIA Report, whilst details on non-commercial trees that will be removed will be detailed in the "Terrestrial Ecology" Chapter. The "Design Evolution and Alternatives" Chapter of the EIA Report will detail the various design iterations that have been considered to minimise the impact on Ancient Woodland, particularly within the Ness Woods SAC. Details of compensatory planting in line with the Scottish Government's COWPR, for all woodland removed on site (commercial and non-commercial) will be outlined in the "Forestry" Chapter (and associated Appendices).
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.
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, 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 accordance with best practice and industry standards across the technical topics.
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	THC60	24	Mitigation measures will be discussed in each of the technical chapters of the EIA Report where relevant. All mitigation measures identified within the EIA Report will be included within a schedule of mitigation.

		then Plan (CEMP) which in turn will set the framework for individual Construction Method Statements (CMS).			
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 will be submitted as part of the application.
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 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.
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	The Proposed Development has utilised existing tracks where possible. However, some existing tracks will be lost to the inundation area once the scheme is operational, meaning new operational tracks will need to be constructed around Loch Kemp, although these will require less land take than new construction tracks. Further details on access tracks will be provided in the

					"Description of Development" Chapter of the EIA Report and associated Figures.
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 (Phagocata woodworthi), Freshwater shrimp (Crangonyx pseudogracilis) and Nuttall's Waterweed (Elodea Nuttallii). 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> <p>The assessment should include information on the morphological impact on Loch Kemp.</p>	SEPA 4	27	<p><u>Non-Native Species</u> This matter was addressed in a letter (Ref 120019-L-NESS DSBF1-1.0.0) issued by ASH (with input from GAVIA) to ECU on the 29th April 2022. In this letter, it is confirmed that surveys to identify whether the invasive non-native species identified by SEPA are already present in the Loch Kemp system will be undertaken as part of the EIA assessment and, where relevant, the EIA Report will outline measures that should be undertaken to stop the spread of these species. However, the letter advises that whilst good practice measures to prevent the spread of non-native invasive species will be implemented during construction, it is not guaranteed that these measures would be successful at stopping the spread of these species within the Loch Kemp system, as invertebrate species can be spread by other vectors, such as by birds, that are out with the Applicant's control. Measures proposed as part of the EIA Report 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 will be addressed in the "Fish" Chapter of the EIA Report (and associated appendices). There are no modifications to the Dochfour Weir proposed as part of the application. Furthermore, to ensure that a section of water in Loch Ness/Dochfour is maintained for the compensation flow over the weir, the Proposed Development would have a curtailment / stop pumping level imposed under CAR.</p>

					<p>The stop-pumping level for the Proposed Development would not be below the stop-pumping level of Red John PSH (if constructed) and would be above the stop pumping level of Foyers PSH.</p> <p>Potential effects on fish, including assessment on fish spawning and foraging habitat, will be addressed in the "Fish" Chapter of the EIA Report (and associated appendices).</p> <p><u>Morphology</u> On the 24th 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 29th 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>
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 in Loch Ness should be provided accompanied by an assessment of effects on the water body.</p>	SEPA 5	27	<p>The buffer between the access track down to the lower reservoir works and the All a'Chinn Mhoraich will 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 between the track and the All a'Chinn Mhoraich will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report.</p> <p>A drawing of the potential pier area will be included with the submission. An assessment of potential effect on the pier on Loch Ness will be included in the "Water Management" Chapter of the EIA Report.</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 extent 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.</p> <p>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. This will be described in the "Design Evolution and Alternatives" Chapter of the EIA Report.</p> <p>A Peat Management Plan will be included as an Appendix to the "Geology, Soils and Water" Chapter of the EIA Report. This will detail how excavated peat will be reused on-site and confirm the area of peatland disturbed. The Plan will also include proposals for peatland restoration works on the site as mitigation for peat habitat loss.</p>
85	Further Consultation - Habitat Surveys	<p>SEPA are generally content with the habitat survey proposals outlined but would welcome further engagement once the NVC survey work has been carried out.</p>	SEPA 7	28	<p>Noted. Consultation with SEPA is ongoing and will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.</p>
86	Borrow Pits and Spoil Management	<p>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.</p>	SEPA 8	28	<p>A Spoil Management Plan will be included as an Appendix to the EIA Report. Any traffic associated with the removal and transportation of spoil materials will be outlined in "Traffic, Access and Transport" Chapter of the EIA Report (and associated appendix) but at this stage it is anticipated that the spoil material will all be used on-site and will therefore not be transported off-site.</p> <p>At least one borrow pit have will 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 will be 'lost' to the inundation area once the Proposed Development is operational. A</p>

					draft Borrow Pit Screening Report will be included as an Appendix to the EIA Report.
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> <p>(3) detailed site plans are submitted which demonstrate how impacts on the environment have been minimised through design and</p> <p>(4) all mitigation is detailed within a suitably robust schedule of mitigation.</p>	SEPA 9	28	<p>An outline CEMP listing the topics that would be included in the CEMP developed by the Principal Contractor will be included as an Appendix to the EIA Report.</p> <p>A Spoil Management Plan, a Peat Management Plan and a Schedule of Mitigation will all be included as Appendices to the EIA Report. The "Design Evolution and Alternatives" Chapter of the EIA Report will detail how impacts on the environment have been minimised through design. This Chapter will be supported by detailed site plans.</p>
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 will be included in the EIA Report.
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.

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. b) Compensation flow. c) Fish passages. d) Other relevant CAR or planning applications or consents for abstractions/hydro schemes. 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 will contain information on the location of intakes and outfalls and their impact upon the morphology of the water environment in the "Water Management Chapters". The EIA Report will 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>
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. 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. 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 will be detailed in the "Water Management" Chapter of the EIA Report. A Schedule of Watercourse Crossings will be included as an Appendix to the "Geology, Soils and Water" of the EIA Report. This Chapter will also be 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 will be illustrated on the Figures associated with the "Geology, Soils and Water" of the EIA Report. 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>
92	Water Abstractions	<p>If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.</p>	SEPA 14	31	<p>Abstraction and discharge rates between the lower and upper reservoirs will be described in the "Water Management" Chapter. Water abstraction from Loch Kemp and Loch Ness will likely be required during construction but this would be secured by a CAR authorisation.</p>

					<p>There is one Private Water Supply within the Site; a surface water abstraction from Loch Paiteag, located at NGR 247402 815421, which serves six properties within Dell Estate, who are party to the Application. The Estate water supply will be re-routed to avoid impacts to the water supply. This has already been agreed with Dell Estate and will be included as part of the Proposed Development works in the EIA Report.</p> <p>It is not anticipated that any other private water supplies will be impacted but this will be assessed as part of the "Geology, Soils and Water" Chapter of the EIA Report. A Private Water Supplies assessment will be included as a confidential appendix to this chapter if required.</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 will be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information will be provided to justify smaller structures. Further information will be provided in the "Geology, Soils and Water" Chapter of the EIA Report (and associated Appendices). A schedule of watercourse crossings will be presented.</p> <p>A screening assessment of flood risk will also be included in this Chapter.</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 CO2; and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat.	SEPA 16	31	<p>The " Design Evolution and Alternatives" Chapter of the EIA Report will detail how the Proposed Development has been designed to minimise the disturbance of peat.</p> <p>A Peat Management Plan will be included as an Appendix to the "Geology, Soils and Water" Chapter of the EIA Report. This plan will outline the preventative / mitigation measures to avoid significant drying or oxidation of peat.</p>

95	Site Layout - CO2 Release Management	<p>The submission must include:</p> <p>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.</p> <p>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.</p>	SEPA 17	32	A Peat Management Plan will be included as an Appendix to the "Geology, Soils and Water" Chapter of the EIA Report. This plan will include detailed drawings showing peat depths overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors.
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.
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	The "Geology, Soils and Water" Chapter of the EIA Report will include detailed drawings showing GWDTE habitats (and appropriate buffers from excavations) overlain by the Proposed Development to demonstrate how the development avoids areas of GWDTE.

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 conditions securing appropriate mitigation for all existing groundwater abstractions affected.</p>	SEPA 20	33	The "Geology, Soils and Water" Chapter of the EIA Report will include 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.
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	The "Forestry" Chapter in the EIA Report will outline 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, will be addressed as part of the "Terrestrial Ecology" Chapter of the EIA Report. These chapters (and associated Appendices) will include figures showing the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with relevant policy and guidance.
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	SEPA 22	33	Noted. This information will be included in the Draft Borrow Pit Screening Report, which will be included as an Appendix to the EIA Report.

		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.			
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 will be discussed in each of the technical chapters of the EIA Report where relevant. All mitigation measures identified within the EIA Report will be included within a 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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.
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.
104	Scope	The key issues relevant to NS's interests which need to be addressed in EIA Report are: - The impacts on the qualifying habitats of Ness Woods SAC - The impacts on the qualifying interests of River Moriston SAC - The impacts on the notified features of Easter Ness Woods Site of Special Scientific Interest (SSSI) - The impacts on protected species, such as: arctic char, otter and bryophytes	NS 3	36	Noted. These key issues will be addressed in the relevant chapters of the EIA Report and the Shadow HRA (which will form a standalone document that will be submitted alongside the EIA Report), as follows: <ul style="list-style-type: none"> The impacts on the qualifying habitats of Ness Woods SAC will be addressed in the "Terrestrial Ecology" Chapter and the Shadow HRA;

					<ul style="list-style-type: none"> • The impacts on the qualifying interests of River Moriston SAC will be addressed in the "Fish" Chapter and the Shadow HRA; • The impacts on the notified features of Easter Ness Woods SSSI will be addressed in the "Terrestrial Ecology" Chapter; • The impacts on arctic char will be addressed in the "Fish" Chapter; and • The impacts on otter and bryophytes will be addressed in the "Terrestrial Ecology Chapter" (and associated appendices) and the Shadow HRA.
105	Scoping Consultation	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.	NS 4	37	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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.
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 will be included in the "Design Evolution and Alternatives" Chapter of the EIA Report.
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 will be included in the relevant chapters of the EIA Report.

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
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	Details of the tracks will be provided in the "Description of Development" Chapter of the EIA Report. Details and assessment on the area of woodland habitat that will be lost will be included in the "Terrestrial Ecology" Chapter of the EIA Report. Bryophyte surveys have been undertaken and will be included in this (and associated Appendices) alongside an assessment of potential impacts on bryophytes.
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 will be provided in the "Description of Development" Chapter of the EIA Report. Details and assessment on the area of woodland habitat that will be lost will be included in the "Terrestrial Ecology" Chapter of the EIA Report (and associated Appendices).
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 will be provided in the "Description of Development" Chapter of the EIA Report. Details and assessment on the area of woodland habitat that will be lost will be included in the "Terrestrial Ecology" Chapter of the EIA Report (and associated Appendices).

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 will be provided in the “Description of Development” Chapter of the EIA Report. Details and assessment on the area of woodland habitat that will be lost will be included in the “Terrestrial Ecology” Chapter of the EIA Report. Bryophyte surveys have been undertaken and will be detailed in this chapter (and associated Appendices).
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 will be detailed in the “Terrestrial Ecology” Chapter of the EIA Report (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.
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 will be detailed in the “Terrestrial Ecology” Chapter of the EIA Report (and associated Appendices).
115	River Moriston SAC and Loch Ness	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. Loch Ness is known to support Atlantic Charr. The outfall of the pump storage scheme could affect	NS 14	37	In relation to the River Moriston SAC, FWPM surveys have been undertaken at the mouth of the River Morison. Surveys have also been undertaken to measure the flow velocity at the mouth of the River Moriston, at the point where it flows into Loch Ness. In addition, the following surveys have been undertaken in relation to fish and aquatic ecology to inform the relevant EIA assessments: <ul style="list-style-type: none"> • Riverine Macroinvertebrate Surveys; • Loch Macroinvertebrate Surveys; • Aquatic Lichen Surveys. • Riverine fish habitat assessment (including salmonid spawning suitability);

		spawning ground in the Loch so the fish survey should also include impacts on Atlantic Charr.			<ul style="list-style-type: none"> Loch fish habitat assessment (including salmonid spawning suitability); and Electrofishing surveys (fish population assessment). <p>Potential impacts to FWPM, Atlantic Salmon and Atlantic Char as a result of the Proposed Development will be assessed and described in the "Fish" Chapter of the EIA Report Potential impacts to River Moriston SAC FWPM and Atlantic Salmon populations will be assessed as part of the shadow HRA, which will form a standalone document that will be submitted alongside the EIA Report.</p> <p>Details of long-term monitoring will be detailed in "Fish" Chapter, alongside any anticipated cumulative impacts with other pumped storage schemes in the surrounding areas, including the consented Red John Pumped Storage Scheme.</p>
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 will be included in the "Ornithology" Chapter of the EIA Report. Potential impacts of the Proposed Development on Knockie Lochs and nearby Lochs SPA will also be considered as part of the shadow HRA, which will form a standalone document that will be submitted alongside the EIA Report.
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.

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"> 1. Maps of Annex 1 habitats to extend to 100m beyond the construction footprint; and NVC habitats over the same area. 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). 3. Calculations of the total area of habitat that will cease to function due to fragmentation by the Proposed Development. 	NS 17	41	Noted, this information will be provided in the "Terrestrial Ecology" Chapter of the EIA Report (and associated appendices).
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 and mammals will be considered in the "Terrestrial Ecology" Chapter of the EIA Report .
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 will be detailed in the "Ornithology" Chapter of the EIA Report, 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 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 will be assessed as part of the "Terrestrial Ecology" Chapter of the EIA Report (and associated appendices) and potential impacts of the Proposed Development on fully aquatic species will be addressed as part of the "Aquatic Ecology" Chapter.
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> <ol style="list-style-type: none"> 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 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. 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. 	NS 21	43	<p>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 will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report. 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 mitigation measures proposed will be included in the "Fish" Chapter of the EIA Report.</p> <p>Surveys have also been undertaken to measure the flow velocity at the mouth of the River Moriston, at the point where it flows into Loch Ness. The finding of these surveys, alongside other survey work, will inform the assessment of potential impacts of the Proposed Development on salmon and sea trout smolt (and other fish species) and will be detailed in the "Fish" Chapter of the EIA Report and also the shadow HRA for the River Moriston SAC.</p> <p>The Applicant has made a commitment to Ness DSFB to contribute to the cost of a smolt tracking study, but both the Applicant and Ness DSFB recognise that such a study will require co-operation from other interested parties to be successful and requests to co-operate in such a study from other parties have not been forthcoming to date. Therefore, the Applicant does not consider it proportionate that this study should form part of the EIA assessment, particularly given the timeframe</p>

					<p>it would take to obtain meaningful results. The Applicant together with the Ness DSFB is therefore looking at the feasibility of a 'trap and transport' programme as an alternative to undertaking a smolt tracking study.</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>
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 will be included in the "Fish" Chapter of the EIA Report.
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 Glas) and we advise a similar methodology is carried out for this EIA.	NS 23	43	Baseline survey works have focussed 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. Shoreline habitats were assessed on foot aided by use of bathyscope. Perpendicular transects were conducted via boat-based Spyball camera and were adapted from methodology carried out by Coyle and Adams (2011). The assessment will also be supplemented by the best available scientific literature on Arctic charr spawning areas within Loch Ness.
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	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 from part of a separate application. However, as the cable would be routed through the underground access

					<p>tunnel, no additional impacts on the Ness Woods SAC are anticipated as a result of the grid connection.</p> <p>The cable and switching station will be assessed as a cumulative development to the Proposed Development in the EIA Report, where relevant.</p>
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 will be provided as part of the "Description of Development" Chapter of the EIA Report (and associated appendices). A detailed description of the tracks, powerhouse, dams, tunnels, laydown areas and borrow pits will also be included in this chapter (including within supporting figures and appendices). The final CMPs will be prepared by the appointed Principal Contractor.
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 will be included as an appendix to the EIA Report. The EIA Report will also include information on site restoration.
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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.
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 will include reference to the EIA handbook and 'cultural significance'.

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 will consider HES's advice given in their Managing Change guidance note on Setting.
131	Telecommunication	The Project should not cause interference to BT's current and presently planned radio network.	BT 1	47	Noted.
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.
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. These design measures will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report. The "Fish" Chapter of the EIA Report will include 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) will be included in the "Fish" Chapter. Surveys have also been undertaken to measure the flow velocity at the mouth of the River Moriston, at the point where it flows into Loch Ness. The finding of these surveys, alongside other survey work, will inform the assessment of potential impacts of the Proposed Development on salmon and sea trout smolt (and other fish species) and will be detailed in the "Fish" Chapter and also the shadow HRA for the River Moriston SAC.

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 29th 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 together with Ness DSFB is looking at the feasibility of a 'trap and transport' programme as an alternative to undertaking a smolt tracking study where both the Applicant and Ness DSFB recognise that it will need other interested parties to co-operate. Requests to co-operate have not been forthcoming to date. 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. 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</p>
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					<p>design measures will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report.</p> <p>The "Fish" Chapter of the EIA Report will include 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) will be included in the "Fish" Chapter. Surveys have also been undertaken to measure the flow velocity at the mouth of the River Moriston, at the point where it flows into Loch Ness. The finding of these surveys, alongside other survey work, will inform the assessment of potential impacts of the Proposed Development on salmon and sea trout smolt (and other fish species) and will be detailed in the "Fish" Chapter and also the shadow HRA for the River Moriston SAC.</p>
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<p>135</p>	<p>Fish</p>	<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 & Southern Energy in the 1970s, when Foyers PSH was built, to try and regulate flows in the River Ness. This is only partially successful 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>DSFB 3</p>	<p>50</p>	<p>This matter was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH to ECU on the 29th 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 will protect Foyers and Red John (if this is built before Kemp) so neither scheme will be worse off under all potential operating profiles and climatic conditions, albeit in some circumstances there will 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 will need to be discussed and agreed with SEPA, as part of the CAR licence application.</p> <p>The letter also confirms that the EIA Report will include a water management assessment, which will 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>136</p>	<p>Fish</p>	<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</p>	<p>DSFB 4</p>	<p>51</p>	<p>This matter was addressed in a letter (Ref 120019-L-NESS DSFB1-1.0.0) issued by ASH to ECU on the 29th April 2022. This letter notes that the Developer recognises that Loch Ness is an important migratory</p>

		<p>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 required to adequately inform the assessment of likely impacts.</p>			<p>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. 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 together with Ness DSFB is looking at the feasibility of a 'trap and transport' programme as an alternative to undertaking a smolt tracking study where both the Applicant and Ness DSFB recognise that it will need other interested parties to co-operate. Requests to co-operate have not been forthcoming to date. 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. 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	<p>Ness DSFB request that the EIA completes a thorough assessment of the cumulative impact on loch and river levels, in the context of climate change, when more extremes in weather are expected.</p>	DSFB 5	51	<p>The "Water Management" Chapter of the EIA Report will include a cumulative assessment, which will consider the cumulative impact of the Proposed Development and other pumped storage schemes on water levels</p>

					within the Loch Ness Catchment, including Foyers and Red John.
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	The "Water Management" Chapter of the EIA Report will include a cumulative assessment, which will consider 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 will be informed by hydrological modelling.
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) will be included in the "Fish" Chapter of the EIA Report. Surveys have also been undertaken to measure the flow velocity at the mouth of the River Moriston, at the point where it flows into Loch. The finding of these surveys, alongside other survey work, will inform the assessment of potential impacts of the Proposed Development on salmon smolt and will be detailed in the "Fish" Chapter and also the shadow HRA for the River Moriston SAC.
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	The "Fish" Chapter of the EIA Report will include an assessment, including a cumulative assessment, of the Proposed Development on adult, and smolt, migration of relevant salmonid species through Loch Ness. Surveys have also been undertaken to measure the flow velocity at the mouth of the River Moriston, at the point where it flows into Loch Ness. The finding of these surveys, alongside other survey work, will inform the assessment of potential impacts of the Proposed Development on salmon smolt and will be detailed in the "Fish" Chapter and also the shadow HRA for the River Moriston SAC.

141	Fish	Ness DSFB agree that the scoping document identifies the highest priority impacts of the Proposed Development.	DSFB 9	51	Noted
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 29th April 2022. This letter acknowledges 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 notes that the completion of such research has 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 together with Ness DSFB is looking at the feasibility of a 'trap and transport' programme as an alternative to undertaking a smolt tracking study where both the Applicant and Ness DSFB recognise that it will need other interested parties to co-operate. Requests to co-operate have not been forthcoming to date. 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. 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>

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
144	Tele-communications	JRC don't have any concerns regarding this development.	JRC 1	54	Noted
145	Recreation	MS suggest the inclusion in visualisation assessment of Meall Fuar-mhonaidh, 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-mhonaidh will be 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 will also be assessed as part of the LVIA and in the "Land Use and Recreation" Chapter of the EIA Report.
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.
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	Detailed habitat loss calculations will be presented 'Terrestrial Ecology' in the EIA Report and the shadow HRA. Details on alternative access routes and location options considered will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report. Details on compensatory planting, including the sourcing of compensatory saplings where relevant, will be included in the "Forestry" Chapter (and associated appendices).

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 will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report.
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 will be presented "Terrestrial Ecology" Chapter of the EIA Report (and associated appendices), as well as the Shadow HRA.
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 Habitats Regulations Appraisal.	RSPB 4	59	Noted, an ornithological assessment, which will include consideration of Slavonian grebe, has been undertaken and will be detailed in the "Ornithology" Chapter of the EIA Report. The HRA will specifically assess the potential for the Proposed Development to adversely impact Slavonian grebe as the qualifying feature of the Loch Knockie and Nearby Lochs SPA.
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 will be detailed in the "Ornithology" Chapter of the EIA Report. 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.
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.
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 will be detailed in the "Ornithology" Chapter of the EIA Report.

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 will be detailed in the "Ornithology" Chapter of the EIA Report.
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 will be detailed in the "Ornithology" Chapter of the EIA Report.
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. Loss of native, non-commercial woodland will be detailed in the 'Terrestrial Ecology' Chapter of the EIA Report and loss of commercial woodland will be detailed in the 'Forestry' Chapter.
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 will be included in the 'Forestry' Chapter of the EIA Report.
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 will be provided as an appendix to the "Terrestrial Ecology" Chapter of the EIA Report. 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. A biodiversity net gain assessment will be undertaken for the Proposed Development using a methodology that has been agreed with THC.
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 will be detailed in the "Terrestrial Ecology" Chapter of the EIA Report (and associated appendices). This chapter will also include details on deer management.

					A commitment to undertaking compensatory planting in line with the CoWRP will be included in the 'Forestry' Chapter, alongside a planting plan.
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	Noted. The "Water Management" Chapter of the EIA Report will consider the impacts on the water levels of Loch Ness / the River Ness, including cumulative impacts with other PSH Schemes.
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	Scottish Canals have been consulted during the EIA process. This consultation will be detailed in the see EIA "Scoping and Consultation" Chapter of the EIA Report. Loch level fluctuations and operation of the Canal have been considered and will be detailed in the "Water Management" Chapter. Potential impacts on boat moorings will be considered in the "Land Use and Recreation" Chapter of the EIA Report.
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.

163	Impact on Salmon smolt Sluice and Ness Weir	Scottish Canals has a smolt sluice adjacent to the Dochgarroch Lock which must be fully operational between 1 st April to 1 st 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 will be able to draw down Loch Ness water levels lower than Red John PSH (if constructed) and/or the Proposed Development. However, this issue will be considered in the "Fish" Chapter of the EIA Report.
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
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 will be detailed in the "Geology, Soils and Water" Chapter of the EIA Report (and associated appendices).
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.
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 will be advised to contact Scottish Water 3 months in advance of any works commencing on site.
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 will be assessed in the relevant chapters of the EIA Report, including the 'Terrestrial Ecology', 'Ornithology', 'Aquatic Ecology' and 'Fish' Chapters.
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	S&FCC 2	68	Details of the hydrological modelling that has been undertaken in relation to the Proposed Development will be described in the 'Water Management' Chapter EIA Report and has been used to inform other assessments

		other schemes, the calculations and estimates of the effects that could be caused will need to be shown.			in the EIA Report where relevant. This modelling includes consideration of cumulative effects with Red John PSH.
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 will be assessed in the 'Landscape and Visual', 'Land Use and Recreation' and 'Socioeconomics and Tourism' Chapters of the EIA Report. As part of the Landscape and Visual assessment a visualisation from the Suidhe Viewpoint has been prepared and will be included in the EIA Report.
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 will be included as an appendix to the "Traffic, Access and Transport" Chapter of the EIA Report.
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 will be considered in the 'Land Use and Recreation' chapter of the EIA Report. A commitment for the Appointed Principal Contractor to prepare an Outdoor Access Management Plan (OAMP) will be included in the EIA Report. An Outline OAMP will be included as an appendix to the EIA Report.
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 site by bus / transporters and would not take their own vehicles to site, which will make it difficult for workers to leave the site. The Applicant is committed to setting up a community liaison group during construction so locals can raise any issues or concerns.

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	Where relevant, the EIA will include an assessment of cumulative effects with other operational, in construction or consented schemes in the area. The Applicant is committed to setting up a community liaison group during construction so locals can raise any issues or concerns.
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.
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.
177	Traffic and Transport - Assessment Methodology	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. 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: <ul style="list-style-type: none"> • Traffic flows will increase by more than 30%, or • The number of HGVs will increase by more than 	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 the "Traffic, Access and Transport" Chapter of the EIA Report.

		<p>30%, or</p> <ul style="list-style-type: none"> • Traffic flows will increase by 10% or more in sensitive areas. <p>This approach is considered acceptable, and TS are content that no further assessment is required if the above thresholds are not exceeded.</p>			
178	Traffic and Transport - Operational Impacts	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.	TS4	70	Noted.
179	Traffic and Transport - Construction Traffic Management Plan	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.	TS5	70	Noted. An indicative CTMP will be included as part of the EIA Report.
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 technical appendix to the EIA.</p>	TS6	70	A RSR will be included as an Appendix to the "Traffic, Access and Transport" Chapter of the EIA Report. This will outline any locations along the AIL delivery routes where mitigation measures are required. Consultation will be 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.

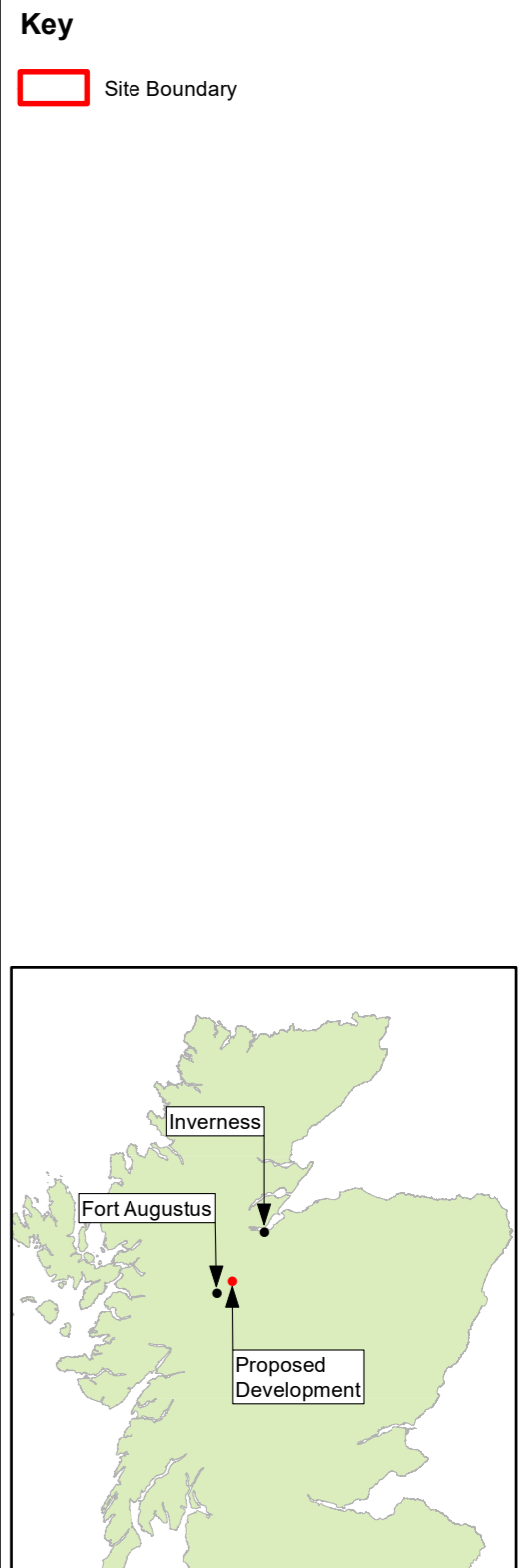
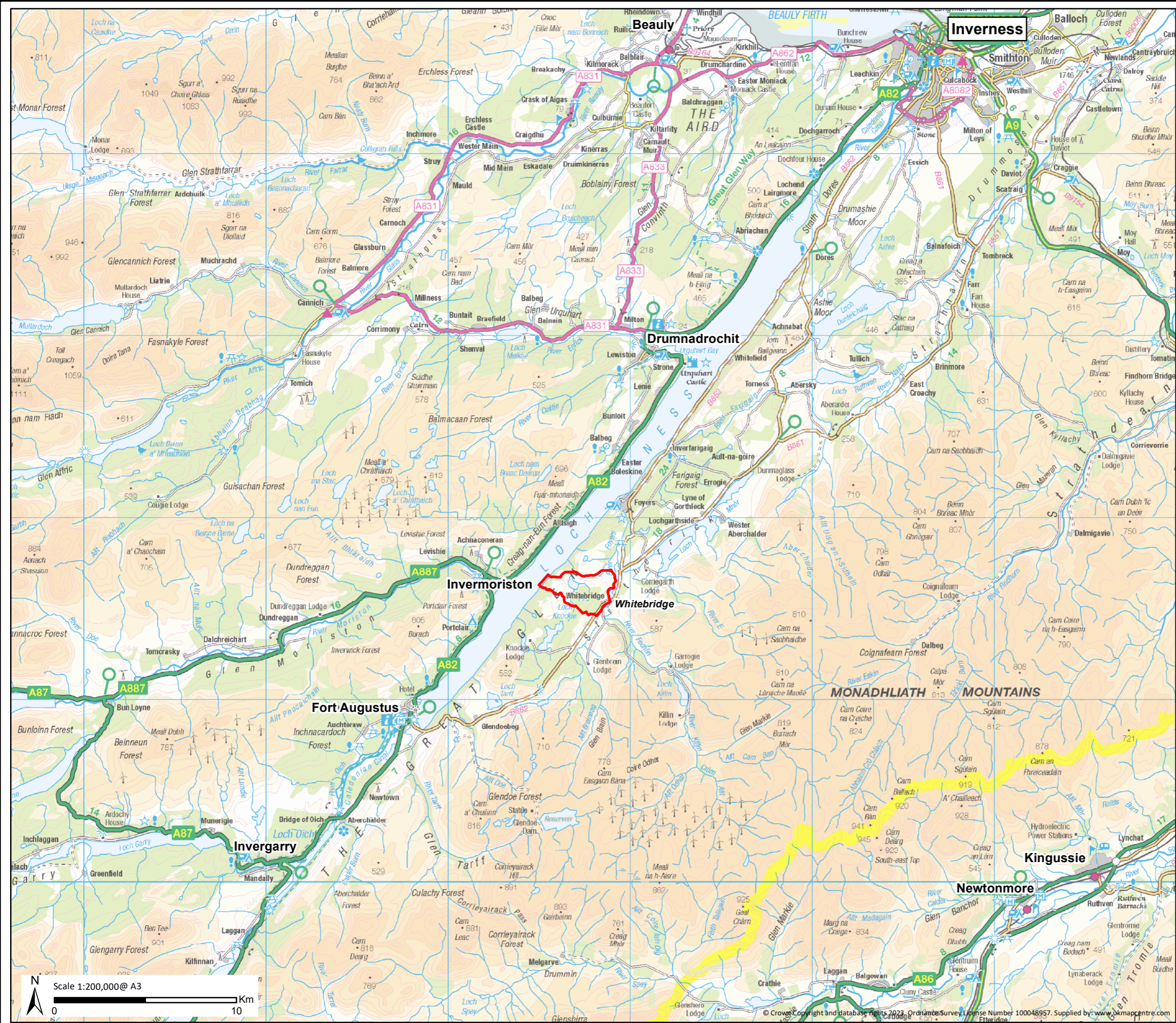
181	Structure of EIA - Woodland Impacts	As the proposed development area includes woodland, SF recommends that all impacts on woodland are set out in one section of the EIA Report.	SF1	72	Due the loss of non-commercial woodland that forms part of the qualifying features of the Ness Woods SAC associated with the Proposed Development, it has been agreed with the Tree Officer at THC that the EIA will assess impacts on commercial forestry in the 'Forestry' Chapter and non-commercial woodland in the "Terrestrial Ecology" Chapter of the EIA Report (and associated appendices). However, these chapters will cross reference each other where relevant.
182	Woodland Removal - Compensatory Planting	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).	SF2	72	The site has been designed to minimise woodland removal where possible. The site design process will be detailed in the "Design Evolution and Alternatives" Chapter of the EIA Report. It is not possible for the Proposed Development to completely avoid woodland removal and a commitment to undertaking compensatory planting in line with CoWRP will be made in the "Forestry" Chapter of the EIA Report.
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 will be made in the "Forestry" Chapter of the EIA Report. This Chapter will also quantify any permanent woodland removal required for the construction and operation of the Proposed Development. Potential areas for compensatory planting have been identified on Dell Estate and will be detailed in the 'Forestry' Chapter. It is acknowledged this will be subject to a separate consenting process.
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 will be detailed in the "Fish" Chapter of the EIA Report.

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, will be detailed in the "Fish" Chapter of the EIA Report.
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 will be detailed in the "Fish" Chapter of the EIA Report.
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 will be detailed in the "Fish" Chapter of the EIA Report.
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 will be detailed in the "Fish" Chapter of the EIA Report.
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 will be detailed in the "Design Evolution and Alternatives" Chapter for the EIA Report. Further proposed mitigation measures to minimise potential impacts on Fish will be described in the "Fish" Chapter.

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 to contribute to the cost of a smolt tracking study, but both the Applicant and Ness DSFB recognise that it will need other interested parties to co-operate and requests for other stakeholders to co-operate have not been forthcoming to date. The Applicant together with the Ness DSFB is therefore looking at the feasibility of a 'trap and transport' programme as an alternative to undertaking a smolt tracking study.</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 will be detailed in the "Scoping and Consultation" Chapter of the EIA Report.</p>
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.
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	<p>Noted. This information will be provided in the "Fish" Chapter of the EIA Report.</p> <p>Surveys to date have included:</p> <ul style="list-style-type: none"> • Riverine fish habitat assessment (including salmonid spawning suitability); • Loch fish habitat assessment (including salmonid spawning suitability); and • Electrofishing surveys (fish population assessment).

Figures

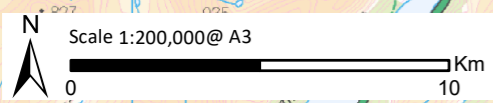
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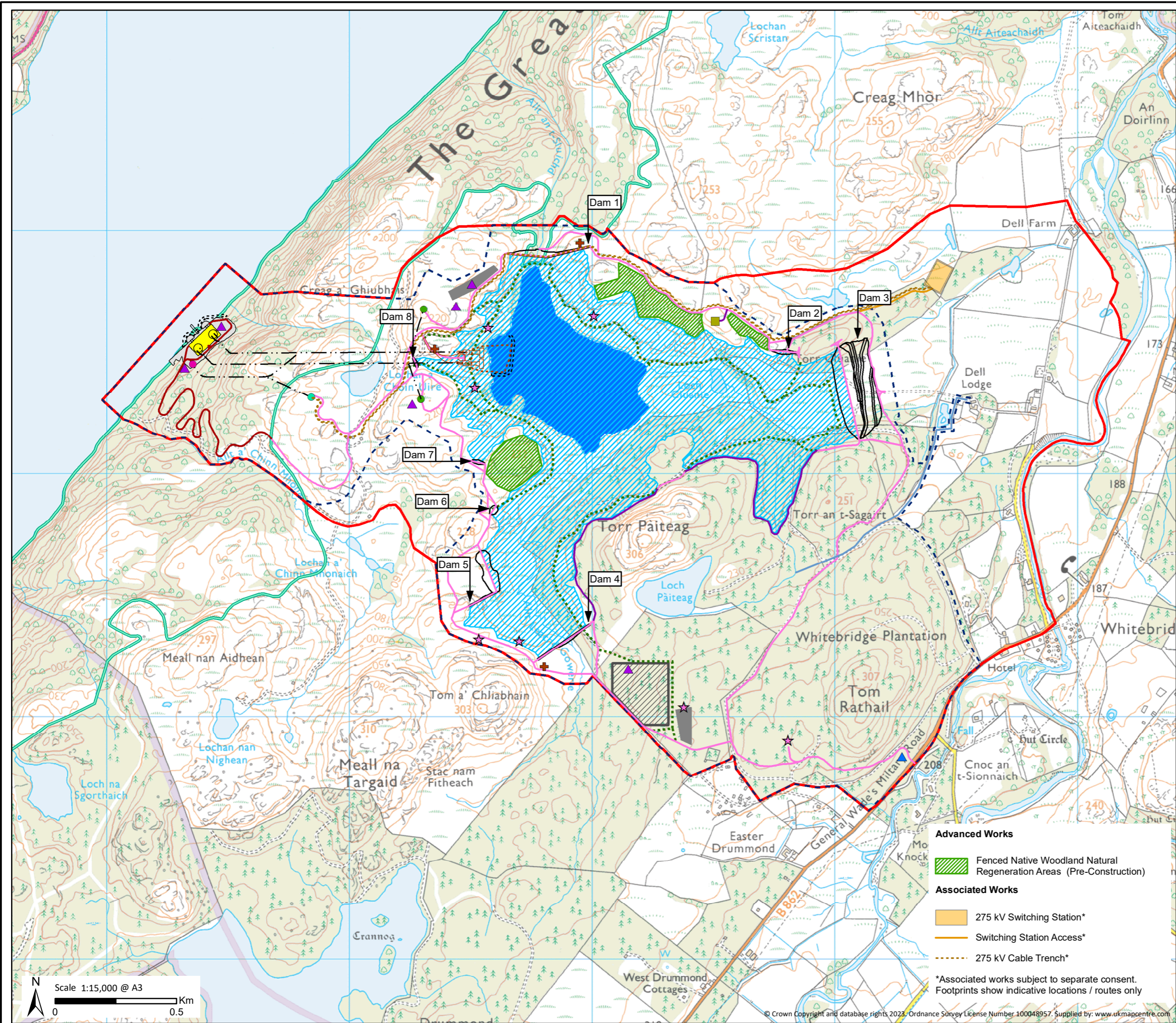
Loch Kemp Storage Gate Check Report

Figure 1 Site Location

Drawn by: SK Date: 03/08/2023
 Drawing: 120019-D-GC1-1.0.0



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Key

- Site Boundary
- Development Area
- Loch Kemp Surface Area (Existing)
- Maximum Inundation Area (Upper Reservoir)
- Powerhouse Building
- Powerhouse Platform, Quayside and Pier
- Temporary Laydown Area
- Main Welfare Compound
- Underground Tunnel
- Dam
- Temporary Cofferdam
- Construction and Operational Access Track (4m Wide Running Surface)
- Construction and Operational Access Track (8m Wide Running Surface, Reinstated to 4m)
- Construction and Operational Access Track within SAC (6m Wide Running Surface Reinstated to 4m)
- Temporary Construction Access Track (8m Wide Running Surface)
- New Estate Water Supply
- Inlet/Outlet Excavation
- Inlet/Outlet Structure
- Surge Shaft
- Cable Shaft
- Access Tunnel Adit
- + Control Kiosk
- ▲ Temporary Site Compound
- ▲ Security Compound
- ☆ Potential Borrow Pit
- Relocated Estate Fishing Lodge
- Ness Woods Special Area of Conservation (SAC)
- SAC Boundary

**Loch Kemp Storage
Gate Check Report**

**Figure 2
Proposed Development**

Drawn by: SK Date: 07/08/2023
 Drawing: 120019-D-GC2-1.0.0



Advanced Works

- Fenced Native Woodland Natural Regeneration Areas (Pre-Construction)

Associated Works

- 275 kV Switching Station*
- Switching Station Access*
- 275 kV Cable Trench*

*Associated works subject to separate consent. Footprints show indicative locations / routes only

Scale 1:15,000 @ A3
 0 0.5 Km