EARBA STORAGE

A GILKES ENERGY COMPANY

Earba Pumped Storage Hydro Scheme

EIA Report

Appendix 4.1: Scoping Response Matrix

February 2024

Quality Information

Prepared by	Checked by	Approved by
Chris Pasteur	David Tomb	Gavin McGill

Revision History

Revision	Revision Date	Details	Authorised
01	February 2024	Issue to ECU	Gavin McGill

Earba Pumped Storage Scheme
Scoping Response Matrix

Ref	Subject	Consultee Comment	Response / Comments
ECU-01	EIA to address all consultees responses	Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.	Noted.
ECU-02	Contact Scottish Water re their 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 (via EIA@scottishwater.co.uk) 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.	Noted. Details of Scottish Water infrastructure and private water supplies have been included in is **Chapter 12 of the EIAR - Geology, Soils and Wate**r.
ECU-03	Investigate private water supplies	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.	Potential effects on private water supplies have been presented in full in a confidential **Appendix 12.5 to Chapter 12 - Geology, Soils and Water**.
ECU-04	Fisheries advice	The Marine Directorate of the Scottish Government provide advice for hydro development which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. Developers are required to submit the completed checklist in advance of their application submission.	This has been actioned in the **EIAR Chapter 11 - Aquatic Ecology**, supported by the survey data outlined in the Scoping Report and agreed subsequently with Marine Scotland.
ECU-05	Peat Landslide Risk Assessment	Scottish Ministers consider that 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.	Peat effects have been discussed in detail in a Peat Landslide Risk Assessment and a Peat Management Plan, both of which accompany the Geology, Soils and Water chapter of the EIAR as **Appendix 12.1** and **Appendix 12.2**.
ECU-06	Viewpoint Locations	The scoping report identified viewpoints at Figure 5.1 to be assessed within the landscape and visual impact assessment.	Noted.
ECU-07	Bird Surveys	Bird surveys should comply with NatureScot guidance, the Company may wish to contact NatureScot to ensure they are adequate.	All field surveys followed standard survey and monitoring guidance recommended by NatureScot and CIEEM for upland bird survey. **Appendix 10.2 - Ornithology – Field Survey Methodology** of this EIAR Report provides full methods for all field surveys undertaken.
ECU-08	Keep ECU Appraised of Design Refinement	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, cumulative assessments and request that they are kept informed of relevant discussions.	The Applicant has advised the ECU of any significant design refinements, most notably the increase in generation capacity from 900MW to 1,800MW and the associated amendments to the proposed infrastructure.

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ECU-09	Mitigation Measures detailed at conclusion of each chapter, plus in consolidated table	The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.	The mitigation measures suggested for any significant environmental impacts identified have been presented as a conclusion to each chapter. A consolidated tabular schedule has been provided at **Chapter 20 - Mitigation Schedule** of all mitigation measures proposed in the environmental impact assessment where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.
ECU-10	Further information may be required by ECU	This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 36 consent for the proposed development.	Noted.
ECU-11	Further information may be required by ECU	This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.	Noted.
ECU-12	Scoping Opinion valid for 12 months	Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.	The Applicant intends to submit the S36 application within 12 months of the date of the scoping opinion received on 27 April 2023.
ECU-13	Keep ECU informed of design iterations	It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.	The Applicant has advised the ECU of any significant design refinements, most notably the increase in generation capacity from 900MW to 1,800MW and the associated amendments to the proposed infrastructure.
ECU-14	Keep ECU informed of design iterations	Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.	Noted.
ECU-15	Table required in EIAR detailing where matters raised in Scoping Opinion are addressed	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.	This has been provided with the S36 application (this table).

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ECU-16	Files <10MB	It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB).	Noted.
THC-01	Description of Development	An EIAR must include: a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases. These might include requirements for borrow pits, local road improvements, infrastructural connections (i.e. connections to the grid), off site conservation measures, etc. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied.	A plan has been provided with the EIAR as **Figure 1.1 - Scheme Arrangement with Grid References**, as requested.
THC-02	Description of Development	An EIAR must include: a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;	This has been covered in the EIAR **Chapter 2 - The Proposed Development**.
THC-03	Description of Development	An EIAR must include: the risk of accidents, having regard in particular to substances or technologies used;	This has been covered in the EIAR **Chapter 2 - The Proposed Development**.
THC-04	Description of Development	An EIAR must include: 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	This has been covered in the EIAR **Chapter 2 - The Proposed Development, and** Chapter 18 - Noise and Vibration.
THC-05	Description of Development	An EIAR must include: the estimated cumulative impact of the project with other consented or operational developments.	Each technical chapter of the EIAR has addressed the cumulative impact of the project with other consented or operational projects.
THC-06	Alternatives	A statement is required which outlines the main development alternatives studied by the applicant and an indication of the main reasons for the final project choice. This is expected to highlight the following: the range of technologies 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. Such an assessment should also highlight sustainable development attributes including for example assessment of carbon emissions.	This has been addressed in the EAIR **Chapter 3 - Consideration of Alternatives and Design Evolution**.
THC-07	Environmental Elements Affected - Cumulative Impacts	The following paragraphs highlight some principal considerations. There are a number of other large-scale developments in the area and you are encouraged to use your understanding of these in assessing your development and the potential for cumulative effects to arise. The EIAR should fully utilise this understanding to ensure that information provided is relevant and robustly grounded.	Each chapter of the EIAR has addressed the cumulative impact of the project with other consented or operational projects.
THC-08	Land Use and Policy	The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at Scottish Planning Policy and Planning Advice Notes which identify the issues that should be taken into account when considering significant development. Scottish Government policy and guidance on renewable energy should be considered in this section. The purpose of this chapter is to highlight relevant policies not to assess the compatibility of the proposal with policy.	Existing land uses affected by the development have been covered in the EIAR **Chapter 14 - Land Use**. **Chapter 5** covers Planning Policy Context, which is also be covered in individual chapters as appropriate. Furthermore, a Planning Statement has been provided to accompany the S36 application.
THC-09	Land Use and Policy	The Councils Development Plans Team have made the following comment: To clarify the planning policy context, the proposed development will be considered against National	NPF4 has been discussed in the EIAR **Chapter 5 - Planning Policy Context**,

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		Planning Framework 4 (NPF4) 2023, which when it was adopted and published by Scottish Ministers on 13 February 2023, became part of the Development Plan and replaced NPF3 and Scottish Planning Policy (which itself had previously replaced various earlier national planning policy guidelines). The proposed development will also be considered against the Highland Council Development Plans relevant to this proposal, which are the Highland-wide Local Development Plan (HwLDP) 2012, the West Highland and Islands Local Development Plan (WestPlan) 2019) and associated Supplementary Guidance. Also relevant to the proposal, due to their close proximity to the proposed site, are the Cairngorms National Park Local Development Plan 2021 and the Perth and Kinross Local Development Plan 2019. We welcome the fact that Cairngorms National Park Authority has been consulted for the scoping report and suggest that Perth and Kinross Council are also kept informed as the project progresses.	within the technical chapters where appropriate, and in the Planning Statement which have been provided to accompany the S36 application. Further consultation has taken place with the CNPA since scoping. PKC have been contacted and confirmed that they wish to be consulted on the project only after submission of the S36 application (email Sean Panton to Chris Pasteur, 27/09/23).
THC-10	NPF4 - Other Consents Required	Pumped hydro storage is classed as a national development (number 2 in NPF4) and aims to extend hydroelectricity capacity to support the transition away from fossil fuels, whilst also providing employment opportunities in rural areas. If this proposal proceeds to application stage it will therefore be considered as a national development. However, please note that whilst national development status provides in principle support, it does not grant planning permission and all relevant consents are required.	Noted.
THC-11	Highland-wide Local Development Plan	We welcome the reference to the HwLDP in the scoping report. The HwLDP sets out a range of planning policies applicable for the whole Highland Council area. The HwLDP continues to be used alongside NPF4, until it is replaced by a new style LDP. The Council notes that legislation indicates that if there is incompatibility between a provision of the LDP and a provision of the NPF, whichever is the more recently dated shall prevail. This requirement does not take away from the fact that the HwLDP must, whilst still part of the adopted Development Plan, be part of the consideration and, as such the following policies are considered relevant.	This has been covered in the EIAR **Chapter 5 - Planning Policy Context**, within the technical chapters where appropriate, and in the Planning Statement which have been provided to accompany the S36 application.
THC-12	West Highland and Islands Local Development Plan	There is no reference in the Scoping Report to the area local development plan covering this proposal, which is the West Highland and Islands Local Development Plan (WestPlan). WestPlan' s focus on regional and settlement strategies and identification of specific site allocations, may highlight priorities for the local area that should be taken into consideration when designing the development, or help to inform plans for community engagement and/or community benefit. For more details, please refer to the fuller response in this proposal's pre-application advice 22/05962/PREMAJ.	This has been covered in the EIAR **Chapter 5 - Planning Policy Context**, within the technical chapters where appropriate, and in the Planning Statement which have been provided to accompany the S36 application.
THC-13	Mapping - Tracks on Drawings	MAPPING: It is noted that the proposed track will follow the line of existing estate tracks where possible. To clarify the presence of existing tracks, and the extent to which tracks are being upgraded or newly constructed, it would be helpful if the following could be taken into account when producing maps for this proposal, to aide proper assessment and review: Indicate which sections of the proposed access track are to be made from existing tracks that are to be upgraded, and which sections will be made from newly constructed track; Indicate which sections of the proposed access track would be permanent and which would be temporary; and Ensure that all the relevant information appears in the legend for each map, e.g. on Figure 7.2 what appears to be the proposed access track does not appear in the legend, with the same green notation seemingly used for both the A Road and what appears to be the proposed access track.	Separate drawings of tracks and paths as existing, during construction, and during operation have been provided to give clarity on this. These are **Figures 15.1 to 15.3**.
THC-14	Ardverikie Wall Viewpoint Request	NATURAL, BUILT AND CULTURAL HERITAGE: Ardverikie Wall features in para 8.2.4 of the Scoping Report but does not appear in the prospective developer's maps of visual receptors for ZTV purposes. Ardverikie Wall lies adjacent to the red line boundary and is an important receptor location popular with climbers; therefore, we suggest that it is included as a visual receptor for the EIA.	This location has been agreed in meetings and correspondence with THC, NatureScot and Mountaineering Scotland and have been included in **Chapter 7 - Landscape and Visual** of the EIAR as VL9.

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THC-15	Sustainable Design Statement	The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required. The Council will need to be satisfied in reaching a conclusion on any consultation or application that the development in its entirety is sustainable development. In order for us to do so we recommend that matters related to the three pillars of sustainable development are fully assessed in the information which supports the application. The developer needs to consider the impact of the installation and the prospective long-term use of the network to accommodate the requirements of a decarbonised Scotland and the Highlands. The application should include a statement on how the development is likely to contribute to the Scottish Government Energy Efficient Scotland roadmap and provide the Highlands with secure and clean electricity supplies.	A Sustainable Design Statement as requested has been provided as **Appendix 2.2** to EIAR **Chapter 2 - The Proposed Development**.
THC-16	Electric Car Charging Point Strategy	The Council 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.	This provision has been included in the EIAR **Chapter 2 - The Proposed Development**.
THC-17	Landscape and Visual Assessment Requirements	The Council expects the EIAR to consider the landscape and visual impact of the development. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. It is the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment. The Council, while not precluding the use of panoramic images, require single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths required are 50mm and 75mm. The former gives an indication of field of view and the latter best represents the scale and distance in the landscape i.e. a more realistic impression of what we see from the viewpoint. These images should form part of the EIAR and not be separate from it. Albeit that the development is not for a wind farm, photomontages should still accord with and follow principles set out within the Council's Visualisation Standards, with photomontages being subject an independent verification check upon receipt: https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments	Visualisations in panoramic and single frame format have been produced in accordance with the THC Visualisation Standards and have been included in **Volume 3b**.
THC-18	Landscape and Visual - Presentation Requirements	Separate volumes of visualisations should be prepared to both Highland Council Standards and NatureScot guidance. These should be provided in hard copy. It would be beneficial for THC's volume to be provided in a A3 leaver arch folder for ease of use for fieldwork. The use of monochrome for specific viewpoints is useful where there are a number of different intervening features in the view, or where the proposals will be viewed alongside other visible structures including wind turbines and overhead lines. We are happy to provide advice on this matter going forward.	Visualisations to NatureScot and THC Standards have been included as **Volumes 3a and 3b** respectively. No monochrome images are included as there are no situations where other visible structures are present to cause any confusion in the photomontages.
THC-19	Landscape and Visual - Temporary Impacts	This assessment should include the expected impact of all aspects of the development including any borrow pits, tracks, cable routes, lochside infrastructure and landscaping. This is despite the fact that the principal structures will be a primary concern. In addition, given the proposal will involve significant reprofiling of the site and surrounds, we 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. We would recommend that the montages are produced at a range of intervals, including during and post construction.	The Landscape and Visual Assessment has considered all proposed aspects of the Proposed Development. Photomontages have been prepared for periods of 1-, 5- and 15-years post construction and during construction montages have also been produced for selected locations. The locations and scope of photomontages were agreed in advance with THC and NatureScot through a conference call on 13th September 2023 and subsequent emails.

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THC-20	Landscape and Visual - Purpose of Viewpoints	The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. For example, it should be clear that the VP has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view or for assessment of impact on designated sites, communities or individual properties.	The selection of the visualisation locations has been agreed with THC and NatureScot. The purpose of the selected locations has been detailed in **Chapter 7 - Landscape and Visual** of the EIAR.
THC-21	Landscape and Visual - Agree Viewpoints in Advance	The finalised list if 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. At this stage the Councils Landscape Officer has indicated that the applicants should also include viewpoints from the access track. Suggested locations being in the vicinity of the existing reservoir and from the Shios Dam end.	The visualisation locations have been agreed in advance with THC and NatureScot through a conference call on 13th September 2023 with the final list being approved through subsequent email.
THC-22	Landscape and Visual - Micrositing of Viewpoints	We acknowledge that there will be some micro-siting of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when they are taking the photos it would be helpful. We have also found that if the photographer has a 3D model on a laptop when they go out on site it helps the orientation of the photography.	This has been considered during the photography. All locations are considered to show a good, representative view.
THC-23	Landscape and Visual - Viewpoint Locations	The detailed location of viewpoints will be informed by site survey, mapping and predicted ZTVs. Failure to do this may result in abortive work, requests for additional visual material and delays in processing applications/consultation responses. Community Council's may request additional viewpoints and it would be recommended that any pre-application discussions with the local community, and associated reporting on consultation undertaken, take this into account.	The locations for visualisations have been agreed in advance with THC and NatureScot with an attempt to include all scoping requests. The Laggan Community Council were consulted by correspondence and at an ordinary meeting about the visualisation locations and confirmed "Laggan Community Council is content with the intended visualisation points discussed at our meeting on 15th May 2023 together with the addition of location 10". in an email from their Chair dated 23 May 2023.
THC-24	Landscape and Visual - Assessment Methodology	Further the LVIA Chapter of the EIAR should clearly set out the methodology including: Definitions of each point on the scale of magnitude of change which is used by the applicant in reaching a conclusion on the magnitude of change; Definitions of each point on the scale of sensitivity of receptor which is used by the applicant in reaching a conclusion on the sensitivity of receptor; The threshold to which the applicant considers a significant effect is reached; and A clear matrix approach supported by descriptive text setting out how the applicant reaches their conclusion of effect on landscape character, designated landscapes, visual receptors and residential amenity.	The LVIA methodology included in **Chapter 7 - Landscape and Visual** of the EIAR details the criteria for sensitivity, magnitude and significance of effect for landscape and visual effects, as well as thresholds for significance. A matrix is not included in the methodology as the Third Edition Guidelines for Landscape and Visual Impact Assessment (GLVIA3) does not advocate this approach with a preference being made for professional judgement.
THC-25	Landscape and Visual - Recreational 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.	Core paths, the national cycle network and long-distance trails have been included where relevant.

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THC-26	Landscape and Visual - Cumulative Impacts	There are a number of similar applications in this area. It is noted that Figure 7.4 -Cumulative Developments includes only hydro developments. We suggest that for the assessment of some environmental effects, cumulative assessment with other types of development may be appropriate, e.g. electricity network infrastructure, windfarms. We are happy to advise on the cumulative baseline in due course. Our interactive Wind Turbine map can be accessed at http://highland.gov.uk/windmap . The Energy Consents Unit may also be able to provide details of any other known nearby major development proposals which are currently at Scoping Stage as these may have advanced at the same pace as your proposal.	The search for other proposed developments for the cumulative assessment has considered all other energy development types but at the time of searching (November 2023) only proposed hydro or pumped storage hydro developments were identified within the study area.
THC-27	Geology, Hydrology and Hydrogeology	The EIAR should include a full assessment on the impact of the development on peat, this should be in line with NPF4, Policy 5. The assessment of the impact on peat must include peat probing for all areas where development is proposed. The Council are of the view this should include probing not just at the point of infrastructure as proposed by the scheme but also covering the areas of ground which would be subject to micrositing limits / limits of horizontal deviation. SEPA are best placed to provide detailed advice on methodology for peat probing and the peat assessment.	Peat probing of all development areas has been undertaken. Potential effects on peat have been discussed in detail in the EIAR **Chapter 12 - Geology, Soils and Water**, and the associated **Appendix 12.1 - Peat Landslide Hazard Risk Assessment** and **Appendix 12.2 - Peat Management Plan**.
THC-28	Geology, Hydrology and Hydrogeology	Carbon balance calculations should be undertaken and included within the EIAR with a summary of the results provided focussing on the carbon payback period for the development.	Carbon balance calculations have been included as Appendix **12.6** to the EIAR **Chapter 12 - Geology Soils and Water**.
THC-29	Geology, Hydrology and Hydrogeology	The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile. This can avoid the need for further applications.	Details of local geology have been included in EIAR **Chapter 12 - Geology Soils and Water.** A borrow pit assessment has been included as **Appendix 2.4** to the EIAR **Chapter 2 - The Proposed Development.** In addition, a detailed and quantified mass balance strategy has been included as **Appendix 2.4** to the EIAR **Chapter 2 - The Proposed Development**.
THC-30	Geology, Hydrology and Hydrogeology	The EIAR needs to address the nature of the hydrology and hydrogeology of the land, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, groundwater, other water features and sensitive receptors, such as water supplies, need to be assessed. Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall which will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. You are strongly advised at an early stage to consult SEPA as the regulatory body responsible for the implementation of the Controlled Activities (Scotland) Regulations 2005 (CAR), to identify license requirements and the extent of the information required by SEPA.	Effects on private water supplies have been addressed in **Confidential Appendix 12.5** to the EIAR C**hapter 12 - Geology Soils and Water**, together with a further **Appendix 12.4** addressing GWDTE, which considers potential effects on water dependent habitat.
THC-31	Geology, Hydrology and Hydrogeology	If culverting is proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact.	Details of proposed watercourse crossings have been included in a schedule to accompany the EIAR **Chapter 12 - Geology, Soils and Water** as **Appendix 12.3**.

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		The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, taking into account factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide	
THC-32	Geology, Hydrology and Hydrogeology	The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private source is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided.	Details of proposed water abstractions for construction purposes have been included in the EIAR **Chapter 12 - Geology, Soils and Water**.
THC-33	Geology, Hydrology and Hydrogeology	The Council's Environmental Health Service have stated that 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.	Details of private water supplies have been included in **Confidential Appendix 12.5** to the EIAR **Chapter 12 - Geology, Soils and Water**.
THC-34	Geology, Hydrology and Hydrogeology	The Council's Flood Risk Management Team have confirmed that they have no comment at this stage.	Noted.
THC-35	Ecology and Ornithology	The EIAR should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed, particularly in respect to blanket bog, in the contexts of both biodiversity conservation. Details of any habitat enhancement programme (such as native- tree planting, stock exclusion, etc) for the proposed site should be provided. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.	A full programme of baseline habitat, protected species and ornithology surveys have been undertaken and have been detailed in the EIAR **Chapter 8 - Terrestrial Ecology** and C**hapter 10 - Ornithology** and associated appendices. Where relevant, these Chapters have addressed whether or not the Proposed Development could assist or impede delivery of elements of relevant Biodiversity Action Plans. Details of the assessed impact to blanket bog by the Proposed Development have also been detailed in the EIAR **Chapter 8 - Terrestrial Ecology** and associated appendices.
THC-36	Consider Species in HNBAP 2021 - 2026. Species Scoped Out	The Councils Ecology Officer has stated that: In addition to the ecological surveys specified within the EIA Scoping Report, the priority species within the Highland Nature Biodiversity Action Plan 2021-2026 must also be considered within the EIA to fulfil the Highland Wide Local Development Plan polices 57-60; THC request to be supplied with the confidential ecological appendixes; We agree with reptiles, amphibians and terrestrial invertebrates to be scoped out of the EIA, but Species Protection Plans should be provided for reptiles and amphibians detailing how these will be protected should they be encountered on site; Aquatic environment: The EIA must consider the impact of reduced water flow into the outflow watercourses from both Lochs and Loch Laggan.	This has been addressed in the EIAR **Chapter 8 - Terrestrial Ecology**, **Chapter 10 - Ornithology** and **Chapter 11 – Aquatic Ecology**, together with their associated appendices.

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THC-37	Biodiversity Enhancement and Management	Additional Information: Biodiversity Enhancement and Management - The Councils Ecology Officer has stated the proposed development will need to accord with the policies of NPF4 including Policy 3, which requires that all developments must deliver not just ecological mitigation and compensation but also biodiversity enhancement of the site. As this is a Major development, Policy 3b is applicable to this development. In order to satisfy Policy 3b a Biodiversity Enhancement and Management Plan will be required that details how the criteria will be met. This must demonstrate that the development will significantly enhance the biodiversity of the site, from its pre-development state. It should include details of how the enhancement measures will be managed and monitored. The Biodiversity Enhancement and Management Plan must accord with Policies 57-60 of the HwLDP. We recommend the use of a metric to present the biodiversity enhancement such as Natural England's BNG Metric http://publications.naturalengland.org.uk/publication/6049804846366720	Biodiversity Enhancement and Management has been discussed with both THC and NatureScot at meetings on 1 August and 5 December 2023. An outline Biodiversity Enhancement and Management Plan (BEMP) reflecting the discussions at these meetings have been provided as an appendix to the EIAR **Chapter 8 - Terrestrial Ecology**. After discussion with THC and NS a bespoke agreement is being sought which does not rely on the use of a metric approach.
THC-38	Ecology and Ornithology	The presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the planning application process, not as an issue which can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. Please refer to the comments of NatureScot and RSPB in this respect.	There are a number of protected mammals and bird present within the site. These have been considered in the EIAR C**hapter 8 - Terrestrial Ecology** and **Chapter 10 - Ornithology** and associated appendices.
THC-39	Impacts on neighbouring SSSIs / SACs / SPAs	The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant. NatureScot can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR. NatureScot provide advice on the impact on designated sites.	Potential impacts on the nature conservation interests of all the designated sites in the vicinity of the Proposed Development have been assessed and have been detailed in relevant chapters of the EIA Report. A **Shadow Habitats Regulations Appraisal Report** (Stage 1 & 2) for the Ben Alder and Aonach Beag SAC has been submitted with the S36 application.
THC-40	Impact on wild deer	If wild deer are present or will use the site an assessment of the potential impact on deer will be required. This should address deer welfare, habitats and other interests.	A Deer Management Plan has been provided within **Appendix 8.6 - Outline BEMP** to the EIAR **Chapter 8 - Terrestrial Ecology**.
THC-41	Aquatic Interests	The EIAR 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 EIAR should evidence consultation input from the local fishery board(s) where relevant.	A full programme of aquatic ecology surveys has been undertaken and detailed in the EIAR **Chapter 10 - Aquatic Ecology** and associated appendices. A Hydromorphological Appraisal have been included as **Appendix 6.2** to the EIAR **Chapter 6 - Hydrology and Water Management**. The Lochaber District Salmon Fisheries Board advised by email to Gavia on 16.05.23 that 'The scheme is above the limit for migratory fish so we will not be responding. Our remit is limited to migratory salmonids.'

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THC-42	Impacts on GWDTE	The EIAR should include an assessment of the effects on Ground Water Dependent Terrestrial Ecosystems (GWDTE). SEPA will provide advice on the impact on designated sites.	An assessment of the potential effects of the Proposed Development on GWDTE has been included in the EIAR at C**hapter 8 - Terrestrial Ecology** and **Chapter 12 - Geology, Soils and Water**.
THC-43	Forestry	The EIAR should provide a baseline survey of the plants (including fungi, lichens and bryophytes) and trees present on the site to determine the presence of any rare or threatened species. The EIAR should indicate areas of woodland / forestry plantation which may by 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.	Felling to accommodate the Proposed Development and compensation and net gain for this has been assessed in the EIAR **Chapter 9 - Forestry**. NVC and forestry surveys found a lack of significant lichen and bryophyte assemblages identified within the ancient woodland strip and other woodland to be affected by the scheme. On this basis, THC agreed at a meeting on 1 August 2023 that specialist lichen/bryophyte/fungi lichens were not warranted.
THC-44	Forestry	If trees are to be removed, compliance with the Scottish Government's Control of Woodland Removal Policy 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.	A draft tree protection plan (TPP) showing trees and tree groups for retention have been provided as **Figure 9.2** with the EIAR **Chapter 9 - Forestry**.
THC-45	Operational Noise	My understanding of this type of development is that the majority of the operation is underground and given the separation distances, noise is unlikely to be significant at any noise sensitive property. However, as a precaution I would advise the following condition: - All plant, machinery and equipment associated with this development shall be so installed, maintained and operated such that the following standards are met: - any associated operating noise must not exceed NR 20 when measured or calculated within the bedroom of any noise-sensitive premises with windows open for ventilation purposes. the operating noise Rating level must not exceed the Background noise level including any characteristics penalty. Terms and measurements to be in accordance with BS 4142: 2014 Methods for Rating Industrial & Commercial Sound. The applicant is advised to liaise with Environmental health at an early stage. If the predicted levels are extremely low, it may not be necessary to undertake a background noise survey.	Full baseline survey implemented. Likely conditions noted and BS4142 considered in further in the EIAR Chapter **18 - Noise and Vibration**.

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THC-46	Construction Noise	Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Generally, people are tolerant of construction noise during typical working hours which are taken to be 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be carried out out-with these times. The site itself is remote from receptors therefore construction noise is unlikely to be significant. However, the access track will be closer to existing receptors so there may be some disturbance from construction traffic and any works that may be required to upgrade the access track. The site layout plan also appears to show a proposed borrow pit and temporary construction compound in closer proximity to houses. A detailed construction noise assessment will be required in respect of access track works, borrow pit operations and the construction compound. The assessment should include: - 1) A description of construction activities with reference to noise generating plant and equipment. 2) A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations. 3) A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels. 4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors. 5) An assessment of the predicted noise levels in comparison with relevant standards. The above notwithstanding, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented. Particular attention should be given to the use of tonal reversing alarms and ground compaction plant which are often the most intrusive noise generating elements of a large construction project.	A BS5228 construction noise assessment has been undertaken to reflect response received and discussed within the EIAR **Chapter 18 - Noise and Vibration**.
THC-47	Cultural Heritage	The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. This will require you to identify: the architectural heritage (Conservation Areas, Listed Buildings);the archaeological heritage (Scheduled Monuments); the landscape (including designations such as National Parks, National Scenic Areas, Areas of Great Landscape Value, Gardens and Designed Landscapes and general setting of the development; and the inter-relationship between the above factors. We would expect any assessment to contain a full appreciation of the setting of these historic environment assets and the likely impact on their settings. It would be helpful if, where the assessment finds that significant impacts are likely, appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings could be provided. Visualisations illustrating views both from the asset towards the proposed development and views towards the asset with the development in the background would be helpful. Historic Environment Scotland (HES) are anticipated to provide comment on the assessment methodology for heritage assets within their remit. They may also provide further comments on the scope of the assessment and their requirements for supporting information (including visualisations) and the potential impacts on heritage assets in their consultation response. The Council's Historic Environment Team have yet to comment, these will be forwarded once available.	These comments have been addressed in the EIAR **Chapter 16 - Cultural Heritage**.

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THC-48	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. A CTMP will normally detail the following issues, however this is not an exhaustive list and the CTMP should be tailored to reflect the issues pertinent to this development: Identification of all Council maintained roads likely to be affected by the various stages of the development; Predicted volume, type and duration of construction traffic; Location of site compound, staff parking and visitor parking; Proposed measures to mitigate the impact of general construction traffic and abnormal loads on the local road network following detailed assessment of relevant roads; Details of any traffic management signage required for the duration of the construction period; Measures to ensure that all affected public roads are kept free of mud and debris arising from the development; The developer may also be requested to enter into a Section 96 agreement with the Highland Council to cover any abnormal wear and tear to the Council roads. This will include a requirement for pre and post construction surveys to be undertaken and agreed with the Council and for the provision of a suitable bond; If the development involves any abnormal loads a detailed protocol, route and delivery programme will be required and agreed with any interested parties such as Highland Council, the Police, Transport Scotland and community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media.	CTMP measures have been provided in the Transport Assessment which is an appendix to the EIAR Chapter 17 - Transport and Access, however no THC roads are affected.
THC-49	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. The information below is not exhaustive and should be used as a guide to submitting all relevant information in relation to roads, traffic and transportation matters arising from the development proposals, which should be in the form of a Transport Assessment forming part of the EIAR: SEE SCOPING RESPONSE TEXT FOR DETAILS.	A Transport Assessment has been provided as **Appendix 17.1** to the EIAR **Chapter 17 - Transport and Access**. The study area however is exclusively made of trunk roads and no impact on THC roads is reported.
THC-50	Abnormal Load Assessment	Any requirement for abnormal loads must identified in the TA (including cranes and construction plan such as wide low loaders, crushing plant etc.) and the types of vehicles/loading and the routes established. A review of the preferred route, to include swept path assessment and inspection and/or assessment of any structures along the route, shall be undertaken. A trial run to demonstrate the suitability of the abnormal load route may be required (this will likely be conditioned by the consent if it is necessary). If abnormal loads are required, then early direct consultation with the Councils structures section (Simon.Farrow@highland.gov.uk) and the Abnormal Load Team (abnormal.loads@highland.gov.uk) is advised.	A detailed Route Survey has been undertaken and this has been presented in **Appendix 17.2** to the EIAR **Chapter 17 - Transport and Access**. The study area however is exclusively made of trunk roads and no impact on THC roads is reported.

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THC-51	Socio-Economic, Recreation and Tourism	We welcome the commitment to contain the above within its own chapter in the EIAR as this will ensure that these matters are appropriately addressed and not lost in other assessments. The EIAR should estimate who may be affected by the development, in all or in part, which may require individual households to be identified, local communities or a wider socio-economic grouping 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. Estimations of who may be affected by the development, in all or in part, which may require individual households to be identified, local communities or a wider socio-economic grouping such as tourists and tourist related businesses, recreational groups, economically active, etc. should be included. 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. In this regard wind farm development experience in this location should be used to help set the basis of likely impact. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy.	A fully compliant socioeconomic and tourism impact assessment across development, construction and operation phases have been provided as **Chapter19 - Socioeconomics and Tourism** of the EIAR.
THC-52	Recreational Access	The Council's Access Officer has stated that without mitigation this proposal will have a significant detrimental impact on outdoor access during the construction phase and possibly during the operational phase. It is recommended that its impact be assessed in line with Nature Scot's guidance in Appendix 6 of its Environmental Impact Assessment Handbook. This should inform the mitigation measures required to minimise any adverse impacts and maximise positive contributions the scheme will make to outdoor access. Those affected by these proposals will include walkers, runners, climbers, cyclists, horse riders, swimmers and paddlesports enthusiasts. The physical features likely to be significantly affected include: Lochs and River Spean - swimmers and paddlesports; Lay-bys off the A86 at Luiblea – parking; Bridge at Luiblea - access to lochs, hills, paths and tracks; Tracks - used by walkers, climbers, cyclists, horse riders, swimmers, runners, etc.; Mapped paths - historic (stalkers') paths; Access to and from climbing and scrambling crags - Binnein Shuas, Creag a' Chuir; Access to and routes around Grahams - Binnein Shuas, Binnein Shios; Access to and routes around Munros - Beinn a Chlachair, Creag Pitridh and Geal Charn; East Highland Way and access to it.	The EIAR **Chapter 15 - Recreation and Access** has addressed all of the points raised in these comments, including provision of **Appendix 15.1 - Draft Access Management Plan** which has been prepared in consultation with THC.
THC-53	Recreational Access	The Access Management Plan (AMP) should be developed in consultation with the Council as Access Authority and other relevant partner organisations such as NatureScot. This AMP would be included as part of the EIAR submitted with the application and should be provided in accordance the Highland Wide Local Development Plan, Policy 77, which covers Outdoor Access and Appendix 6 of Nature Scot's Environmental Impact Assessment Handbook. It is suggested that you further engage with the Councils Access Officer, Stewart Eastaugh who can be contacted on stewart.eastaugh@highland.gov.uk.	A Draft Access Management Plan has been prepared in consultation with THC and is attached as **Appendix 15.1** to the EIAR **Chapter 15 - Recreation and Access**.

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THC-54	Aviation, Radar and Telecoms	The EIAR needs to recognise community assets that are currently in operation for example internet coverage, TV, radio, blue light telecommunications, aviation interests including radar, MOD safeguards, etc. In this regard the applicant, when submitting a future application, will need to demonstrate what interests they have identified and the outcomes of any consultations with relevant authorities such as Ofcom, NATS, BAA, CAA, MOD, Highlands and Islands Airports Ltd, etc. through the provision of written evidence of concluded discussions / agreed outcomes. The Council consider the results of these surveys should be contained within the EIAR to determine whether any suspensive conditions are required in relation to such issues. If there are no predicted effects on communication links as a result of the development, the EIAR should still address this matter by explaining how this conclusion was reached.	Consultation has taken place with all of the relevant authorities through the scoping process, and since then with Badenoch Broadband. No issues have been raised. Written evidence of these consultations has been provided in **Appendix 14.1** to the EIAR **Chapter 14 - Land Use**.
THC-55	Construction Management and Health and Safety	The EIAR needs to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction etc. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each section of development including construction and operation. Issues such as dust, air borne pollution, noise, light can then be highlighted. Consideration must also be given to the potential health and safety risks associated with lightning strikes and ice throw given the proximity of recreational routes.	Climatic factors have been considered as appropriate throughout the EIA Report. During the construction phase such factors will also be considered in the CEMD that have been developed by the Principal Contractor. An outline CEMD has been included as **Appendix 2.3** to the EIAR **Chapter 2 - The Proposed Development**.
THC-56	Dust Suppression	Depending on the proximity of the working area and access route to any houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements and routing.	Dust Management has been addressed in the outline CEMD which is included as **Appendix 2.3** to the EIAR **Chapter 2 - The Proposed Development**.
THC-57	CEMD	A number of the aforementioned matters could be addressed by a CEMD for the proposal. While acceptable in principle we would request that an Outline CEMD is included with the application.	An outline CEMD has been included as **Appendix 2.3** to the EIAR **Chapter 2 - The Proposed Development**.
THC-58	Significant Effects on the Environment	Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from: the existence of the development; the use of natural resources; and the emission of pollutants, the creation of nuisances and the elimination of waste. The potential significant effects of development must have regard to: the extent of the impact (geographical area and size of the affected population); the trans-frontier nature of the impact; the magnitude and complexity of the impact; the probability of the impact; and the duration, frequency and reversibility of the impact.	The assessment of likely significant environmental effects has been undertaken within each of the technical chapters of the EIA Report.
SEPA-01	Spoil and Peat Management	As usually we would very much welcome further as the project develops. From a planning perspective we will be especially interested in spoil and peat management which will be very significant issues for the project.	Noted.
SEPA-02	Detailed Layout Plans	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 we presume will be extensive for a development of this size. It should show the area of site effected by the development (i.e. including cut and fill), not just the final footprint. The application submission should also include plans which show above and below ground infrastructure separately.	The EIAR has been accompanied by a series of figures including detailed layout plans meeting these requirements.

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SEPA-03	Maximise Reuse of Existing Tracks	The final layout should make as much use as possible of existing infrastructure such as existing tracks and minimise the length of new tracks needed to facilitate the development. Further consideration is required regarding (1) the route of the track to the Shuas Dam, which should make use of the existing track and (2) the route of the track from the lower dam up to Leamhain Dam and the surge shaft, which should include a suitable buffer to the watercourses and reduce the number of watercourse crossings required.	These comments have been addressed in the development of the design and have been reflected in the final layout presented in the EIAR. Reuse of existing tracks has been prioritised but is limited by the reservoir inundations. For the track between the A86 and the Shuas dam the existing track has been followed as far as possible but is constrained by the presence of sensitive ornithological features which require a significant disturbance distance to be maintained.
SEPA-04	Invasive Non-native Species	We highlight that there may be potential issues with the spread of Invasive Non-Native Species so the developer should address any issues as outlined in our wat-ps-22-01_raw-water-transfers.pdf (sepa.org.uk).	The waterbodies have been surveyed for aquatic INNS and none found. There is a small area of rhododendron within the site, the eradication of which is included in the Biodiversity Enhancement and Management Plan. INNS issues have been addressed in the EIAR **Chapter 8 - Terrestrial Ecology** and **Chapter 11 - Aquatic Ecology**.
SEPA-05	Loss of Brown Trout Habitat	Loss of brown trout habitat will need to be assessed. Further information on requirements is available on our website at Fish and fish habitat | Scottish Environment Protection Agency (SEPA).	This has been addressed in the EIAR **Chapter 11 - Aquatic Ecology**.
SEPA-06	Leamhain Track Watercourse Crossings	As indicated above further consideration is required to the route of the track up to Leanhain Dam; the number of watercourse crossings needs to be reduced.	This track has been redesigned to minimise ecological impacts, including removing a number of water crossings. This is detailed in the EIAR **Chapter 2 - The Proposed Development** and **Chapter 3 - Consideration of Alternatives and Design Evolution.**

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SEPA-07	Peat Management Plan Required	We can confirm that a Peat Management Plan will be required for this development. All excavated peat must be reused on site or elsewhere for environmental benefit, with permanent storage or disposal not being acceptable. 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. Development should avoid disturbing the area of deep peat south of the existing track to Lochan Earba. We note that the other areas surveyed at this time generally have shallow peat. The existing track to Lochan Earba should be utilised and new floating track should be used where possible to reduce the volume of excavated peat and should be shown on a clear plan. A Habitat Management Plan should include proposals for peatland restoration works on the site as mitigation for peat habitat loss and make use of disturbed peat, including for example, restoration of any redundant tracks or historic peat cuttings. Such works could also help compensate for loss of GWDTE. We encourage the applicant to go beyond the minimum restoration area to compensate for the lost peat and habitat area; this is to allow a margin for uncertainty about how well the modified bog will respond to the restoration, and beyond that, enhancement as a gain for the environment.	These points have been addressed and covered in in the EIAR **Chapter 2 - The Proposed Development** and **Chapter 12 - Geology, Soils and Water, which has** a draft Peat Management Plan attached as **Appendix 12.2**.
SEPA-08	Effects on GWDTE	In relation to section 5 (GWDTE) and section 9 of the scoping report we welcome the inclusion of the habitat survey information at this early stage. It shows that a number of peatland and GWDTE habitats will be impacted by the development. As proposed the finalised habitat plans should include information on the NVC survey classification (as referred to in the text) and quantity the area of GWDTE that will be lost by the development (including inundation) and proposed compensation measures. Areas of new track should be demonstrated to avoid good quality or rare GWDTE habitats.	These points have been addressed and have been covered in in the EIAR **Chapter 8 – Terrestrial Ecology** and **Chapter 12 - Geology, Soils and Water** and associated appendices.
SEPA-09	Mass Balance Strategy	In relation to section 8 of the attached appendix (borrow pits) and rock and overburden excavation generally as outlined in section 13 and elsewhere in scoping report: The applications should include a spoil management plan outlining the mass balance strategy. 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; In view of the extensive volume of excavated material being produced we do not expect the development to include additional borrow pits unless it is subsequently demonstrated that there is a need for additional material; The information requirements outlined in section 8.1 of the appendix should be provided insofar as they are relevant to the excavation works proposed.	The EIAR **Chapter 2 - The Proposed Development** includes as **Appendix 2.4** a Mass Balance Strategy, which itself includes a spoil management plan. A Borrow Pit Management Plan has also been provided within **Appendix 2.4** including details of the various borrow pits proposed.
SEPA-10	New Planting Requirements	In relation to section 7 (forest waste) then in addition ensure that any new planting proposals are in line with Briefing Note 18: Publication of GWDTE Practice Guide (forestry.gov.scot)	Noted.
SEPA-11	CEPM Not Required at Planning Stage	In relation to section 9 (pollution) we can confirm that from our perspective an outline Construction Environmental Management Plan (CEMP) need not be provided with the application. This is on the understanding that (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, (2) Peat management is covered by a Peat Management Plan, (3) detailed site plans are submitted which demonstrate how impacts on the environment have been minimised through design and (4) all mitigation is detailed within a suitably robust schedule of mitigation. This approach will hopefully help streamline the overall information and assessment requirements.	An outline CEMD has been provided at **Appendix 2.3**, which includes reference to all of the documents requested here, which have been provided as appendices to the EIAR.

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SEPA-12	Generic SEPA Planning Guidance	This appendix sets out our generic scoping information requirements for large scale projects like this. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order to avoid delay and potential objection.	Noted.
SEPA-13	Updated Information	If there is a delay between scoping and the submission of the application, then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed. We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.	We have had ongoing meetings and correspondence with the Planning and CAR departments of SEPA between Scoping and S36 submission, with some documents submitted in draft for comment. All file sized have been limited to 10MB.
SEPA-14	Site Layout	All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. 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. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.	Drawing scales have been selected to adequately describe the proposed infrastructure and temporary works. The layout has been designed to minimise the extent of new works on undisturbed ground. This is documented in the EIAR **Chapter 3 - Consideration of Alternatives and Design Evolution**.
SEPA-15	CAR Licence Required	The proposed hydro scheme will require an authorisation from us 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 scheme. We 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.	Twin track applications for S36 and CAR licences are proposed.
SEPA-16	Twin Track Application	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: 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. See Planning guidance on hydropower developments to assist in meeting these information requirements. More detailed guidance on CAR can be found on our hydropower web page.	Twin track applications for S36 and CAR licences are proposed.
SEPA-17	Watercourse Crossings	Other elements of the scheme must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing: a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses; b) A 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.	A Schedule of watercourse crossings is provided in **Appendix 12.3** to the EIAR **Chapter 12 - Geology, Soils and Water**.
SEPA-18	Abstraction Details	If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.	Water abstractions are proposed during both construction and operation of the

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			proposed development, the details of which have been outlined in the EIA **Chapter 2 - The Proposed Development**.
SEPA-19	Watercourse Crossing Flood Capacity	Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.	New watercourse crossings have been designed to convey the 0.5% AEP plus an allowance for climate change. Flood risk associated with the reservoirs will be covered under the Reservoirs (Scotland) Act 2011.
SEPA-20	Disturbance and re-use of excavated peat and other carbon rich soils	Information to meet the requirements of Policy 5d should be provided. This should include detailed peat depth and peatland quality information and it should clearly demonstrate how the mitigation hierarchy has been applied.	This have been provided in the EIAR **Chapter 12 - Geology, Soils and Water** and the Peat Management Plan included as **Appendix 12.2** to this.
SEPA-21	Disturbance and re-use of excavated peat and other carbon rich soils	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.	This has been demonstrated in the EIAR **Chapter 3 - Consideration of Alternatives and Design Evolution**, and in **Chapter 12 - Geology, Soils and Water** and the Peat Management Plan included as **Appendix 12.2** to this.
SEPA-22	Disturbance and re-use of excavated peat and other carbon rich soils	The submission must include: a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on Developments on Peatland -Peatland Survey (2017)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems; b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.	This has been provided in the EIAR **Chapter 12 - Geology, Soils and Water**.
SEPA-23	Disturbance and re-use of excavated peat and other carbon rich soils	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.	Noted.
SEPA-24	Disturbance and re-use of excavated peat and other carbon rich soils	Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.	A full Peat Management Plan has been provided at EIAR **Appendix 12.2**.

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SEPA-25	Disturbance and re-use of excavated peat and other carbon rich soils	Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.	Noted.
SEPA-26	Disruption to GWDTE	GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission: a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it; b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected. Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted.	This has been provided in the EIAR **Chapter 12 - Geology, Soils and Water**.
SEPA-27	Existing groundwater abstractions	Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include: a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it. b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected. Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice on the minimum information we require to be submitted.	This has been provided in the EIAR **Chapter 12 - Geology, Soils and Water**, which includes Confidential **Appendix 12.5 - Private Water Supply Risk Assessment**.
SEPA-28	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.	This has been included in the EIAR **Chapter 9 - Forestry**.
SEPA-29	Borrow Pit Site Management Plan	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. The following information should also be submitted for each borrow pit: a) A map showing the location, size, depths and dimensions; b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site-specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works; c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock; d) A ground investigation report giving existing seasonally highest water table including sections showing the	A Borrow Pit Management plan has been submitted as **Appendix 2.4** to the EIAR **Chapter 2 - The Proposed Development**, which includes the details requested.

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		maximum area, depth and profile of working in relation to the water table; e) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include 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 and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO2; f) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.	
SEPA-30	Pollution prevention and environmental management	One of our 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 the above site-specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to Guidance for Pollution Prevention (GPPs).	A Pollution Prevention Plan have been provided with the EIAR **Chapter 2 – The Proposed Developmen**t.
NS-01	Key Issues	The key issues relevant to our interests which need to be addressed in the Environmental Impact Assessment Report (EIAR) are: The impacts on Ben Alder and Aonach Beag Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI); The impacts on Rannoch-Nevis-Mamores-Alder Wild Land Area (WLA14). The results of these assessments will be critical to any subsequent advice we give and the position we take should this proposal progress to a formal application.	Noted. These key issues have been addressed in the relevant chapters of the EIAR.
NS-02	Scope of Surveys	We broadly agree with the proposed scope of surveys and assessments to be included in the EIAR; these generally meet the requirements we would expect. However, we advise that extra information is included in the EIAR should this scheme progress to full application. We have detailed the extra information required in the Annex to this letter.	Responses on the extra information required are in items NS-04 to NS-18 below.
NS-03	File Sizes	We ask that you save each chapter of the EIAR to a separate pdf file of no greater than 10 MB in order to make them compatible with our corporate filing system, with file names that relate to the content of each chapter.	Noted.
NS-04	Spoil Management Plan	In section 3.6.1, it is stated that: '*It is proposed to use the rock and other materials generated from excavation of the tunnels, powerhouse and dam foundations in the construction of the dams, so that no excavated material would require to be transported off site'.* We know from other schemes of this nature that the material excavated from works is often not suitable for re-use. Therefore, we agree with SEPAs request, in their response dated 13 March, that the applicant provide a spoil management plan. We welcome that a Construction Method Plan will be included in the final report.	A Spoil management plan demonstrating a mass balance of rock and earth materials within the site has been included within **Appendix 2.4** to the EIAR **Chapter 2 - The Proposed Development**.
NS-05	NPF4 Policy 3 - Biodiversity Enhancement	NPF4 Policy 3 sets out new requirements for biodiversity enhancement. Policy 3 requires that large-scale development proposals such as this demonstrate that 'the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'. Scottish Government is currently developing guidance for National, major and EIA applications. But in the meantime, advice is available on our Planning and development: Enhancing biodiversity page. For development proposals for national, major or other EIA development there is a requirement for proposals to demonstrate that they have met a number of criteria, including providing significant biodiversity enhancement.	The EIAR includes an outline Biodiversity Enhancement and Management Plan attached to the EIAR as **Appendix 8.6** to **Chapter 8 - Terrestrial Ecology**. The contents of this plan have been discussed with THC and NatureScot at meetings on 3 August and 5 December 2023 and is subsequent email correspondence.

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NS-06	NPF4 Policy 4 - Wild Land	NPF4 Policy 4(g) indicates that only certain categories of development proposals will be supported within Wild land Areas. These include where the proposal: will support meeting renewable energy targets. All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Technical guidance is available at https://www.nature.scot/doc/assessing-impacts-wild-land-areas-technical-guidance	A Wild Land assessment has been submitted as **Appendix 7.5** to the EIAR **Chapter 7 - Landscape and Visual** and has been completed with reference to the NatureScot Technical Guidance.
NS-07	NPF4 Policy 5 - Development on Carbon Rich Soils	NPF4 Policy 5 (Soils) provides protection for carbon-rich soils and peatlands. Policy 5c) indicates that development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for essential infrastructure where there is a specific locational need and no other suitable site including. Renewable energy generation proposals must meet specific requirements including for assessment, project design, mitigation, production of a peat management plan and other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.	The EIAR demonstrates in **Chapter 3 - Consideration of Alternatives and Design Evolution** that the Proposed Development is essential infrastructure with a specific locational need. This chapter also outlines the evolution of the design to minimise the impacts on peat. **Chapter 12 - Soils, Geology and Water** includes a Peat Management Plan at **Appendix 12.2**, and **Chapter 8 - Terrestrial Ecology** includes an outline Biodiversity Enhancement and Management Plan at **Appendix 8.6**.
NS-08	NPF4 Policy 3 - Biodiversity Enhancement - Priority Peatlands	Policy 3 (Biodiversity) also applies to all development proposals, so any proposal affecting carbon-rich soils and peatlands must also take into account the requirements to conserve, restore and enhance biodiversity, including priority peatland habitats.	As for NS-07 above.
NS-09	L&V - Wild Land Assessment	The scoping report only briefly notes Rannoch-Nevis-Mamores-Alder Wild Land Area (WLA 14) in section 7.4.7. The majority of the proposed development is within this WLA. Given that the proposed development could potentially result in significant adverse effects and cumulative effects in relation to the highly sensitive landscape of the Rannoch-Nevis-Mamores-Alder WLA, this is a significant omission. Therefore the LVIA needs to also include a Wild land Assessment for WLA 14 (Rannoch – Nevis – Mamores – Alder); This should consider all elements of the proposal development i.e access tracks, built form, dams and impoundments, and borrow pits. We also advise cumulative effects on WLA 14 be included in the Wild Land Assessment. Highland Council are best placed to advise on which developments should be included. The Wild Land assessment should also include impacts from lighting (should lighting be necessary) given predicted visibility of the proposal from the WLA and the high sensitivity of WLAs to the effects of lighting. There may also be a requirement for night-time visualisations. It should also be noted that consideration of the cumulative effects of lighting may also be required.	The wild land assessment has been included as **Appendix 7.5** of the EIAR and has been completed with reference to the NatureScot Technical Guidance. There would be no lighting other than for emergencies forming part of the Proposed Development and therefore this has not been considered in the LVIA. Cumulative effects on the WLA have been discussed in **Chapter 7 - Landscape and Visual**.
NS-10	L&V - ZTV for Access Track	We would like to see a separate ZTV for the track leading from the lower reservoir to the upper reservoir.	ZTVs for access tracks have been completed and have been included as **Figures 7.2a and b**.
NS-11	L&V - Visualisation Details	Given the pattern of visibility displayed on the scoping stage ZTV we advise that the locations for visualisations should also be used as assessment points. We agree that visuals should be produced for post-construction (1 year) and 10 years after completion to show the likely effect of proposed mitigation tree	Locations used for visualisations have all been assessed as part of the assessment of route-based receptors. Visualisations

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		planting. We would also welcome further consultation on viewpoint/ assessment point locations particularly with respect to WLA 14 (Paragraph 5.4.1 Scoping report).	have been produced for 15 years after completion following subsequent consultation with THC and NatureScot by conference call on 13th September 2023 and subsequently by email.
NS-12	L&V - Photomontages	Photomontages should clearly show all relevant elements of the scheme i.e. impoundment dam/ embankment, impounded waterbody, drawdown area, tail pond inlet/ outlet, substation, access tracks, borrow pits. Impoundments can result in variable water levels causing a drawdown scar, which is likely to have increased visibility from a distance, creating a new visual focus in the landscape. Impacts can arise from the direct visual effect of this new feature, or from the perceived effects on wild land qualities. Assessment of the landscape and visual impact of the likely drawdown maximum and minimum levels (natural and managed) and the duration of the maximum and minimum levels and the timing (season) should be considered. Photomontages and design sections should also show planting/ landscape mitigation proposals at year 1 and year 15.	All elements have been included on the photomontages.
NS-13	L&V - Mitigation through Design	Demonstration of mitigation through design, relating to reducing impacts on WLAs, should be detailed in the submission. Given the location of the proposal within a landscape of high sensitivity to development we would like to see options explored throughout the design evolution. This will illustrate where mitigation has been used to reduce the significance of effects. The primary components of the proposal which are likely to result in significant effects on WLA 14 include: 1) New access tracks and any upgrading of exiting access tracks within wild land areas will change the physical fabric of the landscape. Careful consideration should be given to the need for, alignment and finish of any track to ensure that the character and qualities of the WLA as described are not significantly affected; 2) The physical extent of the dams and their subsequent inundations is a major component of the proposal which we are not able to give detailed advice on at this stage. However to enable us to better understand the effects a series of sections and photomontages would assist us. As with any development of this scale within a WLA, thescale, design and finish should reflect the high quality of the landscape in which it is situated; and 3) Powerhouse/ built form associated with the development. **In summary, the proposals must be accompanied by a Wild Land Impact Assessment which sets out how design, siting, and other mitigation measures will be used to minimise significant impacts on the qualities of the Rannoch-Nevis-Mamores-Alder WLA (WLA14).**	Mitigation through design has been taken into account and have been discussed within **Chapter 7 - Landscape and Visual** and the WLA Assessment (**Appendix 7.5**).
NS-14	Terrestrial Ecology - Scope Agreed	We agree with the proposed scope of surveys, assessment and matters to be scoped out. We agree that an assessment Ben Alder and Aonach Beag SAC /SSSI is scoped in.	The surveys have been completed as detailed in the Scoping Report. A **Shadow HRA** has been provided with the S36 application as agreed at the meeting NS / THC / SLR / GEL on 3 August 2023.
NS-15	Terrestrial Ecology - Pollution Protection Plan Downstream of Loch Leamhain	The red line boundary of the development is adjacent to the boundary of Ben Alder and Aonach Beag Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). The designated sites lie to the southeast of the proposed upper loch 'Loch a' Bhealaich Leamhain'. This loch discharges into the Allt Cam river which feeds Loch Pattack which is part of the SSSI and SAC. The SSSI is notified for a variety of habitats and species, including breeding bird assemblage. Black throated divers (part of the breeding bird assemblage feature) nest on Loch Pattack, downstream from the proposed upper loch. The SAC is designated for a variety of upland and alpine habitats, the majority of which will not be affected by the proposal. However, blanket bog and wet heath are present around the margins of Loch Pattack. Loch Pattack and the loch margin habitats could be affected by flooding and or pollution events arising from work or work failures on construction of the Loch a' Bhealaich Leamhain dam. Therefore, the EIAR should	This has been addressed in the EIAR **Chapter 8 - Terrestrial Ecology**, and in a **Shadow HRA** to accompany the S36 application. A draft Pollution Prevention Plan within **Appendix 2.3** supports this.

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		include a pollution prevention plan which fully details mitigation and emergency measures to prevent pollution entering the watercourses 'Allt Loch a' Bhealaich Leamhain' and 'Allt Cam' and ultimately Loch Pattack and its surrounding habitats.	
NS-16	Terrestrial Ecology - General Advice	We also recommend the applicant follows the advice we have set out in the following guidance: https://www.nature.scot/doc/general-pre-application-and-scoping-advice-onshore-wind-farms	Noted.
NS-17	Ornithology - Survey Methodology	The breeding bird survey methodology may not be adequate. A full description of the method is not included in the scoping report. The methodology to be used is based on the BTO BBS method which is designed to show year on year changes in bird populations on a nationwide, random sample of 1km squares. The BTO BBS method is not designed to produce the type of survey we normally expect for EIA purposes i.e. one that provides an estimate of the number of breeding territories present and where the territory centres are in relation to the proposed infrastructure. Much of the survey area appears to be open moorland and a modified Brown & Shepherd Survey as recommend in our guidance will be more appropriate. It is important that the standard methodologies we recommend in our guidance are used for all the specific species identified in the scoping report (golden eagle, black grouse & divers) during the 2023 survey period.	All field surveys followed standard survey and monitoring guidance recommended by NatureScot and CIEEM for upland bird survey. Appendix 10.2 - Ornithology – Field Survey Methodology of the EIAR Report will provide full methods for all field surveys undertaken.
NS-18	Geology, Soils and Water - Minimise Effects on Peatlands	We defer to the advice set out in SEPAs response on the 13 March. The measures requested by SEPA minimise significant impacts on important peatland habitats.	Noted. Covered in responses to SEPA scoping responses above.
HES-01	Scope of Cultural Heritage Assessment	We are content that the proposed development would have no impacts on the historic environment for our interests as outlined above, and that these can, therefore, be scoped out of the environmental impact assessment. We recommend that the Environmental Impact Assessment Handbook produced by Scottish Natural Heritage (NatureScot) and Historic Environment Scotland should be included in the standards and methodological guidance listed in paragraph 13.4.3 of the Scoping Report	Guidance in these two publications has been noted
HES-02	Further Guidance on Cultural Heritage Assessment	Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at https://conservation.historic-scotland.gov.uk/.	Noted.
TS-01	Pre-app Consultation with THC	Transport Scotland was consulted on a Pre-Application Inquiry for this site and provided comment to The Highland Council on 7th February 2023. In this, we noted that site access was proposed from an existing junction with the A86(T), currently a single-track road leading to a narrow bridge over the River Spean. We stated that while the access road is a local road, Transport Scotland will require to be satisfied that the existing layout has the capacity to accommodate HGVs passing each other without blocking back to the trunk road.	Noted. A separate new junction has been provided, described in the EIAR **Chapter 2 - The Proposed Development**.

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TS-02	CTMP Required	We also stated that any improvements to the junction will require to be designed in accordance with DMRB CD123 and discussed and agreed with the Area Manager for the A86(T), Marco Bardelli. In addition, we requested that a Construction Traffic Management Plan (CTMP) be submitted, which should include the likely routes to be used to and from the site and details of any large or abnormal loads. Forecast HGV movements using the trunk road junctions should be explicitly identified.	A Construction Traffic Management Plan has been provided within the Transport Assessment which is **Appendix 17.1** to the EIAR **Chapter 17 - Transport and Access**.
TS-03	Design of Junction with A86	As indicated above, the proposed access to site is via an existing junction with the A86(T) at Moy Bridge. Chapter 3.5 of the SR states that this existing junction would be upgraded to suit the likely traffic movements. In addition, the existing single carriageway Moy Bridge over the River Spean will have traffic controls installed. The SR states that if deemed necessary to accommodate heavy loads, a second bridge may be constructed adjacent to the existing bridge. Transport Scotland will require an assessment which demonstrates that there is sufficient stacking room to accommodate any waiting HGVs without blocking back onto the A86(T).	It is proposed to provide a second bridge. This bridge would be two lane and therefore allow unrestricted movement of vehicles into and out of the site in both directions. A substantial security and main entrance compound would be constructed near the site entrance. This entrance yard would be able to hold several HGVs such that stacking back onto the A86(T) would be extremely unlikely. This has been addressed in the EIAR, **Chapter 2 - The Proposed Development**.
TS-04	Approval of A86 Junction Design	We would also state that that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager. At this stage, we would advise that 1:500 scale plans of any new or modified access from the trunk road should be submitted along with visibility splay plans. This will allow the standard of the junction to be assessed. As noted above, it would be helpful to engage with Marco Bardelli who is the Area Manager for the A86(T) as soon as practicable. A Road Safety Audit will likely be required for the proposals and the Area Manager would need to agree the brief for this audit.	Drawings of the proposed junction have been developed in accordance with the Design Manual for Roads and Bridges (DMRB). These drawings have been sent to Marco Bardelli the Area Manager for the A86(T). Mr Bardelli confirmed that he was content with the proposal put forward and therefore the final detail of the signs, the construction details, drainage etc can be agreed in detail during the next construction consent stage should the project be granted approval.
TS-05		Chapter 14 of the SR presents the proposed methodology for the assessment of Transport and Access. This states that 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. These specify that road links should be taken forward for assessment if: Traffic flows will increase by more than 30%; or The number of HGVs will increase by more than 30%; or Traffic flows will increase by 10% or more in sensitive areas. We note that estimated traffic generation of the development will be compared with baseline traffic flows, obtained from existing traffic survey data, in order to determine the percentage increase in traffic. Chapter 14 indicates the study area for the assessment will include the following: A9(T) between Aviemore and Pitlochry; A889(T) between its junction with the A9(T) and A86(T); A86(T) between Spean Bridge and Kingussie; and A82(T) between Fort William and Invergarry. New ATC surveys will be undertaken at the A86(T) site access junction and at the A82(T)in Spean Bridge (south of the A82(T) / A86(T) junction).	Noted.
TS-06		We also note that base traffic flows will be factored to the peak construction design year using National Road Traffic Forecasts (NRTF) “Low” growth. Transport Scotland considers the above approach to be satisfactory.	Noted.

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TS-07		It is noted that any impacts associated with the operational phase of the development are to be scoped out of the EIA. We would consider this to be acceptable in this instance.	Noted.
TS-08		The SR states that a Construction Traffic Management Plan (CTMP) will be developed as part of the proposed development. This is welcomed and we would ask that a copy of this be forwarded to the Area Manager when it becomes available.	The CTMP measures have been included in the Transport Assessment included within **Appendix 17.1** of the EIAR **Chapter 17 - Transport and Access**.
TS-09		Chapter 14 states that a detailed Route Survey Report (RSR) will accompany the planning application and will set out the mitigation measures required on the route for abnormal load access and the proposed access junction arrangement. Abnormal Loads will access the site from the Port of Inverness via the A9(T), A889(T) and A86(T).	A Route Survey Report (RSR) has been included with the Transport Assessment included as **Appendix 17.2** of the EIAR **Chapter 17 - Transport and Access**.
TS-10		We would add that Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.	A weight consultation has been undertaken with Transport Scotland and is included within the EIAR **Chapter 17 - Transport and Access**.
MS-01	Limited existing information	Loch Laggan, which is downstream of the development, supports trout (including the large piscivorous ferox form), pike and Arctic charr populations. There is little published information on the fish populations of Loch Leamhain and Loch Earba. Laggan Dam at the outflow of Loch Laggan is an impassable barrier for migratory fish which prevents them moving upstream into the proposed development area. Additional weirs and dams may also impede the passage of fish between Loch Earba and Loch Laggan and between Loch Earba east and Loch Earba west.	Noted.
MS-02	Baseline Fish Surveys	The Marine Directorate welcome the proposed baseline fish surveys in watercourses. We advise that fully quantitative electrofishing surveys should be carried out in all watercourses that are at risk of an impact associated with the proposed development. All obstacles to fish migration should be assessed over a range of flows. A fish habitat survey should be carried out in line with guidance issued by SEPA (https://www.sepa.org.uk/media/131098/hydropower_annexb.pdf).	Actioned in Technical Appendix surveys and EIAR **Chapter 11 - Aquatic Ecology.**
MS-03	Baseline Fish Surveys	The Marine Directorate advise that gill netting should be carried out in the lochs using standard protocols e.g. Swedish standard methods (Appelberg 2000) to provide information on the presence and abundance of the different fish species. We also advise the use of eDNA as an additional means of determining presence of fish species which may be in low abundance. The proposed hydroacoustic surveys should provide information on the distribution of fish species which are identified in the netting and eDNA surveys. The proposed salmonid spawning habitat suitability surveys should also be informed by what fish species are present in the lochs and their most likely spawning habitats e.g. brown trout are most likely to spawn in the watercourses.	Actioned in Appendix **11.1** within EIAR **Chapter 11 - Aquatic Ecology**. Both gill netting and eDNA sampling have been used in the different lochs. Fish surveys have been agreed with Marine Scotland and licenced as necessary.
MS-04	Macroinvertebrate Surveys	We welcome the proposed macroinvertebrate surveys of the potentially impacted lochs and outflow watercourses. All surveys should be carried out in line with SEPA guidelines. Further information on macroinvertebrate sampling can also be found at https://www.gov.scot/publications/monitoring-watercourses-in-relation-to-onshore-wind-farm-developments-generic-monitoring-programme/.	Actioned in Appendix **11.1** within EIAR **Chapter 11 - Aquatic Ecology**.
MS-05	Survey Reports and EIAR	Full details of all survey work including methodology, sampling dates, a list of the fish species, their abundance, fish habitat use and availability and associated fisheries should be presented in the EIA report. The results of the baseline surveys should inform a full and rigorous assessment by the developer of the potential impacts of the proposed development on the fish populations, habitat and associated fisheries.	Actioned in Appendix **11.1** and EIAR **Chapter 11 - Aquatic Ecology**.

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MS-06	Effect on fish behaviour of noise and vibration	In addition to the potential impacts listed in the scoping report, the Marine Directorate advise ECU that the developer should consider the potential change in fish behaviour, injury and /or mortality due to noise and vibration associated with construction works and the operation of the development.	This has been assessed in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-07	Effect on fish behaviour of changes in water quality	In addition to the potential impacts listed in the scoping report, the Marine Directorate advise ECU that the developer should consider the potential for any changes in water quality (e.g. the release of sediment, hydrocarbons, as a result of a fuel spillage, and/or concrete) or quantity acting directly or indirectly on fish populations should also be considered.	Actioned in **Appendix 11.1** and EIAR **Chapter 11 - Aquatic Ecology**.
MS-08	Potential Pollution of Loch Pattack	We agree with the advice provided by NatureScot regarding the potential flooding and pollution events on Loch Pattack.	This has been addressed in the EIAR **Chapter 8 - Terrestrial Ecology**, and in a **Shadow HRA** to accompany the S36 application. A draft Pollution Prevention Plan (within **Appendix 2.3**) will support this.
MS-09	Consider effects on littoral zones	We advise that the developer should consider the potential impact on the littoral zone of all lochs and fish access in the watercourses which may be impacted from the differing water levels in the lochs.	Actioned in **Appendix 11.1** and EIAR **Chapter 11 - Aquatic Ecology**.
MS-10	Use existing infrastructure and minimise water crossings	The Marine Directorate agree with SEPA that use should be made of existing infrastructure and minimise the number of watercourse crossings where possible. The design of all watercourse crossings should include the uninhibited passage of fish.	This has been covered in the EIAR **Chapter 2 - The Proposed Development, Chapter 11 - Aquatic Ecology**, and **Chapter 12 - Solis, Geology and Water**.
MS-11	Alteration to natural drainage	The developer should be aware of potential impacts associated with the alteration of natural drainage pathways during the construction of impenetrable surfaces associated with access tracks and buildings.	This has been covered in the EIAR **Chapter 2 - The Proposed Development** and **Chapter 12 - Solis, Geology and Water**. The Proposed Development has been designed to minimise the area of any impenetrable surfaces.
MS-12	Consider potential effect on Loch Laggan fish populations	The Marine Directorate advise that the potential cumulative impact on the fish populations of Loch Laggan as a result of the proposed Earba hydroelectric scheme and other developments (consented and operational) within hydrological connectivity e.g. the Ardverikie and Pattack hydroelectric schemes should be considered as should the resilience of the fish populations to all potential impacts.	Actioned in Appendix **11.1** and EIAR **Chapter 11 - Aquatic Ecology**.
MS-13	Outline Mitigations	The developer should outline all mitigation and fish protection measures in the EIA report. Mitigation and fish protection measures should include: the use of correctly designed screens of appropriate mesh size and orientation; a regular cleaning regime of all screens; control of water velocities to minimise entrainment and impingement of fish; the provision of a fish pass (as also outlined by SEPA in their response); and establishment of a fish monitoring programme. The latter should be informed by the results from the baseline surveys.	This has been covered in the EIAR **Chapter 2 - The Proposed** Development and **Chapter 11 - Aquatic Ecology**.
MS-14	Scope of aquatic ecology assessment.	Do the consultees agree with the proposed scope of the aquatic ecology assessment? - The Marine Directorate provide advice above regarding further baseline surveys that should be carried out in both the watercourses and lochs that are at risk of an impact. Information from these surveys should inform a full and rigorous assessment by the developer of the potential impacts of the proposed development on the macroinvertebrate and fish populations, habitat and associated fisheries.	The surveys carried out have been after consultation with Marine Scotland as to their scope and extent.

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MS-15	Baseline survey requirements	Are the consultees aware of any key aquatic sensitive receptors. Which have not already been highlighted, that should be taken into account? - The Marine Directorate state that there is little published information on the fish populations of Loch Leamhain and Loch Earba. Therefore, the baseline surveys should be strategically designed and carried out to obtain information on the presence and abundance of the different species of fish in the watercourses and lochs that are at risk of an impact.	The surveys carried out have been after consultation with Marine Scotland as to their scope and extent.
MS-16	Contact other Aquatic Consultees	Are consultees aware of any particular consultees in the area who may wish to provide comment on the scope of this assessment? The Marine Directorate are content with the list of organisations outlined in the scoping report who should be contacted to provide comment on the scope of the assessment.	Noted.
MS-17	MSS Generic Scoping Guidelines	The generic scoping guidelines should ensure that all matters relevant to freshwater and diadromous fish and fisheries have been addressed and presented in the appropriate chapters of the EIA report. Use of the checklist below should ensure that the EIA report contains the following information: the absence of such information *may necessitate requesting additional information* which could delay the process	Noted.
MS-18	Provide Plans	A map outlining the proposed development area and the proposed location of: the turbines, associated crane hard standing areas, borrow pits, permanent meteorological masts, access tracks including watercourse crossings, all buildings including substation, battery storage; permanent and temporary construction compounds; all watercourses; and contour lines;	This has been covered in the EIAR **Chapter 2 - The Proposed Development** and **Chapter 11 - Aquatic Ecology**.
MS-19	Fish survey requirements	2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure. This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-20	Impacts on fish populations	An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-21	Cumulative impacts	Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-22	Mitigation Measures	Any proposed site-specific mitigation measures as outlined in MSS generic scoping guidelines and the joint publication “Good Practice during Wind Farm Construction” (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-23	Monitoring programmes	Full details of proposed monitoring programmes using guidelines issued by MSS and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure. At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-24	Decommissioning plan	A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations. This can be secured using suitable wording in a condition.	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology**.
MS-25	Potential Impacts	Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following: 1. Any designated area (e.g. SAC), for which fish is a qualifying feature, within and/or downstream of the proposed development area; 2. The presence of a large density of watercourses; 3. The presence of large areas of deep peat deposits; 4. Known acidification problems and/or other existing pressures on fish populations in the area; and 5. Proposed felling operations.	This has been covered in the EIAR **Chapter 11 - Aquatic Ecology.**

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SF-01		The first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Scottish Government's Policy on Control of Woodland Removal clearly sets out a strong presumption in favour of protecting Scotland's woodland resources. https://forestry.gov.scot/support-regulations/control-of-woodland-removal	The Earba Pump Storage Scheme cannot be built without small areas of woodland removal.
SF-02		In line with Scottish Government's wider objective to protect and expand Scotland's woodland cover, applicants are expected to develop their proposal with minimal woodland removal. Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits.	The Earba Pump Storage Scheme will deliver clearly defined additional public benefits. This energy storage solution would be a key component for reaching Scotland's ambitious climate change legislation target date for net zero emissions of all greenhouse gases by 2045.
SF-03		The following criteria for determining the acceptability of woodland removal should be considered relevant to this application – 1) Woodlands with a strong presumption against removal Only in exceptional circumstances should the strong presumption against woodland removal be overridden. Proposals to remove these types of woodland should be judged on their individual merits and such cases will require a high level of supporting evidence. Where woodland removal is justified, the Compensatory Planting (CP) area must exceed the area of woodland removed to compensate for the loss of environmental value; 2) Woodland removal with a need for compensatory planting Design approaches that reduce the scale of felling required and/or converting the type of woodland to another type (such as from tall conifer plantation to low-height, slow growing woodland), must be considered from the earliest stages, rather than removing the woodland completely. The purpose of any required CP is to secure, through new woodland on site (replanting) or off site (on appropriate sites elsewhere), at least the equivalent woodland-related net public benefit embodied in the woodland to be removed.	The area of proposed Compensatory Planting will exceed the area of woodland removal by a substantial margin. Aerial imagery was used to establish the areas and numbers of individual trees to be lost due to the development. The compensatory planting has been done in a deer fenced area adjacent to Loch Earba. The area of the enclosure will partly be planted up and the remaining area will form a natural regeneration.
SF-04	NPF4 Requirements	Adopted and published by Scottish Ministers on Monday 13 February 2023, National Planning Framework 4 - Policy 6 Forestry, Woodlands and trees identifies several themes that should be considered relevant to this application: b) Development proposals will not be supported where they will result in: i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition; ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy; iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy; c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered; d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.	The Ancient Woodland Inventory shows a narrow band of ancient woodland (of semi-natural origin) along the north-western shore of Lochan na h-Earba (**Chapter 9 - Figure 9.1**). The site survey concluded that this consist of mainly fragmented and isolated trees in mostly poor or moderate condition. The public benefits delivered by this scheme are discussed in **Chapter 2- The Proposed Development**. A robust compensatory planting scheme has been developed.

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SF-05	Guidance for EIA	Scottish Government's policy on control of woodland removal: implementation guidance February 2019 https://forestry.gov.scot/support-regulations/control-of-woodland-removal provides guidance on the level and detail of information Scottish Forestry will expect within the EIA Report, to help us reach an informed decision on the potential impact of the proposed development on woodland. Scottish Forestry recommends that the EIA Report contain detailed information on the types and areas of woodland to be felled and restocked as a result of the proposed development, for both proposed inundation area and all associated infrastructure e.g. proposed grid connections etc. Detailed information on any compensatory planting proposals should also be provided. All felling, restocking and compensatory planting proposals must be compliant with the UK Forestry Standard. https://forestry.gov.scot/sustainable-forestry/ukfs-scotland	Detailed information has been provided
SF-06	Compensatory Planting Consenting	The applicant should note that any compensatory planting required as a result of the proposed development, may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017. https://forestry.gov.scot/support-regulations/environmental-impact-assessment and should follow the process for preparing a woodland creation proposal, as set out in our guidance booklet: Woodland Creation Application Guidance. https://forestry.gov.scot/support-regulations/woodland-creation	Noted.
BT-01	No Interference to BT Network	We have studied the proposed development, with respect to EMC and related problems to BT point-to-point microwave radio links. The conclusion is that, the Project indicated should not cause interference to BT's current and presently planned radio network.	Noted. No action required.
CNPA-01		The proposed development is located outwith the Cairngorms National Park boundary. Policy C2.a of the current Cairngorms National Park Partnership Plan 2022 – 2027 (NPPP) is therefore relevant in relation to the potential for effects on the Special Landscape Qualities (SLQs) of the National Park from wind farm development outwith the National Park. The NPPP is available via https://cairngorms.co.uk/working-together/national-park-partnership-plan/. In accordance with our casework agreement with NatureScot, available via https://www.nature.scot/agreement-roles-advisory-casework-between-scottish-natural-heritage-and-scottish-national-park, NatureScot lead on providing advice on the potential effects of development outside the National Park on the SLQs of the National Park. We would expect the applicant to include consideration of potential effects on the SLQs as part of the EIA process, and where effects are predicted, to seek NatureScot advice on how to assess them following the draft NatureScot guidance. To aide our consideration of the proposal at application stage, we request that the material supporting a future application includes the following: The boundary of the Cairngorms National Park should be clearly marked on location, layout, ZTV and view point location figures; A single cumulative ZTV figure, for the proposed wind farm plus existing and consented wind farms, with the National Park boundary (and viewpoint locations if possible) clearly marked on, using three ZTV colours: one colour for where there would only be visibility of the proposed wind farm, one for where there would be combined visibility of the proposed wind farm and existing plus consented wind farms, and another colour for where there would be visibility of only the existing and consented wind farms (supported by visualisations (photomontages, wirelines) from appropriate viewpoints).	Potential effects on the CNP and SLQs have been assessed in **Appendix 7.4 and 7.5**. taking consideration of the latest available NatureScot Guidance. The CNP boundary has been included on figures where relevant. No wind farms have been identified for inclusion in the cumulative assessment as agreed in the email Emma Bryce to Chris Pasteur of 17/04/23.
HIAL-01	No Comments	This proposal is located out-with our safeguarding consultation zone. As such we have no comment to make and need not be consulted further.	Noted. No action required.

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JMT-01	Key concerns	We welcome the willingness of the Applicant and Ardverikie Estate to engage with us about our concerns and recognise that efforts have been made to sensitively design the Proposed Development. However, there are limits to how far significant impacts caused by industrial scale development in environmentally sensitive wild places can be avoided or lessened. We have significant concerns that the Proposed Development would have an unacceptable impact on wild land, our key concerns are set out below:	Noted.
JMT-02	Quality of the Wild Land	The proposed site is one of Scotland's best examples of wild land. The wild quality of the area is recognised as a characteristic of the Ben Alder, Laggan and Glen Banchor Special Landscape Area within which the development would sit. The wildness of the designated area is recognised as a key characteristic, and this is enhanced by the intervisibility with the surrounding wild land. The construction and operation of industrial scale infrastructure would disrupt the peace, tranquillity and sense of expansiveness of this wild place. A particular value of this area of wild land is the accessibility. During a site visit with Gilkes Energy in March 2023 we witnessed a number of people walking and cycling through the proposed site and we are aware that Lochan na h'Earba is well loved by both visitors and the local community as a location for camping, climbing and canoeing. The Proposed Development would drastically change this landscape and the feeling of wildness which attracts people will be lost, and with it the important wellbeing as well as economic opportunities the area provides.	The effects of the Proposed Development on the wild land qualities of WLA14 – Rannoch-Nevis-Mamores-Alder have been fully assessed in the Wild Land Assessment included as **Appendix 7.5** of **Chapter 7 - Landscape and Visual** of the EIAR. The effects of the Proposed Development on the Ben Alder, Laggan and Glen Banchor Special Landscape Area (SLA) have also been fully assessed, included at **Appendix 7.6**.
JMT-03	Nature of the Development	The industrial scale of the Proposed Development means its impact in a sensitive wild place would be significant. Due to the massive scale of the project, the proposed site will effectively turn into a building site for the 4 years anticipated for construction. Once constructed, it would inevitably alter the landscape. By flooding Lochan na h-Earba and the area of grassland between the two lochs (which is a favourite camping spot for many) and introducing large-scale infrastructure into an area largely absent of human artefacts, the sense of naturalness would be destroyed. In addition, the continuous presence (including regular visits to the powerhouse, weekly visits to the dams, non-routine and scheduled major maintenance (potentially extending to several week/months), periodic inspections of the underground tunnel and maintenance of access tracks and other infrastructure) at the Proposed Development would destroy the sense of sanctuary in the area, a key characteristic of the Mamores-Alder-Rannoch Wild Land Area. As such, we disagree with the Scoping Report that the effect of the operational traffic will be negligible.	The Wild Land Assessment has fully considered the effects of the Proposed Development during both construction and operational phases (**Appendix 7.5 of Chapter 7** of the EIAR).
JMT-04	Access Tracks	The access tracks, which we understand could potentially have a 6m running width, are a key aspect of the substantial effect the Proposed Development would have on this area of wild land. As well as the visual impact, access tracks can result in a loss of important habitat (including peatland) and change the character of an area. Remoteness is an important wild land quality and features in many of our finest examples of wild land across the UK, introducing access tracks destroys this feeling of remoteness. The access tracks associated with the Proposed Development would significantly impact the character of the area which due to the landform, and lack of visible human artefacts, has a feeling of naturalness and remoteness; this is a particularly valuable quality in an area, like the proposed site, which is still accessible. The impact of the access tracks will be exacerbated by the regular traffic required to maintain a continuous presence at the Proposed Development.	The effects of the access tracks and traffic using tracks have been fully considered during both construction and operational phases and covered in **Chapter 7** of the EIAR Report and the Wild Land Assessment (**Appendix 7.5**).
JMT-05	Drawdown Scars	We understand that drawdown scars are an inevitable consequence of this type of development and cannot practically be mitigated. This effect will create a visual focus in the landscape and will be continuously present, whether at Lochan na h'Earba (which would become the 'Lower Reservoir') or Loch a' Bhealaich	The effects of drawdown have been considered in the LVIA for the Proposed Development, included as **Chapter 7 -**

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		Leamhain (which would become the 'Upper Reservoir') as water is moved between the two lochs. The drawdown scars will be particularly significant at the proposed site because of the gradual slopes around both the lochs and the notable difference in the level of each as they are raised and lowered.	**Landscape and Visua**l of the EIAR and associated appendices.
JMT-06		We will continue to monitor the development and will await more information at the application stage. At this initial stage we don't believe that the significant impact on this sensitive area can be mitigated, and we are concerned that the Proposed Development would have an unacceptable impact on the natural environment and a special wild place.	Noted
JRC-01	No Comments	Having reviewed the documentation provided, it appears that there are no significant structures above ground, and no masts or turbines. If this is indeed correct, JRC has no comment to make on this application at this time.	Noted. No action required. Recorded in **Appendix 14.1** to **Chapter 14 - Land Use**.
LCC-01	Retaining recreational access	Most local community comments were reserved for the potential loss of access around Loch Earba and its connectivity to the Loch Ossian and Corrour area. The developer sought to re-assure that there would be no loss of access as the existing path network would be re-positioned to allow continued access through the estate. This may result in additional environmental impact.	A draft Access Management Plan has been drafted in consultation with the Highland Council Access Officer. The plan has been included in the EIAR at **Appendix 15.1** to **Chapter 15 - Recreation and Access**. This Plan addresses continuity of recreational access.
LCC-02	Effect of Substation	However, a glaring omission in the plans provided and so local impact, relates to no plan being available to view for any electricity sub-station requirements to connect the scheme to the main Beauly-Denny power lines. We quizzed the developer on this to be advised that it was not in their scope but that of Scottish and Southern Energy Networks. Given the potential size of any required sub-station – potentially twice the size of the existing Melgarve Sub-Station in our area, we consider it necessary that the Energy Consents Unit also requests this plan as it is an integral part of the ability of the entire project and may also have a significant impact on the environment.	Noted.
MountScot-01	Key Issues	Mountaineering Scotland's concern at this stage is ensuring that the proposed viewpoints will allow a comprehensive assessment of the proposed development from a mountaineering perspective, and that popular recreational access routes are identified and managed should an application be made.	Visualisation locations have been agreed with THC and NatureScot and chosen to show a representation of elevated and lower-level views. Recreational routes within the study area which have potential for effects have been included within the visual assessment in **Chapter 7 - Landscape and Visual**.
MountScot-02	High use of paths	We think that paragraph 7.2.11 significantly underestimates of popularity of the Binnein Shuas climbing crags (Ardverikie Wall) and the three Munros by Loch Leamhain. Comment such as "…the majority of identified recreational routes are deemed to have no visibility towards the Proposed Development" seems based on number of paths, not based on volume of use.	Noted. This has been addressed in the EIAR **Chapter 15 - Recreation and Access**.
MountScot-03	Additional Visualisations Requested	We support the Proposed Visualisation Locations indicated in Figure 5.1, and suggest two more that may assist with assessment of visual impacts on the landscape: the east top of Beinn a' Chlachair at 977m (NN486790) and the top of the popular climbing crags of Ardverikie Wall (NN467827)	An additional visualisation location was included at Binnein Shuas (the Ardverikie Wall). With the agreement of THC, the location on the east of Beinn 'a Chlachair was relocated to Bealach Leamhain where a good representative view of the upper reservoir would be obtained. These

Ref	Subject	Consultee Comment	Response / Comments
			visualisations are included in the EIAR at **Chapter 7 - Landscape and Visual**.
MountScot-04	East Top of Beinn a Chlachair Viewpoint	The viewpoint at Beinn a' Chlachair does not have a view of Loch a Bhealach Leamhain, however walkers usually take in the round of three Munros on a single trip and The Munros guidebook suggests a route between that summit and the summit of Geal Charn, which is omitted from the list of proposed visualisations. This route takes in the east top of Beinn a' Chlachair at 977m, on a shoulder above steep craggy ground overlooking Loch a' Bhealach Leamhain. Walkers are likely to pause here to take in the view before descending steep ground to the col between the summits. A Viewpoint here would allow assessment of potential visual impacts of dam construction and operation, such as the dam head and draw-down zone.	Viewpoint VL8 has been added to the agreed list of Visualisation Locations assessed in the EIAR **Chapter 7 - Landscape and Visual** to cover this request. In addition, a photographic record of views from the Munro circular walk, Beinn a Chlachair, Gael Charn and Creag Pitridh have been included with the Draft Access Management Plan as **Appendices 15.1.1 and 15.1.2**, which will assist with understanding the visibility of the Proposed Development that a hillwalker would experience during this walk.
MountScot-05	Ardverikie Wall Viewpoint	The Binnein Shuas climbing crags are hugely popular outcrops for climbers. Climbers will reach the top of the Ardverikie Wall crag around NN467827 and pause there to gather their equipment and look around. A Viewpoint at the top of the crag would assist with assessing the potential impact of the proposed turbine house and operational draw-down of water level around the loch.	This viewpoint has been added to the agreed list of Visualisation Locations assessed in the EIAR **Chapter 7 - Landscape and Visual**.
MountScot-06	Access Management Plan	Given the popularity for climbing and hillwalking in this area we request that the applicant produce an Access Management Plan for construction traffic and recreational users. From our mountaineering perspective we note the following as key matters that we would wish the applicant to address: i. The shared access route across the bridge over the River Spean and following the existing track to Lochan na h-Earba; ii. Route and construction of the proposed new footpath south-west of the loch (indicative route); iii. Maintenance of access during construction along the north side of Lochan na h-Earba to the climbing crags of Binnein Shuas – this is an informal route that currently leaves the main track at the head of Loch Earba and will need realignment as approximately the first third of it will be in a proposed inundation zone; iv. Management of walkers reaching the main track from Binnein Shuas. Many climbers top out above Ardverikie Wall, returning back over the shoulder of Binnein Shuas rather than retrace their steps parallel to the loch – as can be seen on the Strava Global Heatmap; v. Maintenance of access during construction along the southern shore of the lochs – this route is sometimes used by people coming off the summits and making their way back.; vi. Maintenance of access during construction of the route between the confluence of Allt Coire Pitridh and the Geal Charn burn, and Creag Pitridh summit – the main route up or down for Munro baggers; vii. Maintenance of access during construction of the route between Beinn a'Chlachair and Geal Charn where it crosses the Bealach Leamhain, above Loch a' Bealach Leamhain – a main route between summits used by hillwalkers.	A draft Access Management Plan has been prepared in consultation with the Highland Council Access Officer. The finalised plan has been included as **Appendix 15.1** to the EIAR **Chapter 15 - Recreation and Access**. This addresses all of the points raised here by Mountaineering Scotland.

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MountScot-07	Minimise Access Constraints	We expect the applicant to make clear in an Access Management Plan the generally accepted principle that any constraints on access would be of minimal extent and minimal duration to achieve the work safely, and that it is accepted that these parameters may change location during the different phases of construction.	A draft Access Management Plan has been prepared in consultation with the Highland Council Access Officer. The finalised plan has been included as **Appendix 15.1** to the EIAR **Chapter 15 - Recreation and Access**. This addresses all of the points raised here by Mountaineering Scotland.
MountScot-08	Noise Sensitive Receptor at Binnein Shuas Crags	We request that a Noise Sensitive Receptor be located at the base of the Binnein Shuas climbing crags where climbers gather prior to ascent, around NN468826.	This request has been actioned.
MountScot-09	Assess Rock Stability due to Blasting	We request the EIA to assess the potential effect of blasting on rock stability on climbing routes on the Binnein Shuas crags and on rocks above Loch a' Bhealach Leamhain on the main walking route between the summits of Beinn a' Chlachair and Geal Charn.	This issue has been addressed in the EIAR **Chapter 18 - Noise and Vibration**.
NATS-01	No Conflict	The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en-route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.	Noted. No further action required, unless there are material changes from the proposal presented in the Scoping Report, which is not the case. Other relevant consultees have been separately consulted. Correspondence recorded in **Appendix 14.1** to **Chapter 14 - Land Use**.
RSPB-01	No Comment.	Thank you for consulting RSPB Scotland on the above. I confirm we will not be providing comment.	There has been correspondence with the RSPB relating to a facility of theirs which is installed within the site of the Proposed Development (confidential) and also in relation to their sharing of bird breeding data for the site. This have been reported in the **EIAR Chapter 10 - Ornithology** and the **Confidential Appendix 10.1**.
SW-01	No objection	Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:	Noted

Ref	Subject	Consultee Comment	Response / Comments
SW-02	Drinking Water Protected Areas	A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.	Noted
SW-03	Surface Water	For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system. There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges. In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.	The Proposed development does not seek to connect to any Scottish Water sewers, so this comment is not relevant.
MOD-01	Low Flying	Whilst in principle the MOD has no objection to the development proposed, a condition should be applied to any consent that might be issued requiring: • that a Notice to Airmen (NOTAM) has been submitted to and confirmed by the Civil Aviation Authority (CAA) for the duration of the construction/implementation period; and • that provision has been made for the accurate charting of the topography that would result from the implementation of this development. I would be grateful if you could confirm receipt of this letter and that MOD will be engaged as the scheme evolves and any further applications are prepared. The MOD should be consulted on any future applications for this development.	This response has been acknowledged and is recorded in A**ppendix 14.1** to **Chapter 14 - Land Use**.