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27 January 2012

Dear Colin

**Clydeport - Hunterston Port
Proposed Upgrade and Extension to Existing Quay on North of Construction Yard
and Associated Dredging**

11 Bridgefield
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We write on behalf of our client Clydeport with reference to the proposed upgrade and extension of the existing quay at the Construction Yard at Hunterston and dredging associated with the proposed works (NGR: 218768 653325).

Following our earlier discussions regarding this project, we understand that the construction activities and perhaps the dredging (if considered a capital dredge) will require a licence from Marine Scotland under the Marine Scotland Act 2010. We are aware that Marine Scotland can request the licence application to be accompanied by an EIA under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended 2009, 2011); referred to as the "Marine Works Regulations", and we would like to request a Screening Opinion from Marine Scotland as to whether the proposed development is an EIA development.

We have provided the relevant information to support this request as described in Schedule 2 of the 'Marine Works Regulations'.

We are aware that the majority of the development area is within the marine environment but acknowledge that there is a terrestrial section over which North Ayrshire Council (NAC) has jurisdiction. Therefore we would also request that Marine Scotland, in consultation with NAC, confirm to us who is the consenting authority for the proposed development. We are willing to meet to discuss the details of the project further if this is useful.

Description of the Project

This development will upgrade and extend the existing quay at the construction yard at Hunterston through the construction of a rectangular quay extension. Please refer to the enclosed Arch Henderson drawings; Drawing No. 105069/001 shows the existing situation at the site and Drawing No. 105069/002 shows the proposed development.



The Construction Yard is an industrial facility that has planning consent and the majority of the works are within the 1979 Boundary, only the tail end of the dredged area extends outside the 1979 boundary a short distance. As the existing quay is part of the yard infrastructure, and is an operational port feature, there will be no change of land/marine use associated with the development. It should also be noted that the existing berth at the quay has been dredged in recent years and is included within the existing maintenance dredging licence for Clydeport Operations. The extension will sit at an angle slightly offset to the existing quay in order to better facilitate vessel berthing and the approach to the quay will be dredged, refer to Drawing No. 105069/003 for deck plan and elevation.

The upgrade and construction of the quay will comprise the placement of a deeper line of sheet piles on the face of the existing quay (or in close proximity to it), the extension of the quay to approximately 100m in length (an increase of approximately 33m) and the placement of a concrete deck. The sheet piling will be backfilled with dredged material won from the dredging of the approach to the quay. Additionally the development includes the installation of one or two mooring dolphins on either side of the new quay (refer to Drawing No. 105069/003) which will also be flanked by rock armour.

The dredging will take the channel to a depth of -10m CD to accommodate vessels approaching from the North West, and will extend as far as the natural -10m CD bathymetric contour. The top of the stable 1:6 dredge slope at the eastern edge will be below Mean Low water Springs (MLWS).

Environmental Considerations

We are aware of the environmental sensitivities at Hunterston, and do not consider that the proposed development has the potential to have an overall significant adverse effect on the local environment. The main environmental topics are briefly discussed in the following paragraphs.

Being an industrial site the quay is generally well away from residential properties and therefore the sensitivity of neighbours is somewhat reduced. With regard to air quality, in this coastal environment the limited emissions to air from construction activities are highly unlikely to be sufficient to negatively impact air quality to a significant degree.

It is acknowledged that there is potential for construction noise, mainly related to piling activities, to impact negatively on local receptors and also wildlife. The applicant considers that this deserves some attention and will seek to notify and consult with NAC Environmental Health in order to ensure that noise is managed satisfactorily. A statement regarding potential noise sources plus mitigation proposals would form the basis for discussion with the regulators. It is recognised that marine mammals including otter and cetaceans are at risk from certain noise effects and it is likely that during piling works management will be required to mitigate any effects. This would be documented and included in an environmental management plan.

With further regard to ecology the applicant would undertake the necessary survey and take precautions to ensure that the construction works meet with the legal requirement to protect natural heritage. The proposed development footprint will be outside the proposed Portencross SSSI boundary which we are led to understand does not include the Construction Yard. It is however immediately adjacent to the current Portencross SSSI boundary. In either case the proximity to the SSSI boundary will be considered and a statement made with reference to maintaining the integrity of the SSSI as required under Habitats Regulations. There are no identified protected habitats within the footprint of the quay extension area and

given that the dredge area does not encroach on the intertidal areas no significant ecological direct (footprint) or indirect (water quality related) effects on the SSSI is anticipated.

A significant amount of ornithological data is available that can be used to support the licence application that shows this area is not of prime importance for bird life. Additionally construction works would be programmed to ensure protection of birds.

Otter survey recently undertaken confirms that otter activity is generally focused on Burn Gill. However, given the activity of otter in the area the applicant would undertake pre-construction survey to ensure that otter would not be affected by the construction works.

An environmental management plan (EMP) prepared for the site would cover all the issues to ensure that the works were properly carried out with the necessary safeguards for the protection of the environment and best practice employed.

Water quality management would follow existing management control for dredging or would be subject to new licence controls which are likely to be similar. The quay construction operations would be subject to best practice management controls with regard to emissions with potential to affect water quality. This can be provided with the licence submission as management proposals.

The proposed development will not change the landscape character or visual amenity of the area as it is an extension of an established land use. The probability of any visual impact is very low as the low profile of the quay and its location at the edge of the coastline reduces the number and sensitivity of potential receptors. A brief review of the landscape and visual aspects of the development would be provided as a supporting statement.

The applicant is not aware of any archaeological features that would be affected by the development. This is a made environment that has been significantly disturbed by previous activities at the Construction Yard.

With regard to coastal processes the dredging requirement is limited to the approach and the seabed adjacent to the quay extension. It does not encroach on intertidal areas as illustrated on the drawings provided. A coastal appraisal can be undertaken to ensure that the dredge area will not impact the intertidal zone or the Portencross SSSI and a statement provided to the regulators of the predicted outcomes.

It is therefore proposed that if the consenting authority should decide that an EIA is not required the applicant would provide an Environmental Review to support the licence application in order to ensure that environmental considerations and legal requirements were met.

Having considered the topics usually addressed in a full EIA, as outlined above, we would conclude that most of the topics can be addressed through environmental appraisal or review to include:

- Desk study;
- Identification of mitigation through environmental management and the production of an EMP; and
- Provision of a summary statement.

We trust that we have provided sufficient information to allow an EIA Screening decision to be taken, and will be pleased to provide more detail on request if this is considered appropriate.

Yours sincerely,
for EnviroCentre Ltd.



Emma Cormack
Senior Environmental Consultant



Dr. Campbell G. Fleming
Technical Director

Enc: 1. Drawing No. 105069/001 (A1 printed at A3)
2. Drawing No. 105069/002 (A1 printed at A3)
3. Drawing No. 105069/003 (A1 printed at A3)

cc: 1. North Ayrshire Council (James Miller)



DREDGING ARISINGS TO BE DEPOSITED IN THIS AREA.

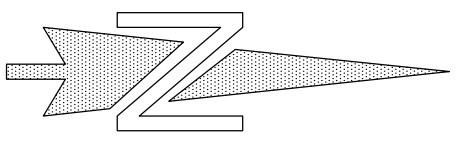
SITE BOUNDARY OF PLATFORM YARD (1979)

EXISTING JETTY

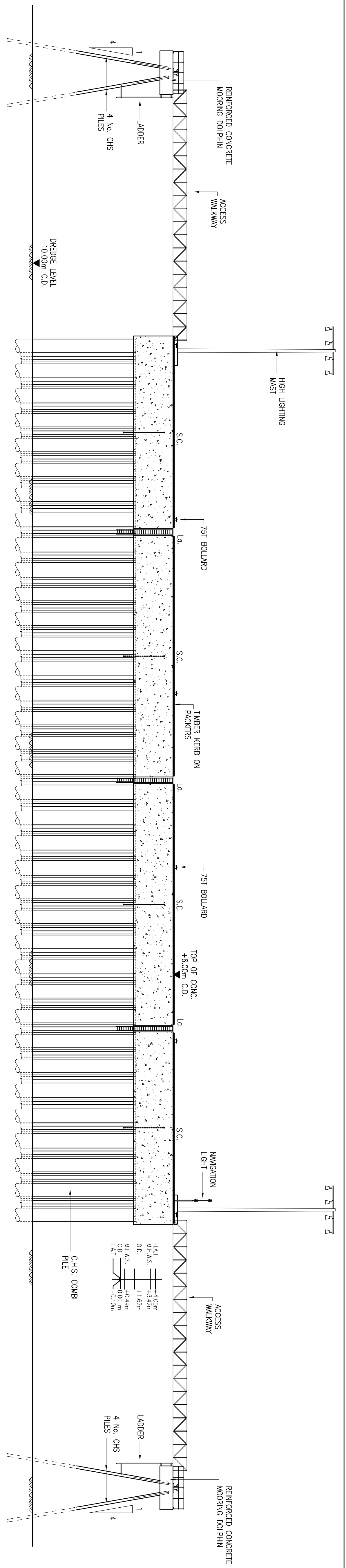
HUNTERSTON CONSTRUCTION YARD

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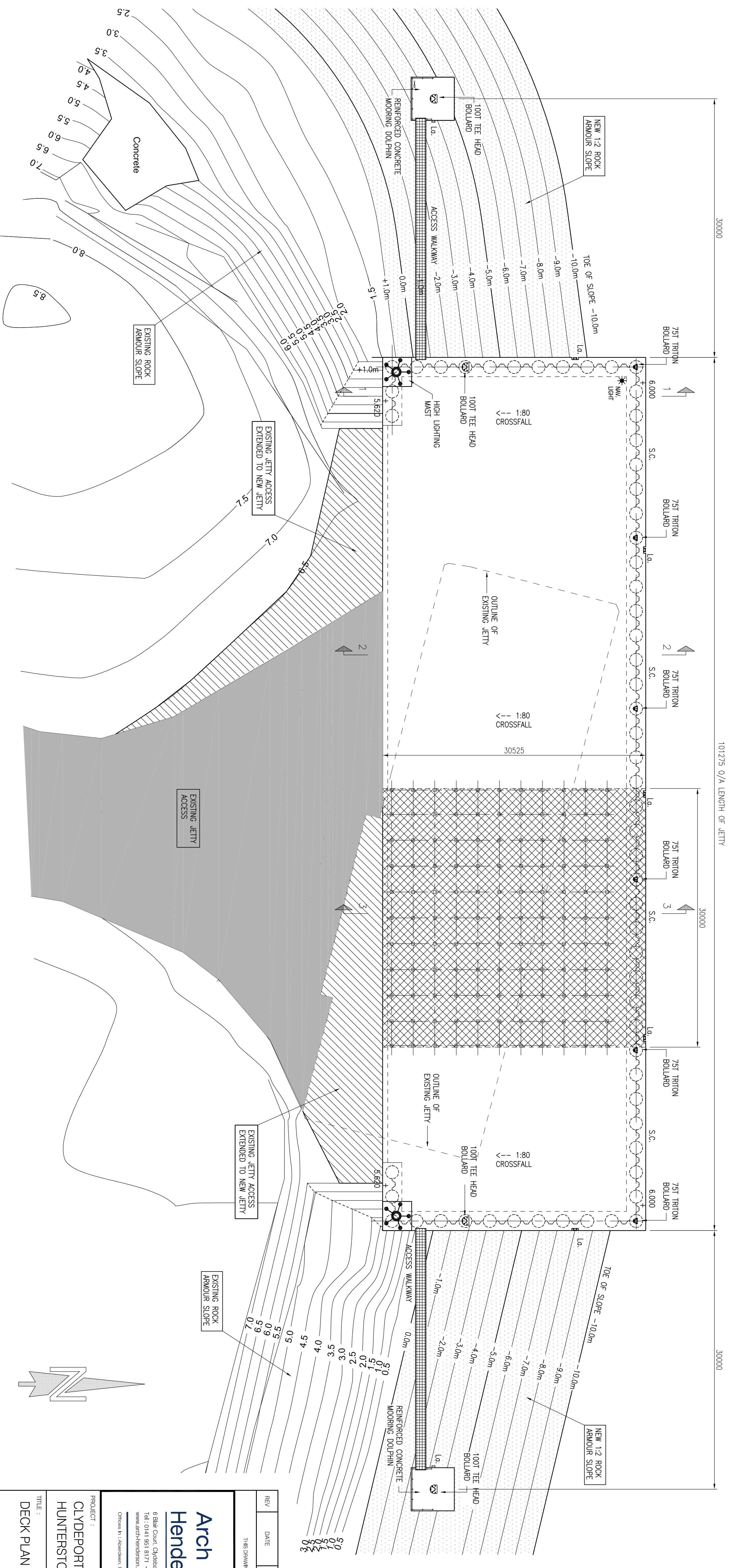
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REV	DATE	REVISION	DN	CHK
THIS DRAWING IS COPYRIGHT © DO NOT SCALE FROM THIS DRAWING				
<p>Arch 1919</p> <p>Old Engineers Structural Engineers Architects CDM Co-ordinators Geotechnical services Environmental services</p> <p>5 Blair Court, Clydesdale Business Park, Glasgow G81 2LX Tel: 0141 851 8171 Fax: 0141 551 5250 www.archhenderson.co.uk email: info@archhenderson.co.uk Offices in Aberdeen, Dundee, Glasgow, Liverpool, Lisbon, Portugal, Stavanger and Turin</p>				
<p>PROJECT : CLYDEPORT PROPERTIES Limited HUNTERSTON PLATFORM YARD JETTY</p>				
<p>TITLE : SITE LOCATION PLAN</p>				
DRAWN :	DATE :	CHECKED :	APPROVED :	
G.B.	28.3.11	J.B.	J.B.	
SCALE : (A1)	1:5000	DRAWING STATUS :	REPORT	
DRAWING NO. :	105069/001	REV :	/	



JETTY ELEVATION
(SCALE 1:250)



JETTY PLAN
(SCALE 1:250)

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Arch Henderson 1919

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PROJECT:
**CLYDEPORT PROPERTIES Limited
HUNTERSTON PLATFORM YARD JETTY**

TITLE:
DECK PLAN AND ELEVATION

DRAWN: G.B.	DATE: 4.4.11	CHECKED: J.B.	APPROVED: J.B.
SCALE: (A1) 1:250	DRAWING STATUS: REPORT	REV: /	