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RECEIVED
17 MAR 2012

[Redacted]
Natural Capital
13 Coates Crescent
Edinburgh
EH3 7AF

14 March 2012

Dear [Redacted]

SCREENING DECISION UNDER PART 2, REGULATION 11 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 AND THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)(AMENDMENT) REGULATIONS 2011 [Beinn Mhor Power and Eishken 1989 Partnership: Screening Report for the Proposed Construction Berthing Facility at Eisgein].

Thank you for your letter of 05 March regarding the proposed construction berthing facility at Eisgein.

In considering the Marine Works (EIA) Regulations we must determine whether a project is listed in Annex I (for which an EIA is mandatory) or Annex II of the EIA Directive. If the project is determined to be an Annex II project, consideration should be given to the nature of the project, having regard to its size, the scope of the works and its location, so as to assess the potential for it to have a significant effect on the environment and taking account of a range of factors including, the materials to be used; the likelihood that the works could bring about short or longer-term changes to marine environment, natural process or interactions with existing activities; the generation of wastes or release of pollutants and cumulative effects.

On reviewing the Screening Report for the Proposed Construction Berthing Facility at Eisgein we are in the opinion that the project is not defined as a regulated activity under Annex I or Annex II of the Directive and therefore an EIA under the Marine Works (EIA) Regulations is not required.

Thank you for consulting with us on this matter and if you require any further assistance or information on marine licensing matters please do not hesitate to contact the Licensing Operations Team at MS.MarineLicensing@scotland.gsi.gov.uk

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