

Our ref: PCS/109506  
Your ref:

Jayne Hollas  
Directorate for Planning and Environmental Appeals  
The Scottish Government  
4 The Courtyard  
Callendar Business Park  
FALKIRK  
FK1 1XR

If telephoning ask for:

Zoe Griffin

CENTRAL SERVICES			
07 September 2010			
- 9 SEP 2010			
CITE	ISSUES	LEGAL	PERSONNEL
COMMENTS			

By email only to: [jayne.hollas@scotland.gsi.gov.uk](mailto:jayne.hollas@scotland.gsi.gov.uk)

Dear Jayne

## **INQUIRY INTO AN APPLICATION UNDER SECTION 36 OF THE 1989 ELECTRICITY ACT TO CONSTRUCT AND OPERATE A WIND FARM, NEAR DUFFTOWN, MORAY**

Thank you for your letter dated 29 July 2010 constituting the procedural notice for the above Inquiry which SEPA received on 30 July 2010.

### **1. Wildlife and habitat issues (excluding ornithology)**

- 1.1 We wish to confirm that since the production and submission of the application and Environmental Statement the River Basin Management Plan (RBMP) for the Scotland river basin district has been produced.
- 1.2 We therefore provide the following information in relation to queries in 3(c) and 3(d):
  - The River Fiddich (u/s Dufftown) is classified as being at moderate ecological status under the RBMP for Scotland. The pressures on this water body are barriers to fish passage. However, there are no fish barriers in close proximity to the windfarm application site. It will be important to avoid any further deterioration in this water body but as stated in our previous responses we consider that this matter can be adequately addressed through planning conditions should the application gain approval.
  - The Black Water is classified under the RBMP for Scotland as being at good ecological status. It will be important to avoid any deterioration in the status of this water body, but as stated in our previous responses we consider that this matter can be adequately addressed through planning conditions should the application gain approval.

- 1.3 We confirm we have no other representations to make in relation to Wildlife and habitat issues (excluding ornithology)

### **2.0 Peat related matters**

- 2.1 We confirm we have no other representations to make in relation to Peat related matters.

If you have any queries relating to this letter, please contact me by telephone on 01224 266655 or e-mail at [planningaberdeen@sepa.org.uk](mailto:planningaberdeen@sepa.org.uk).

*As a public body committed to openness and transparency, SEPA consider that it is appropriate that this response be placed on the public record.*

Yours sincerely

Zoe Griffin  
Senior Planning Officer  
Planning Service

Copy to:

Dorenell Limited UK per Mr. M. Sales, Head of Infrastructure Environment and Transport Partner-Planning, Biggart Baillie LLP, No.2 Lochrin Square, 96 Fountainbridge, EDINBURGH EH3 9QA

Aileen Scott, Environmental Services Department, Moray Council, Council Office, High Street, Elgin IV30 1BX

Speyside Business Alliance per Mr. I. Kelly, Head of Planning, Graham & Sibbald, 3 Charlotte Street, PERTH PH1 5LW

H. Carus, Access and Conservation Officer, The Mountaineering Council of Scotland, The Old Granary, West Mill Street, PERTH PH1 5QP

Mr. B Davidson, The Association of Fishery Boards, Capital Business Centre, 24 Canning Street, EDINBURGH EH3 8EG

Mr. Hay, Chairman, The River Deveron District Salmon Fishery Board, Edinglassie, Glass, Huntly, Aberdeenshire AB54 4YD

Mr. R. Knight, Director, Spey Fishery Board, 1 Nether Borlum Cottage, Knockando, Aberlour, Banffshire AB38 7SD

Scottish Wildcat Association, c/o Shepherd and Wedderburn LLP, 1 Exchange Crscent, Conference Square EDINBURGH EH3 8UL

Mr. Cameron, Vice Chairman, Diftown 2000 Ltd., Morven The Square, Banffshire, AB55 4AD

Mr and Mrs Gordon-Rogers, 4 Milne Lane, Duffus, Elgin, Morayshire IV30 5WD

Mr and Mrs McHugh, Auchinhandoch Farmhouse, Dufftown, Keith, Banffshire AB55 4DR

Ms J Heatly, Area Officer – Moray, Scottish Natural Heritage, 32 Reidhaven Street, Elgin, Morayshire IV30 1QH