13 Schedule of Mitigation

13.1 Introduction

13.1.1 The Schedule of Mitigation provides a summary of good practice, mitigation measures and commitments that have been proposed throughout the Environmental Impact Assessment (EIA) Report to prevent, reduce or offset the effects of the Proposed Development on the environment.

13.1.2 Good practice and mitigation measures have been integral to the design evolution of the Proposed Development as described in **Chapter 2: Site Description and Design Evolution**. A series of environmental and technical constraint lead design reviews were undertaken to minimise potential significant environmental impacts prior to finalising the final design of the Proposed Development. Areas which were examined in depth include landscape and visual constraints, peat, sensitive habitats, cultural heritage and hydrological constraints.

13.2 Schedule of Commitments

13.2.1 The mitigation measures and best practice commitments in **Table 13.1** are those which would be applied prior to construction, during construction and during operation of the Proposed Development. A number of these measures are embedded mitigation, undertaken through good practice and to adhere to relevant legislation during all stages of the Proposed Development.

13.3 Overall Statement of Significance

13.3.1 Provided that the proposed mitigation measures are successfully implemented, the residual effects related to most environmental disciplines would not be considered significant effects in the context of the EIA regulations, with the exception of the following:

- the landscape character of the Site and some of its surroundings;
- the perception of three of the 42 Special Landscape Qualities (SLQs) associated with the Cairngorm National Park;
- views experienced by residents from parts of the local settlement of Tomatin;
- views experienced by road users from short sections of the C1121, U1116, A9 and A938 roads;
- views experienced by cyclists from short sections of National Cycle Route 7 (NCR7);
- views experienced by hill walkers from some hill summits located within the Monadhliath and Cairngorm Mountain ranges;
- views experienced by recreational walkers from a short section of the LBS114 (Sustrans Route 7) Core Path; and
- views experienced at night-time from the settlement of Tomatin, sections of the C1121 and A9 roads, NCR7, and the LBS114 (Sustrans Route 7) Core Path, and the summit of Craiggowrie.

13.3.2 A moderate significance of effect has been identified upon the setting of Woodend Cairn (**SM11739**) as a result of the Proposed Development. This is considered significant in EIA terms. However, it is not considered to breach the test of adverse impact upon the integrity of setting under Policy 7 h) ii. Whilst the Proposed Development would impact on the ability to appreciate the connection between the cairn and its placement above the River Findhorn, the valley and the nearby contemporary assets, the introduction of the Proposed Development into the environment would not impact the ability to understand and experience the connection between the asset and the aforementioned aspects of its setting which contribute to its significance. Furthermore, the ability to understand, appreciate and experience the cairn whilst moving through the valley would remain intact. As such, the impact of the Proposed Development is not anticipated to be so significant to adversely effect the integrity of the setting of Woodend Cairn.

13.3.3 When considered cumulatively with the surrounding developments that are currently the subject of valid planning applications, the cumulative impact of the Proposed Development would stay at a moderate significance of effect, as the assessed cumulative developments would not cause further impact to the asset's significance.

Table 13.1: Summary of Mitigation and Commitments

EIAR Chapter	Matter/Effect requiring mitigation	Timing / Phase	Mitigation Measure
Chapter 3: Proposed Development Description	Environmental management	Construction	The applicant would engage an Environmental Clerk of Works (ECoW) on-site during the construction phase. The Principal Contractor (PC) will ensure construction activities are carried out in accordance with the mitigation measures outlined in this EIA Report and any planning conditions, this will be monitored by the applicant and the ECoW. An outline Construction Environmental Management Plan (CEMP) is provided as **Technical Appendix 3.1.** This sets out the applicant's requirements for inclusion within a detailed CEMP and other documents including guidance and best practice for adoption during construction of the Proposed Development. The outline CEMP provides an overview of the following aspects of environmental management required to mitigate any potential environmental incidents during construction: • design philosophy and construction methodologies; • surface and ground water management; • water quality monitoring; • flood risk management; • private water supply management; • waste and resource management; • wastewater and water supply monitoring and control; • noise and vibration control; • dust and other emissions to air control. • spoil management; • peat slide monitoring and control; • oil and chemical delivery and storage; • temporary lighting management; • existing on-site utilities management; • post construction reinstatement; • construction traffic management; • health and safety management; • public liaison provision; and • decommissioning and restoration methodologies. To ensure all mitigation measures outlined within this EIA Report are carried out on-site, contractors will be required to develop a Construction Environmental Management Plan (CEMP) which will form an overarching document for all site management requirements, including: • a Pollution Prevention Plan; • a Soils Management Plan; • a Construction Traffic Management Plan; • a Site Waste Management Plan; • a Borrow Pit Management Plan; • an Outdoor Access Management Plan; and • a Water Quality Monitoring Plan. The final CEMP would be agreed in advance with the Highland Council (THC) in consultation with other stakeholders, prior to commencement of construction. Performance against the CEMP would be monitored by the applicant, the ECoW and PC throughout the construction period.
Chapter 5: Landscape and Visual Impact Assessment	Wind turbine layout and height of wind turbines	Operation	The design of the wind turbine layout has considered the local and wider landscape and visual receptors to best design a scheme which minimises the impact on the landscape. This takes account of adjacent and nearby windfarms and those in the planning system.
	Aviation Lighting	Operation	The applicant is committed to reducing significant environmental effects predicted during the development of its sites and the following mitigation measures will be deployed at the Proposed Development as part of the reduced Aviation Lighting Scheme agreed with the Civil Aviation Authority (CAA). • Intermediate level 32 candela lights are not required to be fitted on the turbine towers; • Medium intensity steady red (2000 candela) lights will only be required on the nacelles of turbines T02, T05, T08, T10, T12, T15, T18, T19, T24 and T26; • a second 2000 candela light on the nacelles of the above turbines to act as an alternative in case of failure of the main light (note that both lights should not be lit at the same time); and

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			• The lights on these turbines to be capable of being dimmed to 10% of peak intensity when the lowest visibility as measured at suitable points around the wind farm by visibility measuring devices exceeds 5km. In addition, a scheme of infrared lighting to be agreed with the MoD (note that dimming permission is applicable only to visible lights, not infra-red lighting).
Chapter 6: Cultural Heritage	Protection of on-site assets	Construction	The Proposed Development has the potential to result in direct impacts to heritage assets as a result of any groundworks or ground disturbance undertaken as part of the construction phase of the Proposed Development. As outlined in paragraph 6.6.1 – 6.6.3 and shown in Table 6.7 of **Chapter 6**, mitigation is proposed for those heritage assets where there is the potential for direct impacts, subject to agreement with the THC archaeologist. The following mitigation is proposed for those assets which may be present within the footprint of any ground disturbance: • SLR27, SLR76, SLR303, SLR 306 – targeted watching brief; and • SLR27 – Fencing off of Hut Circles, to avoid any unintended impact. A watching brief would be carried out on all ground-breaking works on previously undisturbed ground. The precise scope of the proposed mitigation measures would be agreed with the THC archaeologist on behalf of the Applicant and the agreed mitigation programme would be outlined and carried out following a Written Scheme of Investigation.
Chapter 7: Ecology	General	Pre-construction	The applicant has committed to the production of a CEMP to the satisfaction of NatureScot and other relevant stakeholders, before construction commences, and would follow Windfarm Good Construction Guidance, Scottish Renewables et al (2010). An outline CEMP is included within **Technical Appendix 3.1**. A Species Protection Plan (SPP) will be required to ensure compliance with the Wildlife and Countryside Act (a) to avoid any impacts to species specially protected under Schedule 5 of that Act and (b) to avoid any damage to active setts/holts/hibernacula. The SPP would be agreed in writing with THC, in consultation with relevant stakeholders, prior to the commencement of development.
	Protected Species	Pre-Construction	Due to the time that will have elapsed since the last surveys and the possibility that protected species activity could have changed in the intervening period, pre-construction surveys focussing on otter, water vole and badger will be undertaken, covering suitable habitat within 250m from construction areas. This survey will be undertaken by a suitably qualified ecologist. The survey will aim to identify if otter, water vole and badger activity levels have continued as identified in the baseline surveys. The results of the pre-construction surveys will inform whether the CEMP will include further mitigation regarding protected species. NatureScot will be consulted throughout this process.
	Aquatic Fauna	Pre-Construction	Prior to the commencement of construction, baseline surveys will be undertaken. These will include water quality analyses, invertebrate and fish monitoring and fish habitat suitability surveys. Depending on the results of the these, fish surveys may also be required. The Findhorn, Nairn and Lossie Fisheries Trust will be consulted to assist with the pre-construction surveys.
	Habitat Management and Enhancement	Operation	A Habitat Management and Biodiversity Enhancement Plan (HMBEP) will be established. This has been provided in outline (Technical Appendix 7.5) and will be agreed in full with THC and NatureScot before construction commences. It aims to improve the quantity and quality of peatland habitats, benefitting site ecology and ornithology, and to monitor the effects of the Proposed Development.
Chapter 8: Ornithology	Breeding Birds	Pre-construction / Construction	Details of construction mitigation measures will be provided in a Construction Environmental Management Plan (CEMP). The CEMP will be submitted to THC for approval, in consultation with NatureScot and SEPA, post-consent but prior to development commencing. The CEMP will include information on the following ecological related activities: • construction works will require a Construction Method Statement (CMS) to be prepared post-determination and in advance of the commencement of construction on site; and • construction works will be overseen by an Ecological Clerk of Works (ECoW) and their role and responsibilities will be detailed in a CEMP. Wherever possible, vegetation clearance will take place outside the bird breeding season (i.e. September – mid-March). Should this not be possible, then the vegetation to be removed will be searched by a suitably qualified ecologist no more than 24 hours before clearance commences. Nests of non-Schedule 1 or non-Annex 1 species present will be marked with a buffer (likely to be 5m but can be less with ECoW oversight) to prevent damage to the nest. This buffer can only be removed with ECoW approval once the nest is no longer in use.

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			In the 12 months before construction commences, breeding raptor surveys should be undertaken (and should also be carried out during construction if construction falls within a breeding season) with the aim of identifying the presence of any Annex 1 or Schedule 1 species which may be disturbed by the construction work. A toolbox talk will also be provided during the induction process, detailing that there may be sensitive species on the Site during the construction period. Care will be taken to avoid disturbing these birds if present and sightings should be reported to the ECoW for further investigation. These actions should be particularly targeted at golden eagle, white-tailed eagle and red kite. Should the nest (or where applicable the roost) of an Annex 1 or Schedule 1 species be present, then disturbance buffers based on Goodship & Furness (2022) will be established around the nest and no construction activity should be allowed within this area. The ECoW will carry out a risk assessment if access roads are within the buffer distance of the nest to establish if they can be used safely.
	Birds	Operation	A Habitat Management and Biodiversity Enhancement Management Plan (HMBEP) will be established. This will aim to monitor the occurrence of sensitive species on the Site with a view to identifying habitat management measures to support species which appear to be declining. The HMBEP will be submitted to THC for approval, in consultation with NatureScot, before construction commences. It aims to particularly improve the quality of peatland habitats on the Site, and the extent of native habitats through the promotion of rewilding in the wider area.
Chapter 9: Geology, Hydrology and Hydrogeology	Ground Investigation Water Quality	Pre-Construction	Prior to construction being undertaken, relevant detailed site investigations would be conducted. This could include investigations of underlying deposits, where the Proposed Development is sited, to inform detailed design and suitable micro-siting of the Proposed Development civil infrastructure. If there are assessed to be potential effects to surface watercourses or groundwater, baseline water quality monitoring will be undertaken as required. A Water Quality Monitoring Plan (WQMP) will be prepared and agreed with THC, in consultation with SEPA, prior to commencement of construction. It is anticipated that this will include a programme of pre-construction water quality monitoring, over a period to be set out in the plan.
	General Measures Water Quality Monitoring Peat Management and Landslide Hazard Pollution Risk and Prevention Erosion and Sedimentation Fluvial Flood Risk Water Abstractions	Construction	**General Measures** To ensure all reasonable precautions are taken to avoid negative effects on the water environment, a suitably qualified ECoW will be appointed prior to the commencement of construction to advise the Applicant and the Principal Contractor on all ecological and hydrological matters. The ECoW will be required to be present on-Site during the construction phase and will carry out monitoring of works and briefings with regards to any ecological and hydrological sensitivities on the Site to the relevant staff of the Principal Contractor and subcontractors. With respect to the water environment, the ECoW will also have responsibility to ensure water flow paths and quality to water dependant habitat are sustained during all phases of the Proposed Development. Following a review of best practice outlined in relevant guidance and legislation a detailed CEMP will be compiled. The PC will implement measures outlined within the CEMP, as agreed with relevant consultees. This would also include a construction method statement, which would account for: • Pollution Risk Assessment; • Identification of Controlled Waters and temporary discharge points to these watercourses; • Planning and design of dewatering activities to minimise the local drawdown; • Planning and design of pollution control measures, such as drip trays, bunds and spill kits, during earthworks; • Storage of fuel and chemicals in a designated area in accordance with best practice procedures, outwith 50m watercourse buffers; • Designated area for concrete batching, 100m from watercourses; • Pollution control system management, including dewatering of excavations; • Contingency planning and emergency procedures; and • Ongoing monitoring of construction procedures. **Water Quality Monitoring** Water quality monitoring before and during the construction phase will be undertaken for the surface water catchments that drain from the Site to ensure that none of the tributaries of the main channels are carrying pollutants or suspended solids. Monitoring will be carried out at a specified frequency (depending upon the construction phase) on these catchments.

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			Monitoring will continue throughout the construction phase and immediately post construction. Monitoring will be used to allow a rapid response to any pollution incident as well as assess the impact of good practice or remedial measures. Monitoring frequency will increase during the construction phase if remedial measures to improve water quality are implemented. Water quality monitoring plans will be developed during detailed design. Scottish Water, SEPA, THC, NatureScot, Findhorn, Nairn and Lossie Rivers Trust (FNLRT) and The River Findhorn District Salmon Fishery Board (FDSFB) would be consulted on the plans and the respective roles and responsibilities of all parties would be outlined within the final CEMP. It is also proposed that the private water supplies that are considered potentially at risk from the Proposed Development, as discussed in **Technical Appendix 9.4** and the licenced abstraction at Altchosach, are also included as part of the monitoring programme. **Peat Management and Landslide Hazard Risk** The Site-specific PLHRA (Technical Appendix 9.1) confirms, regarding peat stability, that there are very few areas of peat instability risk across the Proposed Development and the hazard impact assessment concluded that, with the employment of appropriate mitigation measures, all the areas of peat instability can be considered as an insignificant risk. A Design and Geotechnical Risk Register will be compiled to include risks relating to peat instability, as this will be beneficial to both the Applicant and the Contractor in identifying potential risks that may be involved during construction. Good construction practice and methodologies to prevent peat instability within areas that contain peat deposits are identified in **Technical Appendix 9.1**. These include: • measures to ensure a well-maintained drainage system, to include the identification and demarcation of zones of sensitive drainage or hydrology in areas of construction; • minimisation of 'undercutting' of peat slopes, but where this is necessary, a more detailed assessment of the area of concern will be required; • careful micrositing of turbine bases, crane hardstandings and access track alignments to minimise effects on the prevailing surface and sub-surface hydrology; • raising peat stability awareness for construction staff by incorporating the issue into the Site induction (e.g. peat instability indicators and good practice); • introducing a 'Peat Hazard Emergency Plan' to provide instructions for Site staff in the event of a peat slide or discovery of peat instability indicators; • developing methodologies to ensure that degradation and erosion of exposed peat deposits does not occur as the break-up of the peat top mat has significant implications for the morphology, and thus hydrology, of the peat (e.g. minimisation of off-track plant movements within areas of peat); • developing robust drainage systems that will require minimal maintenance; and • developing drainage systems that will not create areas of concentrated flow or cause over/under-saturation of peat habitats. **Pollution Risk and Prevention** Good practice measures in relation to pollution prevention will include the following: • refuelling will take place at least 50m from watercourses and where there is no risk that oil from a spill could directly enter the water environment; • foul water generated on-Site will be managed in accordance with best practice and be drained to a sealed tank and routinely removed from Site; • a vehicle management plan and speed limit will be strictly enforced on-Site to minimise the potential for accidents to occur; • drip trays will be placed under stationary vehicles which could potentially leak fuel/oils; • areas will be designated for washout of vehicles which are a minimum distance of 50m from a watercourse; • washout water will also be stored in the washout area before being treated and disposed of; • if any water is contaminated with silt or chemicals, runoff will not enter a watercourse directly or indirectly prior to treatment; • water will be prevented as far as possible, from entering excavations; • procedures will be adhered to for storage of fuels and other potentially contaminative materials in line with the CAR, to minimise the potential for accidental spillage; and

EIAR Chapter	Matter/Effect requiring mitigation	Timing / Phase	Mitigation Measure
			• a plan for dealing with spillage incidents will be designed prior to construction, and this would be adhered to should any incident occur, reducing the effect as far as practicable. **Erosion and Sediment** Embedded measures within the CEMP to prevent sedimentation pollution and erosion will include: • all stockpiled materials will be located out with a 50m buffer from watercourses, including on up gradient sides of tracks and battered to limit instability and erosion; • stockpiled material will either be seeded or appropriately covered, minimising the area of exposed/bare ground; • monitoring of stockpiles/excavation areas during rainfall events; • water will be prevented as far as possible, from entering excavations using appropriate cut-off drainage; • where the above is not possible, water that enters excavations would pass through several settlement lagoons and silt/sediment traps to remove silt prior to indirect discharge into the surrounding drainage system. Detailed assessment of ground conditions would be required to identify locations where settlement lagoons would be feasible; • clean and dirty water on-Site will be separated and dirty water will be filtered before entering the water environment; • if the material is stockpiled on a slope, silt fences will be located at the toe of the slope to reduce sediment transport; • the amount of ground exposed, and time during which it is exposed, will be kept to a minimum and appropriate drainage would be in place to prevent surface water entering deep excavations, specifically borrow pit excavations; • a design of drainage systems and associated measures to minimise sedimentation into natural watercourses will be developed - this may include silt traps, check dams and/or diffuse drainage; • silt/sediment traps, single size aggregate, geotextiles or straw bales will be used to filter any coarse material and prevent increased levels of sediment. Further to this, activities involving the movement or use of fine sediment will avoid periods of heavy rainfall where possible; and • construction personnel and the Principal Contractor will carry out regular visual inspections of watercourses to check for suspended solids in watercourses downstream of work areas. **Fluvial Flood Risk** Embedded measures within the CEMP to prevent fluvial flood risk include: • Sustainable Drainage Systems (SuDS) shall be incorporated as part of the Proposed Development. • SuDS techniques aim to mimic pre-development runoff conditions and balance or throttle flows to the rate of runoff that might have been experienced at Site prior to development. Good practice in relation to the management of surface water runoff rates and volumes and potential for localised fluvial flood risk will include the following: • drainage systems will be designed to ensure that any sediment, pollutants or foreign materials which may cause blockages are removed before water is discharged into a watercourse; • on-Site drainage would be subject to routine checks to ensure that there is no build-up of sediment or foreign materials which may reduce the efficiency of the original drainage design causing localised flooding; • appropriate drainage would attenuate runoff rates and reduce runoff volumes to ensure minimal effect upon flood risk; • where necessary, check dams will be used within cable trenches to prevent trenches developing into preferential flow pathways and trenches shall be backfilled with retained excavated material; and • as per good practice for pollution and sediment management, prior to construction, Site-specific drainage plans will be developed and construction personnel made familiar with the implementation of these. **Water Abstractions** For any water for construction activities good practice that will be followed in addition to the CAR regulations includes: • water use will be planned to minimise abstraction volumes; • water will be re-used where possible; • abstraction volumes will be recorded; and • abstraction rates and volumes will be agreed with SEPA to prevent significant water depletion in any third-party water source. • Watercourse Crossings • Watercourse crossings would be designed to pass the 200year flood event plus an allowance for climate change and their design and construction details would be agreed with SEPA and THC as part of the final CEMP.
Chapter 10: Transport & Traffic	Construction Traffic	Construction	A Construction Traffic Management Plan will be agreed with THC as a condition of consent.

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			An Abnormal Indivisible Load (AIL) Transport Management Plan will also be developed and agreed with THC which will reduce the effects of AIL convoys on the road network.
Chapter 11: Noise	Construction noise	Construction	A range of noise mitigation measures are proposed for the construction phase in accordance with measures outlined in BS 5228-1:2009. Site operations to be limited to 07:00 – 19:00 Mondays to Saturdays (except during wind turbine delivery/erection and commissioning/periods of emergency work). Additional noise mitigation measures are proposed to reduce the acoustic impact of construction further during Saturdays 13:00-19:00. Good practice on blasting shall be followed along with guidance on blast frequency and timing. Noise mitigation measures would be implemented as part of the CEMP which would be required to be agreed as a condition of consent.
	Operational noise	Operation	The Proposed Development operating in isolation and cumulatively with other existing operational and proposed wind farm developments meet the limiting requirements of ETSU-R-97. As a result, no mitigation is required.
Chapter 12: Aviation and Other Issues	Aviation Lighting	Operation	As detailed above for Chapter 5 in relation to Aviation Lighting.
	Military Radar	Operation	Should impacts on the RAF Lossiemouth radar be significant, and the Proposed Development is shown to breach the Inverness Airport safeguarding criteria, the Applicant will implement appropriate mitigation measures to ensure no significant adverse effects remain. The Applicant will liaise with the MOD to establish appropriate mitigation.
	Civilian Radar	Operation	The Applicant is in consultation with Inverness Airport regarding the potential IFP impact and will commission the requested Aviation Impact Feasibility Study. If an impact is identified, the Applicant will agree a suitable mitigation with the Airport.
	Shadow flicker	Operation	No shadow flicker is predicted as a result of the operation of the wind farm, and so no mitigation is required.