



## THE MOUNTAINEERING COUNCIL OF SCOTLAND

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### **Section 36 Proposal for Ederline Hydroelectricity Scheme**

Thank you for sending us a copy of your Environmental Statement for the above proposed scheme. This HEP is not in a core mountain area for the Mountaineering Council of Scotland [MCOFS] our members and all the mountaineers we represent, both resident in Scotland and visitors. In normal circumstances we would not, therefore, register any comments. I have, however, scrutinised the ES and would like to make some informal observations.

I am not familiar with the precise area, although I have explored the hills in the vicinity. I do not know to what extent the site is used by walkers, ramblers, fishermen and bird watchers. Judging by the presence of footpaths, including through routes, as shown on the OS map of the area, the ground is probably used for recreation to some extent. As you are based in England, you may not be aware of the Land Reform [Scotland] Act 2003 and the Scottish Outdoor Access Code [SOAC]. If you were familiar with these, you would appreciate that there is an expectation that access would be kept open, and this would refer not only to paths but also offpath access. This would not only apply to paths but to the area as a whole. I note that in the ES "no go" is stated. Obviously, during construction there would be health and safety issues. Unregulated access to a construction enclosure/yard would be unacceptable, but shared access should be ensured along paths and tracks even during the construction period. It would be expected that alternative but short term access routes to the area would be negotiated if this was deemed absolutely essential at certain phases of construction. It would be best to develop an access management plan in discussion with interested parties and with the access officers of the local authority. In addition, once the plant is built and is operating, then access should be restored. I note that there seem to be no proposals to address these points in your ES.

The MCOFS is also interested in biodiversity matters as part of our overall conservation approach. We would urge that the bryophyte population, particularly the rarer species, is rigorously cared for. In addition, in the case of the water vole population, we note that you propose to devise a habitat creation plan in conjunction with SNH; we are apprehensive about this particularly due to the fragile nature of individual animals of this species, especially the young. I am very apprehensive about the likely success of any of the mitigating measures you give on page 11. It would be difficult to ensure successful viability of the population. It would be essential to monitor the success of such a plan and to prepare strategies to ameliorate damage. Measures to protect the nest habitats of divers are proposed involving supplying nest rafts and controlling predators and competitors; this level of control would be difficult to achieve precisely and without adversely affecting the other species involved.

In considering aspects of peat damage, pollution control etc in the ES you mention several times that construction workers would be made aware/advised of the measures they should take to avoid such damage; in fact, we would suggest that it would be necessary to monitor this quite rigorously and regularly

on site to ensure that the measures are followed precisely. The type of habitat involved in this case is very vulnerable to these forms of physical damage and pollution and would quickly become degraded.

From reading the ES, it is not clear what the final status of the access track will be. In general, in Scotland, there is opposition to new upland tracks, which have considerable visual impact.

In 5.9.1 there is reference to Lyme disease. You will be aware that with more accurate diagnosis, there is a greater awareness of this and the incidence rate is quite high. It might be advisable to have the risk assessed for the area before commencing work. The MCoS has good sources of information on this and would be able to direct you to these if necessary.

The MCoS is supportive of renewable energy developments, especially hydro-electric plants due to their sustainability and low carbon footprint. However, we are keen that such plants should be sited unobtrusively in the landscape and not create additional pressures on flora and fauna.

Yours sincerely

Mrs B Leatherland