

Professor A D Hawkins BSc PhD FRSE CBE  
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Our ref: CNS/TR/AWPR

05 August 2008

Dear Tony

### **AWPR – Freedom of Information request**

Thank you for your email request for information regarding copies of any documents, letters, emails, reports and minutes of meetings in relation to the crossing of the River Dee SAC by the AWPR exchanged between Jacobs, Transport Scotland, Scottish Ministers and Scottish Natural Heritage within the period from 1<sup>st</sup> July 2007 until the present day., which we received on the 15 July 2008. Your request has been considered under both the Environmental Information (Scotland) Regulations 2004 and Freedom of Information (Scotland) Act 2002.

Please find attached the information you requested. A summary of the correspondence is provided in the annex of this letter.

Regarding your specific request for information on the location of freshwater pearl mussels; as you are aware they have a high risk of persecution. SNH has therefore, determined that locational data on them cannot be released. We consider that this location information comes under the terms of Regulation 10(5)(g) of the Environmental Information (Scotland) Regulations 2004. We are concerned that any release of this data could increase the risk of persecution. If SNH was to release this data to you we would also be obliged to release it to any other person who asked for it, reducing the current level of protection afforded to fresh water pearl mussels in the Dee.

If you are dissatisfied with how we have responded to your information request, please write to us at Battleby, Redgorton, Perth, PH1 3EW or email us at [foi@snh.gov.uk](mailto:foi@snh.gov.uk). Our Director of Strategy and Communications, John Thomson or his nominated delegate will carry out a review of our response and provide an outcome within 20 working days.

If you are not satisfied following this, you can make an appeal to the Scottish Information Commissioner. The Scottish Information Commissioner can be contacted at:

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS  
Telephone: 01334 464610  
<http://www.itspublicknowledge.info/>

Yours sincerely

Finlay Bennet  
Area Officer  
Aberdeenshire South

## Annex

List of correspondence attached to this letter.

1. Letter to SNH Dee-Milltimber outfall v2.0
2. River Dee appropriate assessment - Dee Catchment scan of figure from SNH report on fwpm - 05 October 2007
3. River Dee Crossing Appropriate Assessment: area of search for in-combination assessment - AWPR - Helen Riley Jacobs Babbie email - 05 October 2007
4. AWPR River Dee appropriate assessment - Letter to SNH River Dee - Helen Riley Jacobs Babbie - 05 October 2007
5. River Dee SAC data
6. Scientific rationale for the extension of the River Dee SAC to the tributaries - May 2003
7. Species Justification\_ River Dee - Freshwater Pearl Mussel – 2001
8. Kingcausie Alternative Alignment Report Final
9. Kingcausie Drawings
10. Kingcausie Walkover report\_Final\_080408, received 9 April 2008
11. Planning applications shortlist for SNH 19 December 2007
12. Re: AWPR River Dee Crossing Appropriate Assessment: area of search for in-combination assessment
13. SNH final response to SEP 07 ES, 14th December 2007 (circulation copy)
14. GI Detailed Env Report 2008 Final received 3 April 2008
15. GI Appendix 10 Dee SAC Method Statement Final received 3 April 2008
16. AWPR: SNH Meeting - Additional Information River Dee Noise barriers 1 Feb 2008
17. AWPR River Dee Noise Barriers (Full) 1 Feb 2008
18. AWPR Appropriate Assessment Jacobs queries 14 Sept 07
19. Dee Noise Mitigation - paper for SNH 031006
20. AWPR Appropriate Assessment SCM data request by Jacobs response August 2007
21. Draft otter justification for the River Dee – 2001
22. CEH-SNH report - River Dee SAC - catchment - otter – 2004
23. AWPR SCM Form Salmon August 2007
24. AWPR SCM Form Otter August 2007
25. AWPR SCM Form FWPM August 2007
26. AWPR Appropriate Assessment SCM OTTERS IN SCOTLAND 2003-4 Report 9th August 2007
27. AWPR Appropriate Assessment Salmon catch data for all rivers updated to 2004 by JM FRS 9th August 2007
28. AWPR Appropriate Assessment Otter SCM memo 9th August 2007
29. AWPR Appropriate Assessment Electrofishing Dee SAC1 9th August 2007
30. AWPR Appropriate Assessment - response to cumulative and in-combination area of search - 5 Oct 2007 headed version
31. AWPR Appropriate Assessment - response to cumulative and in-combination area of search - 5 Oct 2007

32. Minutes of meeting 23 January 2008 FINAL
33. AWPR Aberdeen Western Peripheral Route - Catherine Quinney letter regarding appropriate assessment - 13 May 2008