

Ornithology

Relevant Policy and Guidance

The assessment will be undertaken in accordance with the following relevant legislation and guidance:

- SNH Guidance: Assessing Connectivity with Special Protection Areas (SPAs) (SNH, 2016);
- SNH Guidance: use of avoidance rates in the SNH wind farm collision risk model (SNH, 2017);
- Environmental Impact Assessment Directive 2014/52/EU;
- The Wildlife and Countryside Act (as amended) (WCA);
- The Conservation (Natural Habitats, &c) Regulations 1994 (as amended) ('The Habitats Regulations');
- The Nature Conservation (Scotland) Act 2004 (as amended);
- The Council Directive on the Conservation of Wild Birds 2009/147/EC ('The EU 'Birds Directive'); and
- The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Baseline

The Site is not covered by any statutorily designated nature conservation site. The nearest designated sites to the Site include:

- Muirkirk and North Lowther Woods Special Protection Area (SPA) is located approximately 9 km at its closest point to the north-east of the Site and is designated for regularly supporting breeding populations of European importance of hen harrier, short-eared owl, merlin, peregrine and golden plover as well as wintering hen harrier.
- North Lowther Uplands Site of Special Scientific Interest (SSSI) is located approximately 9 km to the north-east of the Site at its closest point and is designated for its upland habitats, breeding bird assemblage and for breeding hen harrier. The SSSI lies within the Muirkirk and North Lowther Woods SPA.
- Muirkirk Uplands SSSI is located approximately 10 km to the north of the Site at its closest point and is designated for nationally important blanket bog, dry heath and acid grassland. It also supports outstanding assemblages of upland breeding birds. The SSSI lies within the Muirkirk and North Lowther Woods SPA.

The following desk based studies and field based baseline studies have been undertaken:

- Ornithology Desk Study including a review and summary of extensive surveys undertaken on the site between 2012 and 2016.
- One full breeding season of flight activity surveys in 2019 and ongoing flight activity surveys during the 2019/2020 non-breeding season, to be completed in 2020.
- Breeding bird surveys of open ground in 2019.
- Scarce breeding bird surveys in 2019.
- Black Grouse surveys in 2019.

All field surveys have been undertaken following the Scottish Natural Heritage (SNH) Guidance (2017¹) as well as other relevant generic and species-specific survey guidance. Copies of the full baseline report can be provided on request along with summaries of historical data from between 2012 and 2016. The survey findings suggest the proposed Development is of low interest to birds.

An interim Ornithology report was submitted to SNH for initial consultation based upon the findings of the 2019/2020 survey work undertaken to date and the historic data collected on site. It was proposed that one single year of survey

¹ SNH Guidance: Recommended bird survey methods to inform impact assessment of onshore wind farms (2017)

will be sufficient to inform a robust assessment of the ornithological interests of the proposed development, due to low levels of flight activity of protected bird species over the site and no indication that the site and wider survey area is a sensitive area for bird interests.

SNH have confirmed that the proposal for one single year of survey data is sufficient to inform the ornithology assessment, subject to the findings of the remainder of the survey work to be completed, up to March 2020, being consistent with the interim survey results.

Potentially Significant Effects

Taking account of the findings of the work undertaken to date in the local area, potential effects on birds associated with the construction and operation of the proposed Development include:

- a short-term reduction in breeding or wintering bird populations due to construction disturbance (affecting breeding or foraging behaviour and causing reductions in productivity or survival);
- a long-term reduction in breeding or wintering bird populations due to the loss of habitat critical for nesting or foraging. This may arise as a consequence of direct loss of habitat under infrastructure or disturbance/displacement as a result of operational activities;
- a long-term reduction in breeding or wintering bird populations due to collision mortality. If collision risk is identified as a concern, predicted collision rates will be calculated through theoretical collision risk modelling; and
- cumulative effects with other projects or activities that are constructed during the same period, and / or with projects or activities which pose either a potential collision risk or loss of habitat by displacement.

Given the low levels of activity recorded to date, it is considered unlikely that significant effects will occur on ornithological receptors at the Site, although this issue will be considered in detail as part of the EIA.

Proposed Assessment Methodology and Approach

The assessment of ornithological effects associated with the Site will be undertaken in accordance with the guidelines published by Scottish Natural Heritage (2018²).

Based on the findings of surveys and studies carried out to date (including the previous survey period) we propose the assessment in the EIA will consider the following: birds considered of high and moderate Nature Conservation Importance where their occurrence during surveys within the survey area is deemed sufficient to merit assessment..

The effects on birds will be assessed during construction and operational stages, as well as cumulatively with other relevant proposed developments.

Effects will be assessed following the implementation of embedded mitigation measures included as part of the design of the proposed Development, as well as any residual effects assessed after any further mitigation, if relevant, has been factored in.

Matters to be Scoped Out

Unless subsequent surveys find observations that are in contrast to previous survey findings, all other effects will be scoped out of the EIA including effects on internationally and nationally designated sites (the distance to the nearest SPAs and SSSIs are such that the species cited in the designations for these areas would not be affected by the proposed Development) and effects on other species of high and moderate Nature Conservation Importance not noted above and all bird species classified as of low Nature Conservation Importance. This will be justified in the EIA Report with reference to the final survey data.

Consultee Questions

- Do consultees agree with the proposed approach to the ornithology assessment as set out above?
- Please confirm any additional requirements that you consider should be included in this element of the EIA, that have not been covered in this fact sheet.

² SNH Guidance: Assessing Significance of Impacts from Onshore Windfarms on Birds outwith Designated Areas (2014, updated in 2018)