APPENDIX 6.3 – INFORMATION TO INFORM HABITATS REGULATIONS APPRAISAL (HRA)

Figures

Please see Figures 6.1 to 6.5 of the associated EA

1. INTRODUCTION

1.1 Overview

1.1.1 This Appendix to the Achany Wind Farm Extension Grid Connection Environmental Appraisal (EA) identifies any aspect of the Proposed Development that has potential for likely significant effects (LSEs) upon any sites afforded protection under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland) (the Habitats Regulations). Such sites are referred to as European Sites (formerly Natura 2000 network sites) and includes Special Protection Areas (SPAs).

1.1.2 This Appendix should be read with reference to **Chapter 6: Ornithology**. The Proposed Development, as described in **Chapter 6: Ornithology** of the EA, lies close to three SPAs. These are:

- Caithness and Sutherland Peatlands SPA;
- Strath Carnaig and Strath Fleet Moors SPA; and
- Lairg and Strath Brora Lochs SPA.

1.1.3 The Appendix aims to provide the information necessary for NatureScot to undertake Stage One of the Habitats Regulations Appraisal (Screening) by:

- Describing the Proposed Development;
- Identifying European designated sites which are connected to and / or could potentially be affected by the Proposed Development;
- Describe potential effects upon the SPAs from the Proposed Development;
- Make an assessment of LSEs in relation to the SPAs conservation objectives; and
- Conclude whether the Proposed Development would adversely affect the integrity of the SPA qualifying interests.

1.1.4 Where the absence of LSEs on European Sites cannot be concluded from Stage 1 Screening, assessment has been undertaken to provide the information to inform the competent authority's determination of the need for Stage 2 Appropriate Assessment.

1.2 Alternatives

1.2.1 Alternative OHL route options and alignments have been investigated and are discussed in **Chapter 2**: **Routeing Process and Alternatives** of this EA. Consideration has also been given to re-routing a section of the OHL to avoid proximity to an identified hen harrier nest, this is detailed in **Confidential Appendix 6.2** of the EA.

1.3 Structure of Appendix

1.3.1 This Appendix has been structured to follow NatureScot's example proforma of how to record a HRA[1] and includes the following Stages:

1.3.2 Identify European sites that may be potentially affected, including qualifying features, component Sites of Special Scientific Interest (SSSI)s and conservation objectives

- Stage 1: What is the plan or project?
- Stage 2: In the project directly connected with or necessary to site management for nature conservation?

[1] NatureScot (2023) External Habitats Regulations Appraisal (HRA) Proforma. Updated August 2023. Available from: https://www.nature.scot/doc/naturescot-habitats-regulations-appraisal-hra-proforma

- Stage 3: Is the project (either alone or in combination with other plans or projects) likely to have a significant effect on the site?
- Stage 4: Undertake an appropriate assessment of the implications for the site in view of its conservation objectives.
- Stage 5: Can it be ascertained that the proposal will not adversely affect the integrity of the site?

2. EUROPEAN SITES

2.1 Site Details

2.1.1 The Caithness and Sutherlands Peatlands SPA was classified in 1999 and consists of over 140,000 hectares of blanket bog, making it the largest area of intact peatland in northern Scotland and one of the largest recognised conservation sites in the UK. It is of international importance for several species imcluding breeding divers, waders and raptors. It is also nationally important for breeding wildfowl.

2.1.2 Strath Carnaig and Strath Fleet Moors SPA is an area of upland moorland between Dornoch and Lairg designated for its nationally important population of breeding hen harriers.

2.1.3 Lairg and Strath Brora Lochs SPA comprises a total of eight oligotrophic lochs supporting a breeding population of European importance of black-throated diver, with the productivity of divers breeding within the site being higher than the national average. The combination of high productivity and large population size makes this site extremely important for maintaining the British black-throated diver population.

2.1.4 The following are component Sites of Special Scientific Interest (SSSI) of the above SPAs:

- Grudie Peatlands SSSI (component SSSI of Caithness and Sutherland Peatlands SPA and Ramsar site);
- Strath Carnaig and Strath Fleet Moors SSSI (component SSSI of Strath Carnaig and Strath Fleet Moors SPA); and
- Lairg and Strath Brora Lochs SSSI (component SSSI of Lairg and Strath Fleet Moors SPA).

2.2 Qualifying Interests

2.2.1 The qualifying interests for each European Site is listed in **Table 6.3.1: Summary of European Sites**.

Table 6.3.1: Summary of European Sites

Site Name	Distance to Proposed Development	Qualifying Interests
Caithness and Sutherland Peatlands SAC (Site code: 8242), SPA (Site code 8476), Ramsar site (Site code 8412)	160 m	Designated for one of the best examples of blanket bog in the world, supporting important populations of breeding birds. Qualifying SPA and Ramsar interests: Black-throated diver (*Gavia arctica*); Wigeon (*Anas penelope*); Common scoter (*Melanitta nigra*); Red-throated diver (*Gavia stellata*); Hen harrier (*Circus cyaneus*); Golden eagle (*Aquila chrysaetos*); Golden plover (*Pluvialis apricaria*); Dunlin (*Calidris alpina*); Greenshank (*Tringa nebularia*); Wood sandpiper (*Tringa glareola*); Short-eared owl (*Asio flammeus*) and Merlin (*Falco columbarius*). The site also supports a range of important habitats, discussed in more detail in **Chapter 5: Ecology**.
Strath Carnaig and Strath Fleet Moors SPA (Site code 9190)	5.9 km	A two-part SPA, 7.2 km north-east and 5.9 km east of the Proposed Development. The site comprises two large upland areas between Dornoch and Lairg, designated for its important population of breeding hen harrier. The SPA supports a diverse mosaic of habitats suitable for nesting and foraging hen harriers including heather moorland, blanket bog, acid grassland, native woodland and plantation forestry with open areas.

Site Name	Distance to Proposed Development	Qualifying Interests
Lairg and Strath Brora Lochs SPA (Site code 8522)	9.9 km	This SPA comprises a group of eight small oligotrophic lochs which support an internationally important population of black-throated divers. The large population size and high productivity rate of the birds using the lochs means the site makes a significant contribution to the production of fledged chicks in Scotland as a whole. The closest loch is located 9.9 km northeast of the Proposed Development.

2.3 Conservation Objectives

2.3.1 The conservation objectives for each of the SPAs is to ensure for the qualifying species that the following are maintained in the long term:

- population of the species as a viable component of the site;
- distribution of the species within site;
- distribution and extent of habitats supporting the species;
- structure, function and supporting processes of habitats supporting the species; and
- no significant disturbance of the species.

3. STAGES

3.1 Stage 1: What is the Plan or Project?

3.1.1 The Proposed Development seeks consent under Section 37 of the Electricity Act to provide the grid connection for the consented Achany Wind Farm Extension. A detailed description of the Proposed Development is presented in **Chapter 3: The Proposed Development** of the EA and is summarised below. From the Achany Wind Farm Extension on-site substation at approximately 280 m above ordnance datum (AOD) the Proposed Development would comprise a section of 1.2 km of new 132 kV UGC, travelling south-west to a proposed cable sealing end (CSE) structure. From the CSE structure, the Proposed Development would continue as an OHL, travelling in a south-easterly direction, passing through Glen Rossal and to the south of Achany and Rosehall operational wind farms. The OHL would then continue in a south-easterly direction, and after it crosses the A839, pass to the south of Braemore wood and then continue south-east through Shin forest to connect into Shin substation at approximately 10 m AOD from the north-west. The construction of the Proposed Development is anticipated to take place over a 23-month period.

3.1.2 Integral to the design, construction and operation of the Proposed Development, the following embedded mitigation measures relevant to this appraisal are considered:

- Adoption of General Environmental Management Plans (GEMPs) (**Appendix 3.2**)
- Adoption of Species Protection Plans (**Appendix 3.3**) for breeding birds, detailing the mitigation hierarchy to avoid or minimise effects on protected species.
- A commitment to pre-construction surveys and monitoring undertaken by a suitably qualified ornithologist up to 1 km either side of the Limit of Deviation (LoD) in accordance with current guidance.
- Adherence to the relevant general binding rules specified in the Water Environment (Controlled Activities) (Scotland) Regulations 2011, as amended (CAR) and any project-specific registrations or licences required prior to any construction works commencing
- Adoption of a site-specific Construction and Environmental Management Plan (CEMP) comprising the following:
    - Vehicle speed limits for site tracks would be imposed during the construction and operational phases to reduce the likelihood of injury or mortality of protected bird species (e.g. grouse that may be attracted to fine gravels on the sections of permanent access tracks and wader chicks that are usually small and hard to see moving across the temporary trackway or permanent access tracks);
    - In accordance with SEPAs Guidance for Pollution Prevention GPP02 any fuel and chemical storage would be bunded and would not be stored within 50 m of watercourses or waterbodies;
    - Fuel deliveries and refuelling would be undertaken by trained staff in a designated area with an impermeable base. All fuel related activities would take place more than 50 m away from any watercourse;
    - Emergency spill response kits would be available and maintained during construction works;
    - Mechanical plant would be well maintained and inspected regularly for leaks; and
    - Drip trays would be placed under stationary vehicles which could potentially leak fuel / oils.
    - The ECoW would have authority to stop any works that may have potential to impair habitats that support nesting birds.
- Employment of an Environmental Clerk of Works (ECoW) to provide advice, guidance and monitoring, during pre-construction and construction. The ECoW would monitor and advise on the implementation of both the planning conditions and the environmental commitments made within this Environmental

Assessment (EA), see **Chapter 10: Schedule of Mitigation**. The ECoW would also advise on the implementation of any required exclusion zones or restricted construction access for protected species. Routine inspections would be undertaken by the ECoW. Toolbox talks would be provided by the ECoW to all site personnel where applicable on relevant site sensitivities, legislation, guidance and any mitigation measures in place on site for protected species and the role of the site personnel in implementing them. The ECoW would have authority to stop any works that may have potential to impair habitats that support nesting birds.

3.2 Stage 2: Is the plan or project directly connected with or necessary to site management for nature conservation?

3.2.1 The Proposed Development is not considered to be connected to or necessary to the conservation management of any of the European sites listed in Section 2 above.

3.3 Stage 3: Is the plan or project (either alone or in combination with other plans or projects) likely to have a significant effect on the site?

3.3.1 The following field surveys were undertaken between August 2022 and August 2023 to further establish the baseline ornithological conditions at the Proposed Development (plus appropriate buffers where relevant) to inform the appraisal, and were undertaken in line with standard methodologies and best practice guidance:

- Vantage Point Surveys – undertaken monthly for a full year between August 2022 and July 2023. A total of seventy-two hours were collected from each VP during the year long period, with six hours of survey completed at each VP per month. VP locations can be found in **Figure 6.2**. Originally, a total of seven VPs were used to cover the Proposed Development, however, in June 2023, one VP was discontinued as the route options stage evolved so its vantage point area was no longer required (VP5). Three further VPs were also added at this point to provide further flight characterisation from osprey nests identified within proximity to the Proposed Development, see **Confidential Appendix 6.2** for further detail;
- Moorland Breeding Bird Surveys – undertaken across the open moorland habitats within the 750 m Survey Area. Four visits were undertaken between April and July 2023. The moorland breeding bird survey area, as shown in **Figure 6.3**, was initially designed to be a 750 m buffer from the alignment variants that were being considered at the time of survey. Since the conclusion of surveys, the alignment of the Proposed Development has been further refined based on the outcome of further surveys such as peat depth probing. This has resulted in the 750 m Survey Area widening to approximately 1.1 km in places (e.g. as the alignment passes north of Linsidemore). There is a short section where the alignment has moved closer to one side of the 750 m Survey Area as it passes through Shin Forest on the north side of the A837 public road. Here the 750 m Survey Area only extends to 690 m from the Proposed Development;
- Black Grouse Lek Surveys – undertaken in April and May 2023 within the 1.5 km Survey Area, as shown on **Figure 6.3**. As discussed above for the Moorland Breeding Bird Surveys, there are sections where the 1.5 km Survey Area extends out to 1.8 km and a short section through Shin Forest where the 1.5 km Survey Area only extends to 1.4 km from the Proposed Development;
- Breeding Diver Surveys – desk-based mapping analysis identified six lochs or waterbodies within the vicinity of the Proposed Development with potential to support breeding divers (and other waterbirds) during the Route Options appraisal stage. Distances of these waterbodies to the Proposed Development ranges from between 250 m to 3.5 km, their locations included in **Figure 6.3**. These lochs were searched between June and August 2023 for any divers using the waterbody;
- Breeding Raptor Surveys – suitable habitat was searched for nesting raptors within the 1.5 km Survey Area, as shown in **Figure 6.3**; and
- Winter Walkover Surveys – monthly winter walkover surveys were undertaken between September 2022 and February 2023 primarily to undertake searches for roosting hen harrier within the 1.5 km

Survey Area, as shown on **Figure 6.3**. In conjunction with the hen harrier roost survey, any notable aggregations of wintering wildfowl were also recorded.

3.3.2 The full details of survey areas, methods, species specific legislation and results are provided within **Appendix 6.1**. Information from baseline surveys in the context of the qualifying interests for the sites listed in Section 2 above is summarised in **Table 6.3.2: Screening for Likely Significant Effects**

Table 6.3.2: Screening of Likely Significant Effects

Site Name	Qualifying Species	Conservation Status	Screening Conclusion
Caithness and Sutherland Peatlands SPA (Site code 8476) 160 m from the Proposed Development	Supports breeding populations of European importance for the following Annex I species: Black-throated diver: 26 pairs, at least 16.3% of UK population Golden eagle: 5 pairs, at least 1.3% of UK population Golden plover: 1,064 pairs, at least 4.7% of UK population Hen harrier: 14 pairs, at least 2.8% of UK population Merlin: 54 pairs, at least 4.2% of UK population Red-throated diver: 89 pairs, at least 2.8% of UK population Short-eared owl: 30 pairs, at least 3% of the UK population Wood sandpiper: 1 to 5 pairs, up to 50% of UK population Supports breeding populations of European importance of the following migratory species: Common scoter: 27 pairs, <0.1% of biogeographic population Dunlin: 1,860 pairs, at least 16.9% of biogeographic population Greenshank: 256 pairs, at least 0.4% of biogeographic population Wigeon: 43 pairs, <0.1% of biogeographic population	Black-throated diver: unfavourable declining (2007) Common scoter: unfavourable declining (2013) Dunlin: favourable maintained (2023) Golden eagle: favourable maintained (2016) Golden plover: favourable maintained (2023) Hen harrier: favourable maintained (2016) Merlin: favourable maintained (2004) Red-throated diver: favourable maintained (2006) Short-eared owl: not assessed Wigeon: favourable maintained (2018) Wood sandpiper: favourable maintained (2023)	Baseline ornithology surveys identified the following qualifying species within the Study Area: dunlin, golden eagle, golden plover, hen harrier, merlin, red-throated diver, short-eared owl and wood sandpiper. Due to the proximity of the Proposed Development to the SPA, birds recorded within the Study Area could potentially form part of the SPA qualifying species assemblages. The following effects on the SPA cannot be ruled out: • Disturbance or displacement of qualifying species recorded breeding within the Study Area (red-throated diver, hen harrier, golden plover, greenshank and dunlin). • Mortality to qualifying species out with the SPA through collision with the overhead line (OHL). Hen harrier out with the SPA through collision with the overhead line.
Strath Carnaig and Strath Fleet Moors SPA (Site code 9190) 5.9 km east and north-east of the Proposed Development	Supports a breeding population of European importance of the following Annex I species: Hen harrier: 12 pairs, c. 2.5 % of the UK population	Hen harrier: Unfavourable declining (2021)	Baseline surveys identified hen harrier breeding within, and overflying, the Study Area. Due to the proximity of the Proposed Development to the SPA, it is possible the birds recorded within the Study Area form part of the SPA population. The following effects on the SPA cannot be ruled out: • Disturbance or displacement of breeding hen harrier; • Mortality to hen harrier out with the SPA through collision with the overhead line.
Lairg and Strath Brora Lochs SPA (Site code 8522) 9.9 km north-east of the Proposed Development	Supports a breeding population of European importance of the following Annex I species: Black-throated diver: 6 pairs, at least 3.8 % of the UK breeding population)	Black-throated diver: Favourable maintained (2008)	Baseline ornithology surveys did not record any black-throated diver either breeding within or overflying the Study Area. Due to their absence from the Study Area the potential for LSEs is considered unlikely.

3.3.3 An appraisal of LSE for individual qualifying interests is provided in **Table 6.3.3: Likely Significant Effects for Qualifying Interests**

Table 6.3.3: Likely Significant Effects Qualifying Interests

Qualifying Species	Baseline	Potential disturbance / displacement effects	Potential collision effects
Black-throated diver **Caithness and Sutherland Peatlands SPA; Lairg and Strath Brora Lochs SPA**	No birds were recorded overflying or breeding within the Study Area.	Due to the absence of birds recorded within the Study Area, the effects of displacement / disturbance are considered not significant for this species.	Due to no flights being recorded within the Study Area, the effects of collision mortality are considered not significant for this species.
Common scoter **Caithness and Sutherland Peatlands SPA**	No birds were recorded overflying or breeding within the Study Area.	Due to the absence of birds recorded within the Study Area, the effects of displacement / disturbance is considered not significant for this species.	Due to no flights being recorded within the Study Area, the effects of collision mortality is considered not significant for this species.
Dunlin **Caithness and Sutherland Peatlands SPA**	Two flights were recorded during VP surveys, neither within the Potential Collision Zone (PCZ) at Potential Collision Height (PCH). No breeding territories were recorded within the moorland breeding birds Survey Area, but a pair of bird were observed during raptor surveys in June 2023 and diver surveys in July 2023, 160 m from the edge of the Survey Area, within proximity to Loch an Ràsail.	Due to the absence of breeding territories within published disturbance distances for this species, the effects of displacement / disturbance is considered not significant for this species.	Due to the low level of flight activity recorded within the Study Area and no flights recorded within the PCZ at PCH, the effects of collision mortality is considered not significant for this species.
Greenshank **Caithness and Sutherland Peatlands SPA**	Six flights of individual birds were recorded during VP surveys, none within the PCZ at PCH. One territory was recorded within the moorland breeding bird survey area, 785 m from the Proposed Development. An additional territory was found during breeding diver surveys, over 1.5 km from the Proposed Development.	Due to the absence of breeding territories within published disturbance distances for this species, the effects of displacement / disturbance is considered not significant for this species.	Due to the low level of flight activity recorded within the Study Area and no flights recorded within the PCZ at PCH, the effects of collision mortality is considered not significant for this species.
Golden plover **Caithness and Sutherland Peatlands SPA**	Sixteen flights were recorded during VP surveys, two flights of individual birds were within the PCZ at PCH. One breeding territory was recorded within 730 m of the Proposed Development and an additional territory was noted c. 2 km north of the Proposed Development during breeding diver surveys.	Due to the absence of breeding territories within published disturbance distances for this species, the effects of displacement / disturbance is considered not significant for this species.	Due to the low level of flight activity recorded within the Study Area and no flights recorded within the PCZ at PCH, the effects of collision mortality is considered not significant for this species.

Qualifying Species	Baseline	Potential disturbance / displacement effects	Potential collision effects
Hen harrier **Caithness and Sutherland Peatlands SPA** **Strath Carnaig and Strath Fleet Moors SPA**	One breeding territory was recorded within 100 m of the Proposed Development. A total of fourteen flights were recorded during VP surveys, with six flights of single birds recorded at PCH within the PCZ. Flight activity was centred around the identified nest site. No roosts were identified during winter walkover surveys.	Given the proximity of the Proposed Development to a nest site, there is potential for disturbance of this pair if they nest in a similar area during the construction phase.	Given the proximity of the Proposed Development to the nest site and the activity associated with the nest, collision during the operational phase has the potential to result in an adverse effect for hen harrier.
Merlin **Caithness and Sutherland Peatlands SPA**	No breeding territories are located within 1.5 km of the Proposed Development. Four flights were recorded during VP surveys, none within the PCZ at PCH.	Due to the absence of breeding territories within published disturbance distances for this species, the effects of displacement / disturbance is considered not significant for this species.	Due to the low level of flight activity recorded within the Study Area and no flights recorded within the PCZ at PCH, the effects of collision mortality is considered not significant for this species.
Red-throated diver **Caithness and Sutherland Peatlands SPA**	A breeding territory was recorded within 4 km of the Proposed Development. Three flights were recorded during VP surveys, none within the PCZ at PCH.	Due to the absence of breeding territories within published disturbance distances for this species, the effects of displacement / disturbance is considered not significant for this species.	Due to the low level of flight activity recorded within the Study Area and no flights recorded within the PCZ at PCH, the effects of collision mortality is considered not significant for this species.
Short-eared owl **Caithness and Sutherland Peatlands SPA**	No breeding territories are located within 1.5 km of the Proposed Development. Two flights were recorded during VP surveys, none within the PCZ at PCH.	Due to the absence of breeding territories within published disturbance distances for this species, the effects of displacement / disturbance is considered not significant for this species.	Due to the low level of flight activity recorded within the Study Area and no flights recorded within the PCZ at PCH, the effects of collision mortality is considered not significant for this species.
Wigeon **Caithness and Sutherland Peatlands SPA**	No birds were recorded overflying or breeding within the Study Area.	Due to the absence of birds recorded within the Study Area, the effects of displacement / disturbance is considered not significant for this species.	Due to no flights being recorded within the Study Area, the effects of collision mortality is considered not significant for this species.

3.3.4 To consider LSE in combination with other projects, this appraisal considers the potential for cumulative effects with other OHL and wind farm developments that are consented or at application stage. Operational developments including wind farms and OHLs are considered to form part of the baseline. Projects at scoping stage are not considered as they generally do not have sufficient information on potential effects to be included. Projects that have been refused of withdrawn are also not included. Developments that are considered within this appraisal are included in **Table 6.3.4: Energy Development Sites within 5 km of the Proposed Development [2].** This appraisal focuses on ornithological features for which potential effects of the Proposed

[2] *Based on a cumulative baseline search of consented or submitted planning applications three months prior to submission of the application to allow finalisation of the EA.*

Development have been identified, namely hen harrier. The four sites considered did not predict significant effects on hen harrier.

Table 6.3.4: Energy Development Sites within 5 km of the Proposed Development

Development	Stage	Distance from Proposed Development (km)	Potential Effects and Mitigation
Achany Wind Farm Extension	Consented	0 km	No effects were considered likely for hen harrier or designated sites (SPAs).
Strath Oykel Wind Farm	Consented	4.7 km south-west	No effects were considered likely for hen harrier or designated sites (SPAs).
Garvary Wind Farm	Consented	4 km north-east	The EIA reports negligible collision risk to hen harriers, but noted potential for disturbance to hen harrier in the absence of mitigation.
Lairg II Wind Farm	Consented	4.8 km north-east	The EIA reports no significant effects predicted for hen harrier. The outline habitat management plan includes habitat creation for hen harrier.

3.4 Stage 4: Undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives

3.4.1 The potential for LSEs on hen harrier cannot be fully ruled out. To reduce the potential effects of disturbance / displacement and collision risk to hen harrier, the following species-specific mitigation is proposed.

Measures to Reduce Impacts from Disturbance / Displacement Effects

3.4.2 Hen harriers are included in Schedule 1A giving them legal protection against disturbance year-round rather than the breeding season only. They are considered a species of Medium behavioural sensitivity (refer to **Table 6.4** of **Chapter 6: Ornithology**). As disturbance or displacement of the pair breeding within proximity to the Proposed Development could lead to effects on the neighbouring SPAs, it is important not to create any unnecessary disturbance to hen harrier using this area during the breeding season. No hen harrier roosts were identified within proximity to the Proposed Development to suggest that construction out with the breeding period would result in adverse effects on this species. It is recognised that hen harrier can move their nest sites within areas of similar suitable habitat and that new nests and new roosts could be established and additional birds could move into an area. In addition to the general measures set out in the Bird SPP (**Appendix 3.3**), a species-specific hen harrier SPP will be developed prior to construction commencing which will include the following:

- background information on the legal protection of hen harrier and the responsibilities of the Applicant, the Principal Contractor and the ECoW / ornithologist in protecting this species from disturbance;
- pre-construction surveys for breeding and roosting hen harriers undertaken in accordance with current guidance and at the correct time of year;
- pre-construction surveys must be up to date and have been undertaken at no more than six months prior to the commencement of works, including enabling, felling and construction works;
- pre-construction surveys will include enabling, felling and construction works; and
- a construction programme would be detailed prior to the commencement of construction. This programme would initially incorporate precautionary set back distances of 750 m around the identified nest site where works would not be scheduled to be undertaken between March and August.

3.4.3 Dissuasion techniques such as the use of bird scarers, as set out in the general Bird SPP, will not be undertaken within 750 m of nests sites as this would not be appropriate given the connectivity of hen harrier with the nearby SPAs.

3.4.4 If hen harriers are found to be breeding elsewhere within proximity to the Proposed Development, a 750 m safe working distance would be implemented and maintained to avoid disturbance to birds and the hen harrier SPP would be implemented, monitored by the ECoW or suitably experienced ornithologist.

3.4.5 The implementation of the above mitigation measures will ensure that during the construction phase of the Proposed Development, and any associated maintenance activities undertaken during the operational phase, displacement effects would not impact on the viability of the territory of a breeding pair, potentially associated with the SPA and as such would not undermine the conservation objectives of either the Caithness and Sutherland Peatlands SPA or Strath Fleet and Strath Carnaig SPA.

Measures to Reduce Impacts from Collision Risk Effects

3.4.6 Collision risk can be decreased by the use of line marking by improving the visibility of wires. Line marking is proposed along a 1.7 km section of OHL within proximity to the identified hen harrier nest and where flight activity surveys identified a potential 'hot spot' of collision risk for hen harrier. Line marking also takes into account the topography and slope angles from the nest. See **Confidential Appendix 6.2**, for details on the location of line marking. The OHL will be marked using reflective Bird Flight Diverters (BFDs) spaced at 5 m intervals. These will be maintained for the duration of the operational period.

3.4.7 The implementation of BFDs, installed in a location identified as a potential 'hot-spot' for hen harrier flight activity, will increase the line visibility and it is considered unlikely that the Proposed Development would result in an increased collision risk for this pair, potentially associated with the SPA and as such would not undermine the conservation objectives of either the Caithness and Sutherland Peatlands SPA or Strath Fleet and Strath Carnaig SPA.

3.5 Stage 5: Can it be ascertained that the proposal will not adversely affect the integrity of the site?

3.5.1 With consideration of the full adoption of embedded and targeted mitigation, the Proposed Development is not considered to undermine the conservation objectives or impact on the site integrity of either the Caithness and Sutherland Peatlands SPA or Strath Carnaig and Strath Fleet Moors SPA, as summarised in **Table 6.3.4: Summary of Residual Effects on SPA Conservation Objectives**.

Table 6.3.4: Summary of Residual Effects on SPA Conservation Objectives and Site Integrity

Summary of Residual Effects on SPA Conservation Objectives		
Conservation Objectives	**Potential Residual Effects**	**Will there be Advesre Effects on Site Integrity**
Avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species	No direct effects are predicted as no construction would be required within the SPA.	No
Maintaining population of the qualifying species as a viable component of the site	With the implementation of mitigation measures detailed above there is no significant risk of disturbance breeding individuals within the Study Area that may form part of the SPA assemblages. With implementation of the mitigation measures detailed above, collision risk is not considered to be increased for a pair of hen harrier, potentially associated with the SPA.	No
Maintain distribution of the qualifying species within the site	The distribution of qualifying species from the SPA would be unaffected by the Proposed Development.	No
Maintain distribution and extent of habitats that support the qualifying species	No direct effects are predicted as no construction would be required within the SPA. No significant loss of non-SPA habitat is predicted as a result of the construction of the Proposed Development (full details provided in **Chapter 5: Ecology**).	No
Maintain the structure, function and supporting processes of the habitats supporting the qualifying species	The structure, function and supporting processes of the habitats that support the qualifying species of the SPA would be unaffected by the Proposed Development. There would be no direct impact on these habitats (full details provided in **Chapter 5: Ecology**).	No
Prevent any significant disturbance on the qualifying species	There would be no significant disturbance on the qualifying species of the SPA. Disturbance from indirect sources would be avoided through implementation of SPPs, GEMPs and CEMP.	No