

Wildcat Species Protection Plan



TG-NET-ENV-507	Wildcat Species Protection Plan		Applies to
			Transmission ✓
Revision: 1.03	Classification: Internal	Issue Date: December 2022	Review Date: December 2030

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1 Introduction

Wildcat is a European Protected Species and is afforded a high level of protection in Scotland. This Protection Plan provides guidance and agreed procedures for the protection of wildcats and their shelters during construction works on Scottish Hydro Electric (SHE) Transmission projects.

2 References

The documents detailed in Table 2.1 - Miscellaneous Documents, should be used in conjunction with this document

Table 2.1 - Miscellaneous Documents

Title
The Conservation (Natural Habitats &c.) Regulations 1994 (as amended in Scotland)
EC Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)
The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007
The Conservation (Natural Habitats, &c.) (EU Exit) (Scotland) (Amendment) Regulations 2019
NatureScot Licensing

3 General Protection Plan

3.1 Introduction

This Species Protection Plan applies to all projects where wildcat may be present. It outlines the responsibilities of SHE Transmission and the Contractor regarding protection of wildcat. It also details relevant legislation, survey requirements, general mitigation measures and the requirement for licensing and mitigation.

3.2 Background

Wildcats are a member of the Felidae family with a population restricted to marginal areas predominantly in northern Scotland, in essence north of the Highland Boundary Fault. In the 19th century wildcats were heavily hunted and persecuted, this combined with habitat loss reduced their numbers dramatically. It is now estimated that approximately 400 wildcats remain in Scotland, although estimates do vary.

Domestic tabby cat strongly resemble wildcat; however, they are smaller and less robust. Wildcats can easily hybridise with feral and domestic cats making it difficult to confidently identify wildcats. One diagnostic feature of a wildcat is the thick, bushy tail with black rings and a black blunt tip.

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Wildcats also have distinct stripes on their flanks that are less broken or spotty than on tabby cats and hybrid cats (see Kitchener *et al.* 2005 for details¹). They also do not have white paws.

Wildcats are solitary animals that occupy their own exclusive home range, however the exclusive home range of a male wildcat may overlap with the territories of one or a number of female wildcats. These home ranges can be very large, up to 18 km², but can also be much smaller depending on the density of their prey - primarily rabbits and other small mammals. Male home ranges are usually larger than female home ranges.

Wildcats are an exclusively carnivorous species. They usually inhabit woodland areas but due to the lack of suitable habitat in the UK can also be found using more open habitats such as moorland or rough grazing. Wildcats have a number of dens throughout their home range that they have access to. These dens are usually among rocks and boulders and rocky cairns on hillsides and can also be in abandoned fox earths, badger setts and rabbit burrows as well as among tree roots. Females use different dens to give birth and rear kittens than they do to shelter in.

Wildcats breed predominantly between January and March and give birth to their young between April and May, however they can breed at any time during the year. The female is the sole provider for the kittens bringing live prey to the den from when they are 3 weeks old, and she will stop producing milk at 6-7 weeks. The young usually leave their mothers and become independent at around 5-6 months old. Signs of wildcat include (although these can be indistinguishable from feral and hybrid cats);

- Feeding signs – prey remains may be left inside or outside of dens
- Wildcat tracks and scats – wildcats may mark their home range on prominent features such as trees and boulders on tracks by spraying urine or leaving scats
- Claw marks – wildcats scratch the bark of trees to mark their home range
- Places of shelter – dens are usually marked by urine sprays or scats

Due to their nocturnal activity, it can be difficult to confirm the presence of wildcats at suspected dens, and to be sure that the individual is a pure wildcat, therefore camera traps may be required to positively identify a wildcat and confirm its presence in the area.

3.3 Responsibilities

It is the *Contractor's* responsibility to comply with all the requirements of this Species Protection Plan where wildcat may be present, and it is both the *Contractor's* and SHE Transmission's responsibility to monitor compliance with this Species Protection Plan. The responsibility for applying for any licence, may vary from project to project, but all applications and mitigation works will adhere to this plan.

1.1

¹ Kitchener AC, Yamaguchi N, Ward J and Macdonald DW. 2005. A diagnosis for the Scottish wildcat (*Felis silvestris*): a tool for conservation for a critically endangered felid. *Animal Conservation* (8): 223-237.

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3.4 Legislation

Wildcat is a European Protected Species (EPS) protected under Annex II and IV of EC Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive). The Habitats Directive is transposed into Scottish law by The Conservation (Natural Habitats &c.) Regulations 1994 (as amended in Scotland). The protection has remained operable in Scotland following amendments of the Regulations by The Conservation (Natural Habitats, &c.) (EU Exit) (Scotland) (Amendment) Regulations 2019. Wildcat is listed on Schedule 2 of The Conservation (Natural Habitats &c.) Regulations 1994. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection. Current Legislation means that wildcat and their shelters are fully protected in Scotland. Guidance on the protection given to wildcat and their shelters is available on the NatureScot website

<https://www.nature.scot/plants-animals-and-fungi/mammals/land-mammals/wildcats>

In summary, it is illegal to:

- Deliberately or recklessly¹ kill, injure or take (capture) a wildcat;
- Deliberately or recklessly disturb or harass a wildcat; and
- Damage, destroy or obstruct access to a breeding site or resting place of a wildcat (i.e., a wildcat shelter).

Licences may be granted for certain purposes that would otherwise be illegal / cause an offence; such licences for development work must be applied for from NatureScot, licences may be granted for imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment. Further information on licensing and wildcats can be found on the NatureScot website

<https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/wildcats-and-licensing>.

3.5 Surveying for Wildcat

1. Surveys for wildcat must be undertaken in all works areas containing suitable wildcat habitat, a maximum of 12 months² prior to works commencing, (this includes site investigations).
2. Surveys must extend for a minimum of 200 m beyond working areas, including access tracks.

1.1

¹ Reckless acts would include not having or disregarding a mitigation plan aimed at protecting wildcat resulting in killing, injury, and/or disturbance of any wildcat or wildcat place of shelter, or carrying out an activity which would result in an offence where the presence of wildcat was foreknown.

² Note: Information from any previous surveys (e.g., surveys carried out to provide data for Environmental Impact Assessment (EIA) or other Assessments) can be a useful guide to wildcat activity in an area, particularly if dens were recorded. However, surveys will always require to be updated if carried out more than 12 months prior to works commencing. surveys a maximum of 3 weeks prior to works are recommended.

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3. Surveys must be carried out by suitably qualified and experienced ecologists and must identify whether any wildcat and/or their places of shelter are likely to be affected by the works.
4. If wildcats are known to be in the area or evidence of wildcat is found during the initial survey this should alert surveyors and staff to the need for general mitigation measures. Where mammal dens or places of shelter are found during protected mammal surveys, unless the area can be avoided more detailed survey will likely be required to identify which species are using the den. This will usually involve the use of trail cameras at possible dens for a minimum of 1 month and / or DNA testing of scat or hairs found at the possible den site. If evidence of use by wildcat is established the structure must be assumed to be a den. Paired camera traps are normally required to adequately capture images of the pelage, which are crucial for correct identification of wildcats. The ecologist or EcoW should consult NatureScot Licensing Team regarding appropriate camera trapping methodology and a licence for disturbance will be required for any camera trapping. If possible wildcat scats or tracks are found away from possible den sites, use of trail camera could be useful to establish which species left them, but the priority should be on identification of potential wildcat dens.
5. It is important to note that some intrusive surveys may require a Licence from NatureScot.

3.6 Review of Wildcat Survey

Once a wildcat survey has been carried out, the ecologist / ECoW must review the survey results, apply the mitigation hierarchy outlined below and decide if a licence is required from NatureScot for the works. If required, a licence must be obtained from NatureScot prior to any works commencing. Construction teams should be advised of existing / new constraints, together with mitigation / compensation, and licensing requirements by the ecologist / ECoW. Relevant site documentation and project information sources should be updated with new and amended information on wildcat constraints as it is produced, with changes communicated to appropriate staff immediately.

3.7 Mitigation Hierarchy

There should be a general presumption against works being carried out which will disturb wildcat in their den, or which will require the destruction of any wildcat den. A hierarchical approach to minimise the impact on wildcat should be established as follows:

Avoidance

This is the preferred option. Appropriately sized protection zones must be marked and signed on the ground by the ecologist / EcoW, with appropriate material, around all wildcat dens identified during the pre-works surveys. A 200 m radius protection zone must be established around all wildcat dens at any time of year.

All works personnel, machinery, vehicles and storage of materials must be restricted from entering

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protection zones. Protection zones must be maintained until all works are completed. Site staff must be briefed of their purpose through a Toolbox Talk by the ecologist / EcoW. If wildcat disturbance can be avoided in this way, there is no need to obtain a licence from NatureScot for the works.

Disturbance

If works within protection zones cannot be avoided, a Licence for disturbance from NatureScot will always be required.

Individual licence applications for disturbance must be accompanied by a Mitigation Plan which outlines how the disturbance will be minimised, and dens protected from damage, for example through screening of works and modifying protection zones.

Wildcat are currently in unfavourable conservation status in Scotland therefore it is unlikely that a licence will be issued by NatureScot for wildcat den destruction.

3.8 Mitigation Measures

3.8.1 General Mitigation – in all wildcat areas (i.e., where no specific signs found during surveys but known to be locally present).

1. Any temporarily exposed pipe system should be capped when staff are off site to prevent wildcats from gaining access and becoming trapped.
2. All exposed trenches and holes should be provided with mammal exit ramps e.g., wooden planks or earth ramps when Contractors are off site.
3. An emergency procedure will be implemented by site workers if wildcat dens are encountered. All work within 200 m will cease, and the ECoW will inspect the site and define mitigation (if required) in line with this SPP.
4. An exceptional circumstance procedure will be implemented should mitigation options not prove satisfactory in a particular case. Works will be halted whilst mitigation is determined (with consultation with NatureScot Licensing Team if required).

3.8.2 Mitigation where a wildcat den is subject to disturbance (under license)

Site specific conditions will be required but may include, protection zones, timing, limits on hours of operation, lighting, noise.

Monitoring and Reporting

1. The Ecologist / Ecological Clerk of Works (EcoW) will attend site on a regular basis throughout the construction period to ensure all environmental mitigation relevant to wildcats is delivered.
2. Reports will be submitted to NatureScot as required by the relevant Licence.

3.9 Licensing Requirements

Licence applications must be sent into NatureScot Licensing Team sufficiently in advance of the project start date (approximately 30 days) to ensure the licence is in place prior to any work commencing.

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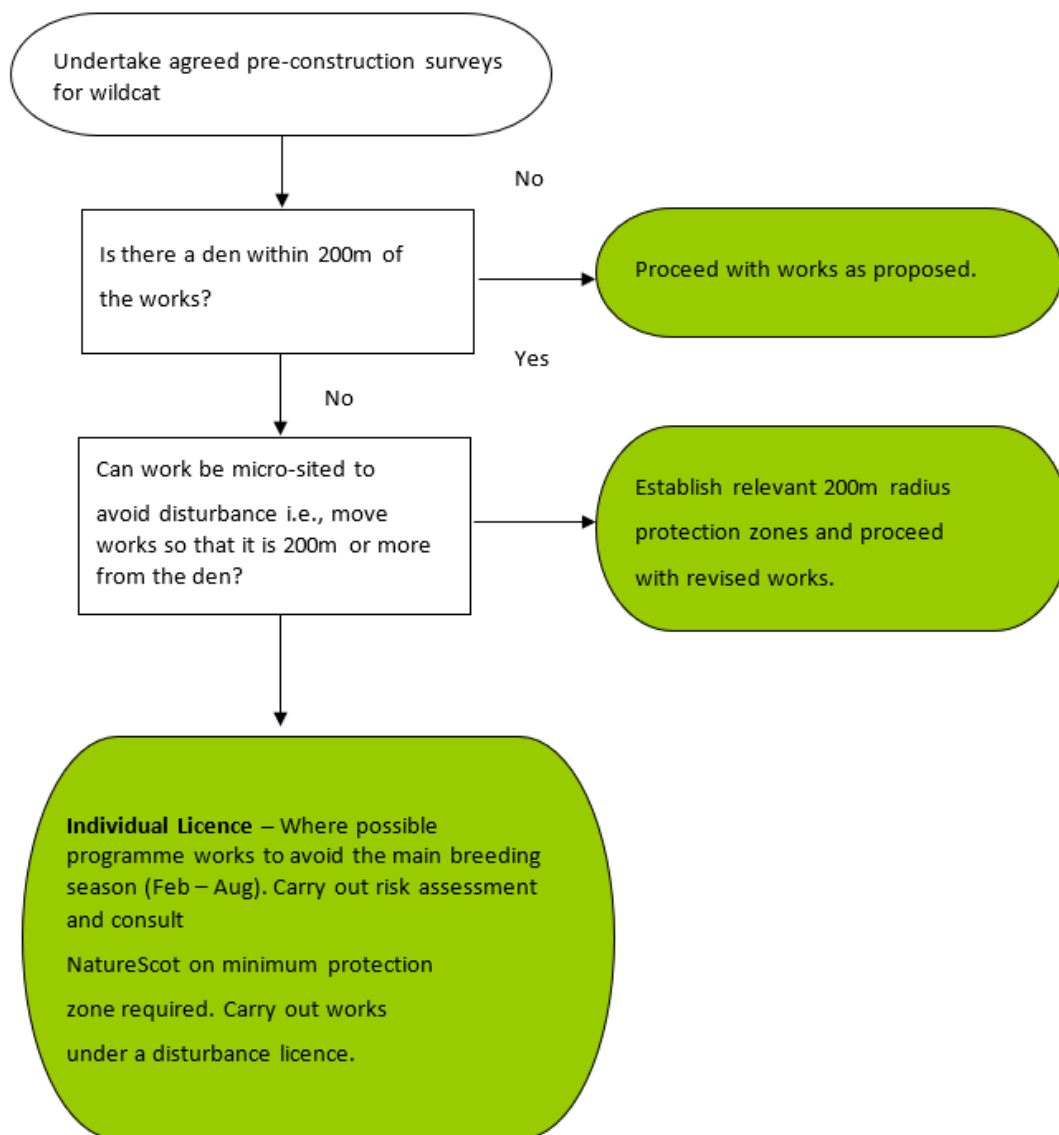


Figure 3.1 - Wildcat Mitigation Decision Tree

4 Revision History

No	Overview of Amendments	Previous Document	Revision	Authorisation
01	Transfer to new template and Nomenclature	TG-PS-LT-720 (Rev 1.00)	1.00	Richard Baldwin
02	Update to wildcat signs section	TG-NET-ENV-507 (Rev 1.00)	1.01	Richard Baldwin
03	Reworded introduction. Update to weblinks and typo changes. Changes to decision tree.	TG-NET-ENV-507 (Rev 1.01)	1.02	Richard Baldwin

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No	Overview of Amendments	Previous Document	Revision	Authorisation
04	Transfer to New Template. Updates relating to NatureScot and simplification of legislation.	TG-NET-ENV-507 (REV 1.02)	1.03	Richard Baldwin
05				