

# Pilot Pentland Firth & Orkney Waters Marine Spatial Plan

## Habitats Regulations Appraisal Record

March 2016

# PILOT PENTLAND FIRTH AND ORKNEY WATERS MARINE SPATIAL PLAN

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Report prepared by:



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# Abbreviations

AA	Appropriate Assessment
AEOI	Adverse Effects on Integrity
cSAC	Candidate Special Area of Conservation
EU	European Union
HRA	Habitats Regulations Appraisal
LDP	Local Development Plan
LSE	Likely Significant Effect
MPA	Marine Protected Area
MRIP	Marine Renewables Infrastructure Plan
NMP	National Marine Plan
PFOW	Pentland Firth and Orkney Waters
Pilot Plan	The Pilot Pentland Firth and Orkney Waters Marine Spatial Plan
pSAC	Proposed Special Area of Conservation
pSPA	Proposed Special Protection Area
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Sites of Community Interest
SEA	Strategic Environmental Assessment
SNH	Scottish Natural Heritage
SPA	Special Protection Areas

# 1 Introduction to the Habitats Regulation Appraisal (HRA)

- 1.1 The Habitats Regulations Appraisal (HRA) process initially required an appraisal of whether the components of the Pilot Pentland Firth and Orkney Waters Marine Spatial Plan (the Pilot Plan) would result in likely significant effects (LSE) on European Sites; those sites designated under the European Habitats or Birds Directives as Special Areas for Conservation (SACs) or Special Protection Areas (SPAs). If determined that LSE on a European site may occur then the Pilot Plan would be subject to an 'appropriate assessment' (AA) of its implications for European sites, in view of these site's conservation objectives.
- 1.2 This HRA Record sets out the methodology undertaken in the appraisal process of the Pilot Plan, the steps undertaken to consider the Pilot Plan, and discussion on the findings of the HRA process. This HRA was undertaken using guidance provided by the Scottish Government<sup>1</sup> and Scottish Natural Heritage (SNH)<sup>2</sup> which details advice on the steps and process to be followed in undertaking plan-level HRA.

## 2 Legal Context for HRA

- 2.1 Article 6(3) of the Habitats Directive<sup>3</sup> requires that any plan or project which is not directly connected with or necessary to the management of a European/Ramsar site (also known as a Natura 2000 site), but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an 'appropriate assessment' of its implications for the Natura site, in light of the site's conservation objectives.
- 2.2 Natura 2000 is an EU-wide network of nature protection areas established under the Habitats Directive, with the aim of conserving Europe's most valuable and threatened species and habitats and was developed to work towards their long-term survival. The network is comprised of SACs designated by Member States under the Habitats Directive, and also incorporates SPAs which are designated under the 1979 Birds Directive<sup>4</sup>. In

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<sup>1</sup> Scottish Government (2012) July 2012, Habitats Regulations Appraisal (HRA) Advice Sheet. Screening general policies and applying simple mitigation measures. Advice sheet No. 2 (Version 1) [online] Available at: <http://www.gov.scot/Resource/0041/00415048.pdf> (accessed 22/02/2016).

<sup>2</sup> Scottish Natural Heritage (2015) January 2015, Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland, Version 3.0 [online] Available at: <http://www.snh.gov.uk/docs/A1500925.pdf> (accessed 22/02/2016)

<sup>3</sup> Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora [online] Available at: [http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm) (accessed 22/02/2016)

<sup>4</sup> Directive 79/409/EEC as amended on the conservation of wild birds [online] Available at: [http://ec.europa.eu/environment/nature/legislation/birdsdirective/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm) (accessed 22/02/2016)

addition, it is a matter of law that candidate SACs (cSACs) and Sites of Community Interest (SCI) should be considered as if they were designated, and that proposed SACs (pSACs) and proposed SPAs (pSPAs) should also be considered as if they were designated. Whilst not currently a legal requirement for consideration in HRA, the draft marine SPAs published in July 2014<sup>5</sup> are expected to be issued for formal consultation in 2016. However, in the context of this HRA, these areas have been considered as if they have been designated.

- 2.3 The Directive adds that the competent authority shall agree to the plan only after having ascertained that it will not adversely affect the integrity of the site concerned, unless in exceptional circumstances the provisions of Article 6(4) are met. This procedure is applied in Scotland through the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)<sup>6</sup>.

### 3 Approach to the HRA

- 3.1 As illustrated in Figure 1, a six-step approach was developed for undertaking the HRA on the Pilot Plan, broadly reflecting the 13 stage methodology of the HRA process advocated in the SNH Guidance. This process was developed to simplify the process and customise it to the Pilot Plan and its policies while still reflecting the requirements of the Directive and the methodology in the SNH Guidance.
- 3.2 The Draft HRA Record was prepared and published within the Sustainability Appraisal (SA) for the draft Pilot Plan and its policies, and was issued for public consultation alongside the draft Pilot Plan in July 2015. The Draft HRA Record noted the potential for changes to the Pilot Plan and/or its policies, including changes to the focus and scope of specific policies and the potential for the development of new policies for inclusion in the final Plan. As a consequence, the HRA Record remained in draft while the Pilot Plan and its policies were still being developed following the consultation. The HRA remained open during this period, and the findings of the screening process (Step 4) set out in the Draft HRA Record were regularly monitored and reviewed to identify the potential for impacts on the HRA process and whether there was a need for undertaking an AA (Step 5). This process culminated in the preparation and issue of the final HRA Record (this Record) for publication alongside the finalised Pilot Plan (Step 6).

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<sup>5</sup> JNCC and SNH (2014) The suite of Scottish marine dSPAs [online] Available at: <http://www.snh.gov.uk/docs/A1350044.pdf> (accessed 22/02/2016)

<sup>6</sup> SNH (2013) Species Protection under the Habitats Regulations 1994 [online] Available at: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-species/legal-framework/habitats-directive/regulations/> (accessed 22/02/2016)

### 3.3 The six-step process included:

- **Step 1: Decide if an HRA is required** – A review of the requirement for HRA based upon the approach outlined in Stage 1 of Figure 1, based upon Section 2 of the SNH Guidance.
- **Step 2: Identify European sites** – Identification of the European sites (SACs, SPAs and Ramsar sites) to be considered in the screening of the Pilot Plan, reflecting Stages 2 and 3 outlined in the SNH Guidance.
- **Step 3: Impact pathways review and identify activities to which features are sensitive** –
  - Identification of the impact pathways relevant for each of the policies in the Pilot Plan.
  - A review of the activities likely to arise from adoption of the Pilot Plan and its policies, and environmental changes which could have an impact on European/Ramsar sites or interest features via the identified impact pathways.
- **Step 4: Activity-based screening of Natura Sites** –
  - Identification (screening) of those Natura sites and their relevant interest features for which there is a LSE, or for which a LSE cannot be excluded, from the relevant policies in the Pilot Plan and the impact pathways.
  - The identification and application of mitigation measures as applicable.
  - Steps 3 and 4 broadly represented Stages 5 – 7 in the process outlined in the SNH Guidance for Screening for LSE and consideration of the requirement for an ‘Appropriate Assessment’.
- **Step 5: Detailed pathway-feature sensitivity review and assessment of the potential effects on European/Ramsar sites** – If significant effects were considered likely based upon the Screening (Step 4), including after the application of mitigation measures, this would include:
  - A detailed review of the sensitivities of the relevant interest features to the identified impact pathways and activities likely to arise from adoption of the Pilot Plan and its policies.
  - Undertaking an Appropriate Assessment of the policies in the Pilot Plan to identify if there are adverse effects on the integrity of European sites, both alone and in-combination with other existing plans and projects. These steps in the process would represent Stages 8 and 9 in the process outlined in the SNH Guidance.
  - If required, the identification of available mitigation measures for each identified impact pathway and the identification of additional

mitigation measures which ensure that these activities have no adverse effects on integrity (AEOI).

- Preparation of a Draft HRA Record, representing stage 10 in the process outlined in SNH Guidance.
- **Step 6: Preparation of the HRA Record** – Involving consultation with SNH and other stakeholders and the public if appropriate, undertaking amendments to the Draft HRA Record and the Pilot Plan based upon comments, and preparation of the Final HRA Record. This step broadly represented the remaining stages 11 – 13 in the process outlined in SNH Guidance.

## 4 Summary of Findings of the HRA Record

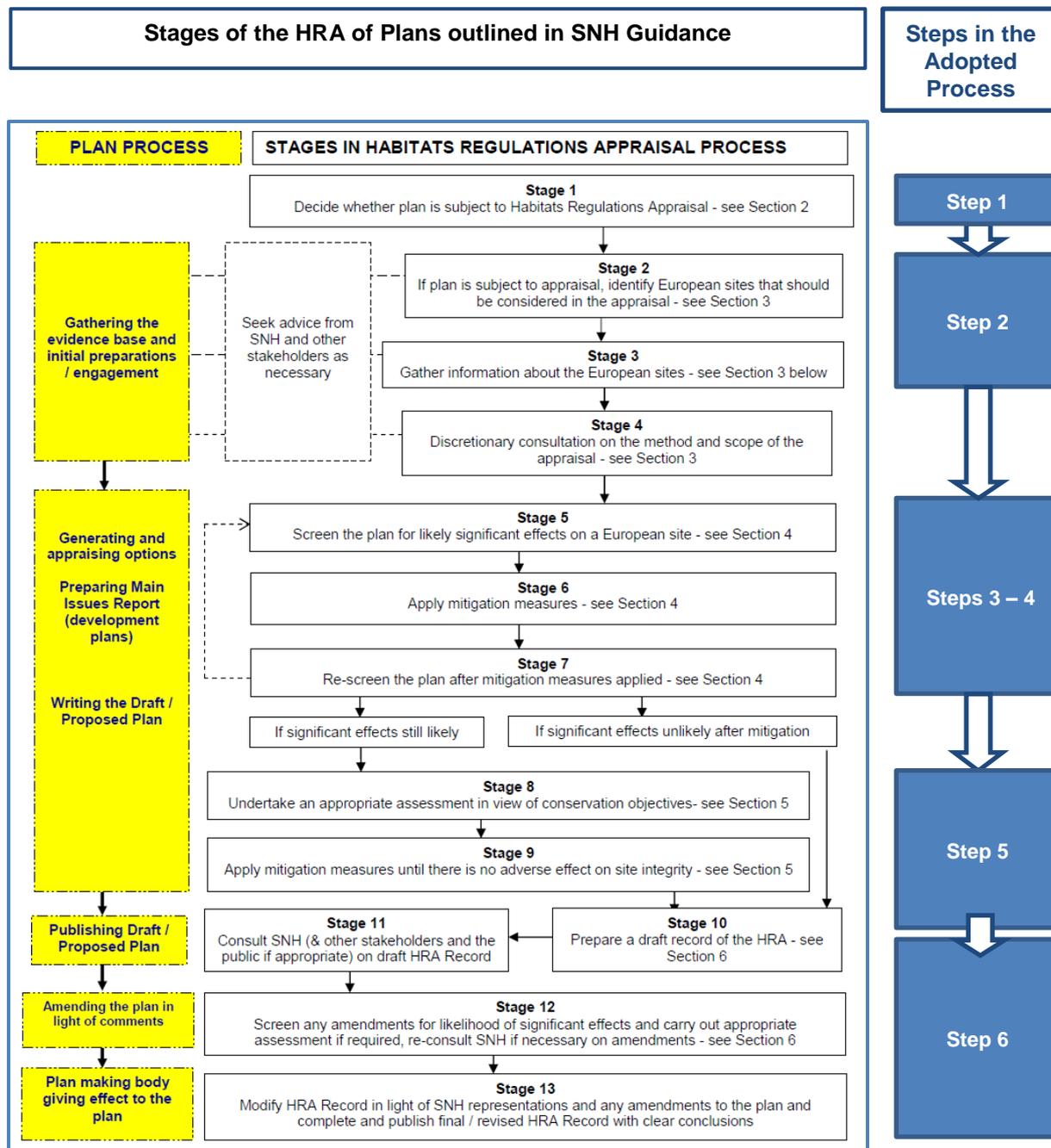
### Step 1: Decide if a HRA is required

- 4.1 The initial step of the HRA process involved reviewing the draft Pilot Plan to determine if a HRA was required. This step involved comparing the Plan against criteria set out in Section 2 of the SNH Guidance.
- 4.2 As shown in Figure 2, this review concluded that while the Pilot Plan would not be directly connected with or necessary to the management of a European site for nature conservation purposes, nor was it identified by regulations 85A or 69A, it would provide a framework for deciding applications and influencing decision-makers as a result of being a material consideration in licencing decisions.
- 4.3 As a consequence, Marine Scotland considered that the plan should be subject to HRA.

### Step 2: Identify European sites

- 4.4 The second step of the HRA process undertaken involved identifying European sites that should be considered in the screening of the Pilot Plan. This step involved researching the sites and qualifying interests that could be subject to LSE from the Pilot Plan.
- 4.5 An initial list of sites to be screened was compiled and this is presented in Annex 1 of this Record. At this stage of the process, and given the strategic focus of the Pilot Plan, a review of these sites aided the consideration of potential impact pathways in the next step of the process. However, it was also noted in the Draft Record that, depending on the findings of the screening, a more detailed analysis and appraisal of sites may be required.

Figure 1: The process for undertaking the HRA of the Pilot Plan<sup>7</sup>



<sup>7</sup> Scottish Natural Heritage (2015) January 2015, Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland, Version 3.0 [online] Available at: <http://www.snh.gov.uk/docs/A1500925.pdf>

## Steps 3 – 4: Impact pathways review and identification of activities to which qualifying features are sensitive, and Activity-based screening of European/Ramsar Sites

- 4.6 The next two steps of the process involved the identification of impact pathways associated with the draft Pilot Plan and the general and sectoral policies contained within it. This work relied heavily on work undertaken on the Strategic Environmental Assessment (SEA) of the draft Pilot Plan being conducted in parallel to the HRA, and was also informed by previous SEAs and recent or ongoing HRAs undertaken for the Scottish marine environment; notably the Sectoral Marine Plans for Offshore Renewables, the National Marine Plan (NMP), Marine Protected Areas (MPAs)<sup>8</sup>, amongst others. For example, these assessments informed the consideration of known pathways and known likely distances for movement of Natura qualifying species.
- 4.7 From this, the following potential impact pathways were identified:
- Physical loss of habitats from removal or smothering.
  - Physical damage to habitats and species from siltation, erosion or physical injury/death.
  - Non-physical (indirect) disturbance from noise or visual presence and reduced availability or displacement of species, including prey.
  - Toxic contamination from the introduction of synthetic compounds or non-synthetic contaminants.
  - Non-toxic contamination from nutrient enrichment, organic enrichment, changes in suspended sediment and turbidity, changes in salinity or changes to the thermal regime.
  - Biological disturbance from introduction of microbial pathogens, the introduction of invasive non-native species and translocation, or from selective extraction of selected species.
- 4.8 In line with the SNH guidance, the Pilot Plan was required to undergo screening with the purpose to:
- “a) Identify all aspects of the plan which would have no effect on a European site, so that they can be eliminated from further consideration in respect of this and other plans;
- b) Identify all aspects of the plan which would not be likely to have a significant effect on a European site (i.e. would have some effect but minor residual), either alone or in combination with other aspects of the same plan or other plans or projects, which therefore do not require ‘appropriate assessment’; and

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<sup>8</sup> Marine Scotland (2013) Planning Scotland’s Seas [online] Available at: <http://www.scotland.gov.uk/Topics/marine/marine-consultation> (accessed 22/02/2016)

c) Identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require appropriate assessment.”<sup>9</sup>

- 4.9 After identifying the relevant impact pathways, a review of the activities set out in the Pilot Plan and its general and sectoral policies was undertaken. This involved undertaking a Screening of the Plan and its policies ‘alone’ as outlined in Appendix C of SNH Guidance<sup>10</sup>. This screening process focused on General Policies 1 – 9 and Sectoral Policies 1 – 10 contained within the Pilot Plan, to consider the potential for effects on European sites from each.
- 4.10 The findings of the Screening are presented in Table 1 and summarised in Section 5.

#### Steps 5 – 6: Detailed pathway-feature sensitivity review and assessment of the potential effects on European/Ramsar sites, and Preparation of the HRA Record

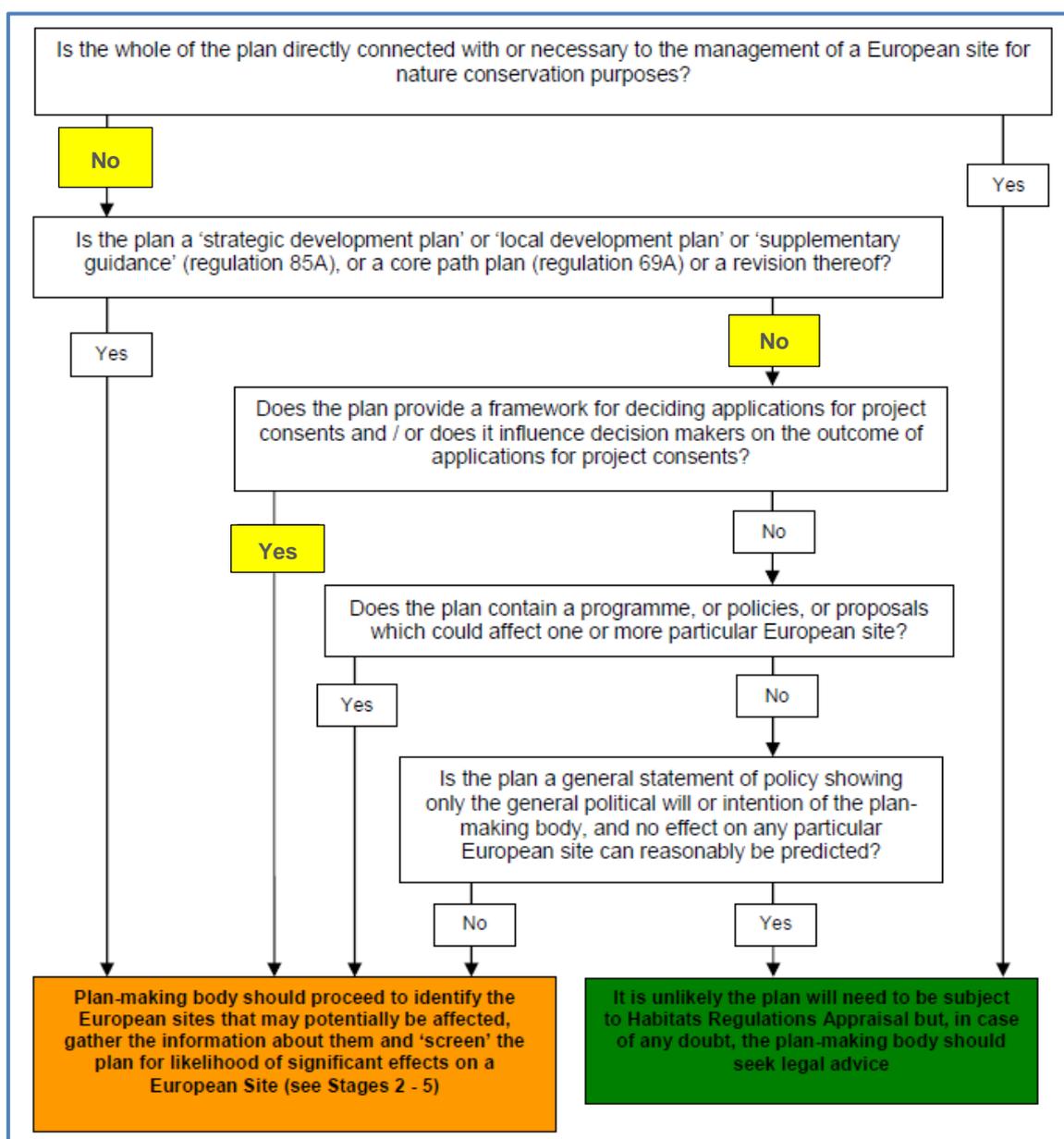
- 4.11 Based upon the outcomes of the public consultation process, the draft Pilot Plan and its policies were reviewed. In many instances, revisions were made to the Plan itself and to its policies, and implications for the HRA was also considered based upon these changes. The HRA process was not completed until the publication of the finalised Pilot Plan. The findings of the Draft HRA Record were regularly reviewed and revised, where necessary, to reflect any subsequent changes in the Pilot Plan and/or its policies. This included a review of the findings of previous steps in the HRA process (Steps 1 – 4) and review of the requirement for undertaking an appropriate assessment.
- 4.12 This Record presents the findings of the HRA undertaken on the finalised Pilot Plan and its policies (Step 6).

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<sup>9</sup> Scottish Natural Heritage (2015) January 2015, Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland, Version 3.0 [online] Available at: <http://www.snh.gov.uk/docs/A1500925.pdf>

<sup>10</sup> *ibid*

**Figure 2: Deciding if a plan should be subject to HRA<sup>11</sup>**



<sup>11</sup>Scottish Natural Heritage (2015) January 2015, Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland, Version 3.0 [online] Available at: <http://www.snh.gov.uk/docs/A1500925.pdf>

**Table 1: Screening of the General and Sectoral Policies for the likelihood of a significant effect on European Sites identified in the HRA<sup>12</sup>**

Criteria for screening	Relevant parts of the plan (the Policies)	Reason(s) for inclusion in the respective sections of this table and LSE
General policy statements (Step 1 in Appendix C of SNH Guidance)	<u>General Policies</u> 7 (Integrating Coastal and Marine Development) 8B (Waste and Marine Litter)	These policies were considered to be statements of general policy. As such, there will be no LSE on a European site.
A general criteria based policy (Step 1 in Appendix C of SNH Guidance)	<u>General Policies</u> 1A (Sustainable Development) 1B (Supporting Sustainable Social and Economic Benefits) 1C (Safeguarding the Marine Ecosystem) 2 (The Wellbeing, Quality of Life and Amenity of Coastal Communities) 3 (Climate Change) 4C (Wider Biodiversity) 5B (Coastal Processes and Flooding) 8A (Noise)	These policies were considered to be statements of general policy outlining broad criteria. As such, there will be no LSE on a European site.

<sup>12</sup>Scottish Natural Heritage (2015) January 2015, Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland, Version 3.0 [online] Available at: <http://www.snh.gov.uk/docs/A1500925.pdf>

Criteria for screening	Relevant parts of the plan (the Policies)	Reason(s) for inclusion in the respective sections of this table and LSE
Aspects excluded from the appraisal because they are not proposals generated by this plan (Step 2 in Appendix C of SNH Guidance)	<u>Sectoral Policies</u> 2 (Aquaculture) 4 (Renewable Energy Generation)	These policies reiterate existing policy and requirements for aquaculture and renewable energy (i.e. detailed in Local Development Plans (LDPs) and Supplementary Guidance, Sectoral Marine Plans for Renewable Energy, current consenting processes, etc.) and are not considered to contain proposals generated by the Pilot Plan.  As such, there will be no LSE on a European site from these policies.
Aspects which protect the natural environment, including biodiversity, or conserve or enhance the natural, built or historic environment (Step 3a in Appendix C of SNH Guidance)	<u>General Policies</u> 4A (Nature Conservation Designations) 4B (Protected Species ) 4D (Landscape and Seascape) 4E (Geodiversity) 5A (Water Environment) 6 (Historic Environment) 9 (Invasive Non-native Species)	These policies will provide additional safeguards to protect the natural and historic environment. As a consequence, there will be no LSE on a European site from these policies.
Aspects which will not lead to development or other change (Step 3b in Appendix C of SNH Guidance)	None	None.

Criteria for screening	Relevant parts of the plan (the Policies)	Reason(s) for inclusion in the respective sections of this table and LSE
Aspects which make provision for change but which could have no conceivable effect on a European site, because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site (Step 3c in Appendix C of SNH Guidance)	None	None.
Aspects which make provision for change but which could have no significant effect on a European site (minor residual effects), because any potential effects would be so restricted that they would not undermine the conservation objectives for the site (Step 3d in Appendix C of SNH Guidance)	None	None.

Criteria for screening	Relevant parts of the plan (the Policies)	Reason(s) for inclusion in the respective sections of this table and LSE
Aspects which are too general so that it is not known where, when or how the aspect of the plan may be implemented, or where any potential effects may occur, or which European sites, if any, may be affected (Step 3e in Appendix C of SNH Guidance)	<u>Sectoral Policies</u> 1 (Commercial Fisheries) 3 (Oil and Gas) 5 (Recreation, Sport, Leisure and Tourism) 6 (Marine Transport) 7 (Ports, Harbours and Dredging) 8 (Pipelines, Electricity and Telecommunications Infrastructure) 9 (Marine Aggregates) 10 (Defence)	<p>The exact location of new infrastructure and/or activities associated with the sectors described in these policies cannot be determined and cannot be linked with certainty to specific European sites. Therefore, these policies are considered too general to reasonably consider LSE either alone or in combination.</p> <p>However, whilst at this stage, links or pathways between the policy and specific European sites cannot be identified, there is potential for future development in the Pentland Firth and Orkney Waters (PFOW) area to have LSE when its location is determined. It is therefore recommended that in any further planning or proposals at the project level that identify specific locations, further HRA Screening is undertaken as a minimum.</p>
LSE to go forward to AA	None	None

## 5 Summary of Findings

- 5.1 The general policies included in the Pilot Plan are safeguarding or mitigating policies. As outlined in Table 1, they are general in direction and apply to all activities and development in the PFOW marine environment. In consequence, no connectivity or direct pathway for impact has been identified between these policies and specific European sites; and as such, none of the general policies are considered to have a LSE on a specific European site.
- 5.2 As presented in Table 1, the majority of the sectoral policies in the Pilot Plan are also general in direction, and do not direct development or activities to a particular location; nor do they promote an action that clearly has a link or pathway to potential effects on specific European sites. As such, these policies have been screened out of the HRA process. Two of the sectoral policies (relating to aquaculture and renewable energy) were considered to reiterate existing policy and contained proposals that have been generated and assessed under other plans. As a consequence, both policies were also screened out of the assessment.
- 5.3 In conclusion, the review of both the general and sectoral policies found that the policies in the Pilot Plan would have no LSE on any European sites.

## 6 In-combination Assessment

- 6.1 As the general and sectoral policies set out in the Pilot Plan have been 'screened out' due to either being general policy statements, containing aspects protecting the natural and historic environment, containing proposals that have not been generated by the Pilot Plan, or containing aspects that are general so that it is not known how they will be implemented or whether potential effects may occur to any European site, no in-combination assessment is required for the Pilot Plan and its policies.

## Annex 1: Sites screened for the likelihood of a significant effect in the HRA<sup>13,14</sup>

Special Protection Areas (SPAs)	
Relevant sites	Auskerry SPA, Caithness and Sutherland Peatlands SPA and Ramsar, Caithness Lochs SPA and Ramsar, Calf of Eday SPA, Cape Wrath SPA, Copinsay SPA, East Caithness Cliffs SPA, East Sanday Coast SPA, Fionaven SPA, Hoy SPA, Marwick Head SPA, North Caithness Cliffs SPA, North Orkney dSPA, North Sutherland Coastal Islands SPA, Orkney Mainland Moors SPA, Orkney Mainland Moors SPA, Papa Westray (North Hill and Holm) SPA, Pentland Firth and Scapa Flow Orkney dSPA, Pentland Firth Islands SPA, Rousay SPA, Sule Skerry and Sule Stack SPA, Switha SPA, West Westray SPA
Species	Arctic skua ( <i>Stercorarius parasiticus</i> ), breeding; Arctic tern ( <i>Sterna paradisaea</i> ), breeding; Black-throated diver ( <i>Gavia arctica</i> ), breeding; Breeding bird assemblage; Common eider ( <i>Somateria mollissima</i> ); Common goldeneye ( <i>Bucephala clangula</i> ); Common scoter ( <i>Melanitta nigra</i> ), breeding; Cormorant ( <i>Phalacrocorax carbo</i> ), breeding; Dunlin ( <i>Calidris alpina schinzii</i> ), breeding; Fulmar ( <i>Fulmarus glacialis</i> ), breeding; Gannet ( <i>Morus bassanus</i> ), breeding; Golden eagle ( <i>Aquila chrysaetos</i> ), breeding; Golden plover ( <i>Pluvialis apricaria</i> ), breeding; Great black-backed gull ( <i>Larus marinus</i> ), breeding; Great northern diver ( <i>Gavia immer</i> ); Great skua ( <i>Stercorarius skua</i> ), breeding; Greenland Barnacle goose ( <i>Branta leucopsis</i> ), non-breeding; Greenland white-fronted goose ( <i>Anser albifrons flavirostris</i> ), non-breeding; Greenshank ( <i>Tringa nebularia</i> ), breeding; Greylag goose ( <i>Anser anser</i> ), non-breeding; Guillemot ( <i>Uria aalge</i> ), breeding; Hen harrier ( <i>Circus cyaneus</i> ), breeding and non-breeding; Herring gull ( <i>Larus argentatus</i> ), breeding; Kittiwake ( <i>Rissa tridactyla</i> ), breeding; Leach's petrel ( <i>Oceanodroma leucorhoa</i> ), breeding; Long-tailed duck ( <i>Clangula hyemalis</i> ); Merlin ( <i>Falco columbarius</i> ), breeding; Peregrine ( <i>Falco peregrinus</i> ), breeding; Puffin ( <i>Fratercula arctica</i> ), breeding; Razorbill ( <i>Alca torda</i> ), breeding; Red-breasted merganser ( <i>Mergus serrator</i> ); Red-throated diver ( <i>Gavia stellata</i> ), breeding; Seabird assemblage, breeding; Shag ( <i>Phalacrocorax aristotelis</i> ), breeding; Short-eared owl ( <i>Asio flammeus</i> ), breeding; Slavonian grebe ( <i>Podiceps auritus</i> ); Storm petrel ( <i>Hydrobates pelagicus</i> ), breeding; Velvet Scoter ( <i>Melanitta fusca</i> ); Whooper swan ( <i>Cygnus cygnus</i> ), non-breeding; Wigeon ( <i>Anas penelope</i> ), breeding; Wood sandpiper ( <i>Tringa glareola</i> ), breeding

<sup>13</sup> SNHi [online] Available at: <http://www.snh.gov.uk/publications-data-and-research/snhi-information-service/map/> (accessed 22/02/2016)

<sup>14</sup> SNH (2015) Natura Sites and the Habitats and Birds Directives [online] Available at: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/international-designations/natura-sites/> (accessed 22/02/2016)

## Special Protection Areas (SPAs)

<p>Conservation objectives for all qualifying interests and sites</p>	<p>To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site.</li> <li>• Distribution of the species within site.</li> <li>• Distribution and extent of habitats supporting the species.</li> <li>• Structure, function and supporting processes of habitats supporting the species.</li> <li>• No significant disturbance of the species.</li> </ul>
<p>Additional Information</p>	<p>The sites and species listed above have been included based upon geographical relevance, alongside the consideration of previous HRA work undertaken by Marine Scotland including the Sectoral Plans for Offshore Renewables and the Marine Renewables Infrastructure Plan (MRIP).</p> <p>However, in addition to the sites and species listed above, it was noted that many seabird species can travel long distances to reach foraging or feeding grounds. As a consequence, while not listed above, the potential for LSE on mobile bird species that are features of SPAs out with the PFOW area that may travel to or through the PFOW area to forage or for migration was also identified as an important consideration of the HRA Screening process.</p>

Special Areas of Conservation (SACs) and Ramsar sites	
Relevant Sites	Berriedale and Langwell Waters SAC, Caithness and Sutherland Peatlands SAC and Ramsar, Cape Wrath SAC, Durness SAC, Faray and Holm of Faray SAC, Hoy SAC, Invernaver SAC, Loch of Isbister SAC, Loch of Stenness SAC, River Borgie SAC, River Naver SAC, River Thurso SAC, Sanday SAC, Strathy Point SAC, Stromness Heaths and Coast SAC, Moray Firth SAC.
Habitats	Acid peat-stained lakes and ponds, Alpine and subalpine calcareous grasslands, Alpine and subalpine heaths, Base-rich fens, Blanket bog, Calcium-rich nutrient-poor lakes, lochs and pools, Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels, Coastal dune heathland, Depressions on peat substrates, Dry heaths, Dune grassland, Dunes with creeping willow, Dunes with juniper thickets, Hard-water springs depositing lime, Humid dune slacks, Intertidal mudflats and sandflats, Lagoons, Limestone pavements, Naturally nutrient-rich lakes or lochs which are often dominated by pondweed, Plants in crevices on base-rich rocks, Shifting dunes with marram, Subtidal sandbanks, Tall herb communities, Vegetated sea cliffs, Very wet mires often identified by an unstable 'quaking' surface, Wet heathland with cross-leaved heath.
Species	Atlantic salmon ( <i>Salmo salar</i> ), Freshwater pearl mussel ( <i>Margaritifera margaritifera</i> ), Grey seal ( <i>Halichoerus grypus</i> ), Harbour seal ( <i>Phoca vitulina</i> ), Marsh saxifrage ( <i>Saxifraga hirculus</i> ), Otter ( <i>Lutra lutra</i> ), Bottlenose dolphin ( <i>Tursiops truncatus</i> ), Harbour porpoise ( <i>Phocoena phocoena</i> ).
Conservation objectives for all qualifying interests and sites	<p>To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and</p> <p>To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Extent of the habitat on site.</li> <li>• Distribution of the habitat within site.</li> <li>• Structure and function of the habitat.</li> <li>• Processes supporting the habitat.</li> <li>• Distribution of typical species of the habitat.</li> <li>• Viability of typical species as components of the habitat.</li> <li>• No significant disturbance of typical species of the habitat.</li> </ul> <p>To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site.</li> <li>• Distribution of the species within site.</li> </ul>

## Special Areas of Conservation (SACs) and Ramsar sites

	<ul style="list-style-type: none"> <li>• Distribution and extent of habitats supporting the species.</li> <li>• Structure, function and supporting processes of habitats supporting the species.</li> <li>• No significant disturbance of the species.</li> </ul>
Additional Comments	<p>The sites listed above have been included based upon geographical relevance, and with the consideration of previous HRA work undertaken by Marine Scotland including the Sectoral Plans for Offshore Renewables and MRIP.</p> <p>Coastal habitats and mobile species, particularly Grey and Harbour seals, bottlenose dolphins and Atlantic salmon, were noted to be of particular relevance amongst SACs to the Pilot Plan and its HRA. In addition to places used regularly for feeding, breeding, raising calves and socialising, locations where associated and supporting activities such as hunting, courtship, singing, calving, nursing, resting, playing and communication take place were identified as being important considerations.</p> <p>However, it is noted that many migratory species and marine mammals have extensive ranges and cover very large distances to forage in the pelagic environment. For example, cetaceans such as the Bottlenose dolphins (<i>Tursiops truncatus</i>) recognised in the Moray Firth SAC are known to travel significantly along the Scottish coastline, and are likely to frequent the PFOW area. Similarly, other species including Harbour and Grey seals and other cetaceans such as Harbour porpoise out with the PFOW area are also known to frequent the Pilot Plan area, and as such, were identified as important considerations of the HRA process.</p> <p>As a consequence, while not listed above, the potential for LSE on mobile species that are features of SACs out with the PFOW area that may travel to or through the PFOW area, or for migration, was also identified as an important consideration of the HRA process.</p>



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