

## ***Capercaillie Project Officer***

### ***Advisory Note***

***Prepared for:*** Carol Robertson (Scottish Native Woodlands)

***Copied to:*** Ian Hill (Invercauld Estate), Bob Wilson (Scottish Woodlands), Steve Brown (FCS), Maggie Laws (SNH) and Ian Francis (RSPB Scotland)

***Date:*** 31 August 2010

***Subject:*** Creag Clunie EIA Scoping Process.

Dear Carol

Thank you for meeting with me at Creag Clunie to discuss the Woodland Creation Proposals. As discussed during our meeting with Ian Hill on August 23 2010, I have the following comments to make:

***Lek Locations:*** There is no capercaillie lek located within 2km of this proposed scheme.

***Forest Design:*** High density planting of Scots pine on the knolls surrounding open boggy flushes would provide ideal cover for foraging woodland grouse broods. Any willows that naturally regenerate on the open ground should be retained due to their value for biodiversity especially black grouse.

***Heather Management:*** The blaeberry quality in the Creag Clunie semi-natural woodland is high at present. Once deer are excluded from the site, heather may become rank and shade blaeberry and pine regeneration, due to lack of browsing and trampling. The dominance of heather will lead to deterioration in the quality of habitat for capercaillie broods. If these circumstances arise, the Capercaillie Project Officer will be available to give advice on heather management to facilitate brood habitat improvement.

***Site Access:*** I have no comment to make on the proposal to extend access from the woodland to the open ground for deer management purposes.

***Deer Fences:*** I have the following comments to make regarding fencing for this proposed scheme.

- ***Deer Fencing Option 1:*** The best option for capercaillie would be the removal of the existing internal deer fence along the Allt na Claise Moire. I accept that this may not be possible.
- ***Deer Fencing Option 2:*** Marking deer fences does significantly reduce the chance of fatal collisions by woodland grouse. As there is currently an unmarked internal deer fence on the site, upgrading with FCS-approved

marking would have significant benefits for capercaillie. If Option 1 is not possible to achieve, then the scheme should still be possible with fence marking as mitigation. I therefore have the following advice to make on the proposed deer fence lines (refer to the map below):

- **Area 1:** Use three quarter or full length wooden droppers up to gate (agreed with estate). Droppers should be 1.2 or 1.8m and fixed on the diagonal, with horizontal spacing of 50cm.
- **Area 2:** Use three quarter or full length wooden droppers up to end at NO179903. Droppers should be 1.2 or 1.8m and fixed on the diagonal, with horizontal spacing of 50cm.
- **Area 3:** Reduced risk of capercaillie collisions but a risk for black grouse. This fence should be marked up to 200m from the current woodland edge. Use half length wooden droppers (90cm) fixed on the diagonal, with horizontal spacing of 100cm.
- **Area 4:** As Ian Hill has stated, this section is extremely exposed to the wind from Glen Clunie. The use of conventional marking would need huge amounts of support to maintain the fence condition. This fence line is parallel to the natural flight line rather than being situated across it. However, there is a chance that a capercaillie or black grouse, startled by a predator would still fly in an unpredictable direction from the woodlands. I would strongly recommend that it is marked, taking the precautionary approach. If FCS and SNH agree, I would suggest trying an alternative to conventional FCS-approved marking methods, such as marking with white tabs. For further information, please see [http://www.suttoncenter.org/pages/fence\\_marking\\_instructions](http://www.suttoncenter.org/pages/fence_marking_instructions).
- **Area 5:** Use half length wooden droppers up from base of steep hill (NO178903) until the gate, as agreed with Ian Hill. Fix droppers on the diagonal, with horizontal spacing of 100cm.



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22<sup>nd</sup> March 2011

Dear Moira,

**CREAG CLUNIE NEW NATIVE WOODLAND**

Thank you for visiting the site at Auchallater (NO18NE0005) on Thursday 24<sup>th</sup> February and agreeing a line for the new deer fence and deer grid.

I am sorry you had not received the enclosed map via my email of the 3<sup>rd</sup> March showing the amended line of the deer fence to remove safety concern of funnelling deer. However, as promised in our telephone conversation this morning, please find enclosed a hard copy of the annotated map showing the agreed line of the proposed deer fence in relation to the Auchallater archaeological site (NO18NE0005) as plotted at our site meeting on the 24<sup>th</sup> February 2011. The main points we agreed are detailed below:

**"Summary of site visit 24<sup>th</sup> February 2011.** Present at that meeting were Moira Grieg, Regional Archaeologist; Ian Hill, Invercauld Estate and Carol Robertson, Scottish Native Woods.

- Pt 1 – All agreed new deer fence should follow the eastern edge of the wet flush.
- Pt 2 – Location of deer grid and by-pass gate on eastern bank on A93 road **as agreed with Aberdeenshire Council's Road department.** Moira agreed the line of the deer fence linking to the grid to cross Auchallater site, to run between the stock fence to the north and the walled enclosure with two trees located to the south. No archaeological features were noted on this slope.
- Pt 3 – Moira confirmed there was no rig & furrow present on the slopes opposite Easter Auchallater (NO18NE0011).

I would be most grateful if you could confirm your agreement on the above & enclosed map via email or letter.

Please do not hesitate to contact me should you have any queries on the enclosed.

I look forward to hearing from you.

Yours sincerely,

Mrs Carol Robertson, MIEEM MICFor.  
NE Manager.  
ENC.

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28<sup>th</sup> September 2011

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Dear Steve

**Invercauld Estate – Creag Clunie Native Woodland EIA**

Thank you very much for sending us the Environmental Impact Assessment and Landscape and Visual Impact Assessment carried out for Creag Clunie in connection with proposals for native woodland expansion in the area. We appreciate the opportunity to comment on the scheme at this stage in its development.

As referred to in the Strategic Framework section of the report, the proposal is very much in line with the priorities laid out in the Cairngorms National Park Forest and Woodland Framework document. The plans for sensitive and appropriate expansion of the total land area devoted to woodland are also consistent with the aims of the draft National Park Plan 2 for 2012 to 2017.

CNPA broadly endorse the balance of allocations for regeneration, planting of native species, management of existing natural and plantation woodland and inclusion of open ground for landscape and ecological considerations. It is accepted that in view of the outcome of trialling regeneration without the use of deer fencing since 1999, using fences in accordance with guidelines to improve success is now an appropriate strategy. The attention given to deer management and protected bird and plant species is also welcomed.

We hope that the following more detailed comments will assist in further enhancing the proposals.

**Access and Amenity**

- The new deer fence to the east of the scheme will potentially act as a barrier to those wishing to access these low hills from the same direction. Whilst it is accepted that demand here may be low, an informal track from Ballochbuie is shown on the 1:25000 map and crosses the new deer fence at GR178895. It would be appropriate to put a stile in place here to facilitate access from this direction. In general the CNPA do not recommend stiles but in this circumstance where the ground traversed

is rough and largely trackless, it is unlikely to be attractive and used by horse-riders and cyclists, so a stile would be sufficient to allow access.

- From Auchallater there is no indication on the map of informal paths but this is not to say that people don't approach Carn na Sgliait and Millstone Cairn from the south, or traverse over the hill from Braemar or Ballochbuie. A gate on the east side of the A93, potentially forming part of the deer grid, would address the need for people to escape the southern section of the enclosed scheme.
- It is acknowledged that there are no new paths intended to be created as part of the scheme – however the community desire for a path linking Braemar to Ballater via the Queens Drive to the Brig o' Dee was flagged up in Core Path Planning and it would be helpful if this was reflected in the EIA.
- The recent report on solutions to the issue of wild camping on Clunie Flats commissioned in partnership with the Estate identified a possible location for a formal campsite at the Queen's View. It may be useful to give consideration to this in relation to the woodland expansion plans.

#### **Ecology and Habitat**

The EIA clearly identifies areas of valuable habitat and includes well-considered measures to protect and enhance them. However, we would like to further emphasise the importance of a few areas.

- The allowance for open space around the bryophyte and calcareous grassland/flushes (UKBAP habitat) identified would benefit greatly by being increased from a 10m to a wider buffer, and a link of open ground between these "islands" of key habitats would help to retain a robust grassland network more able to resist the encroachment of surrounding woodland.
- We would encourage a minimal approach to planting on the bearberry heath (UKBAP habitat) as this is an important upland habitat in decline nationally. Avoidance of intervention on wet flushes, and very low density planting (with no mounding) on the areas of wet heath (also UKBAP habitat) would also be welcomed if possible.
- Areas of native broadleaf planting on lower slopes would be further enhanced by inclusion of aspen, oak, and hazel as well as Scots Pine and birch.

#### **Landscape Comments**

The key landscape and visual sensitivities relating to the area affected by this scheme are:

- The glaciated and rocky landform character complemented by existing woodland
- The elements of the designed landscape
- A sense of openness and views
- The internal woodland landscape.

The EIA recognises these characteristics and qualities, and in the main they are drawn into the design. There is a good choice of viewpoints from which to design and assess effects. The following comments relate to the subtleties of the design and its implementation, in the expectation that this woodland scheme should enhance as well as complement the character of this part of the National Park.

### ***Woodland Interior***

Whilst not shown in the drawings it is reassuring that the species choice and the use of open space described in the text can adequately reflect the underlying rugged character and diversity of the site. However in implementing the planting it is recommended that the 20% open space component of the mix is used specifically to emphasise rocky features and crags as seen from low level views and is not just a simple response to ground conditions. In addition, should there be any possibility of extending the planting over a number of years this would help to introduce further structural and visual diversity.

### ***Woodland Edge***

The lower planted edge of the woodland, and especially that which is closest to the A93 and is within the fence line, presents an excellent opportunity to develop a richly diverse and natural-appearing edge that could become an attractive feature in its own right. It is recommended therefore that the specification is more finely tuned here than elsewhere and involves the creative use of open space, the planting of single trees and the planting of small clusters and copses of trees, to give as much visible edge and structural diversity as possible. A detailed planting plan and method specifically for this area would help to achieve this.

### ***The Deer Fence***

The visual prominence of the fence line will reduce as the trees behind the fence grow. The planting external to the fence line (which it is assumed will be in tubes) at the southern end of the scheme will also contribute to this over time by partially screening views of the fence. Using the existing deer fence west of the A93 will help to reduce adverse effects on views from both north and south. In order to further reduce the landscape and visual effects of the fence it is recommended that planting and other works in the vicinity of the new deer grid be given specific design input with the aim of reducing its visual prominence in the experience of the road user.

Please do get in contact if CNPA can be of any assistance in taking forward your woodland expansion proposals for Creag Clunie. We look forward to any further communications on progress.

Yours sincerely

Penny Lawson  
Land Management Officer





**Scottish Natural Heritage**

All of nature for all of Scotland

Mr Steve Brown  
Forestry Commission Scotland  
Grampian Conservancy  
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4 October 2011  
Our Ref – SIT/SSSI/CREAG CLUNIE AND THE LIONS FACE

Dear Steve

**CREAG CLUNIE NATIVE WOODLAND REGENERATION  
ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY)(SCOTLAND) REGULATIONS  
1999**

Thank you for your letter dated 29 August 2011 requesting comments on the Environmental Impact Assessment for the above native woodland regeneration proposal.

1. Position

1.1 European Designated Features

**1.1.1 Ballochbuie Special Area of Conservation (SAC)** – we consider that this proposal will benefit the *Caledonian pinewood* qualifying interests of this site. We also advise that there will be a likely significant effect on the *dry heaths* qualifying interest, and *wet heath with crossleaved heath*. **As the proposal will involve the expansion of one Natura feature, Caledonian pinewood, at the expense of another, dry heath and wet heath with crossleaved heath, approval will need to be sought from the Scottish Government prior to any RDC contract being issued.**

In addition, we consider that the proposal is likely to have a significant effect on the features *plants in crevices on base-rich rocks, plants in crevices on acid rocks and otter*.

**1.1.2 Ballochbuie Special Protection Area (SPA)** – We consider that this proposal will have a likely significant effect on Scottish crossbill and capercaillie.

**1.1.3 Cairngorms Massif Special Protection Area (SPA)** – we consider that the proposal is likely to have a significant effect on golden eagle, which are the qualifying feature of this site.

1.2 National Designations

**1.2.1 Creag Clunie and the Lion's Face Site of Special Scientific Interest (SSSI)** – we consider that the proposals are likely to benefit the Native pinewood feature of this site. However, they may also be detrimental to other features of the site including the Bryophyte assemblage, lichen assemblage, and Elm lichen (*Gyalecta ulmi*)



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### 1.3 Species

1.3.1 We advise on the implications for European Protected Species (EPS), and deer in sections 6 and 7 of this letter.

### 1.4 SNH/Cairngorms National Park Authority (CNPA) Casework Agreement

#### **1.4.1 In preparing this response we have followed the role for SNH that is set out in the SNH/Cairngorms National Park Authority (CNPA) Casework Agreement.**

Under this agreement, within the National Park, SNH only advises on any implications for Natura sites, Sites of Special Scientific Interest, National Nature Reserves and European Protected Species. CNPA advises on other natural heritage issues including outdoor access, landscape and visual, wild land, wider biodiversity interests, and impacts on the National Park itself.

### 2. Advice of the Environmental Statement (ES)

We consider the ES lacks detail in some areas which has it difficult to assess all potential impacts at this stage. In particular the Sol map, and the Landscape Appraisal map in Appendix 7, which we have been referred to for information about the management proposals, do not seem to correspond and lack specific information about the extent of any proposed ground disturbance, and planting. As the proposal will affect a number of designated features we recommend that more information will be required in order to allow an Appropriate Assessment to be carried out, and for SSSI consent to be issued for the works proposed within the SSSI boundary.

### 3. Appraisal for Designated Sites – Ballochbuie SAC

The ES does not make reference to the Conservation Objectives of the site. However, we have carried out an initial assessment of where this proposal does and does not meet these objectives based on the information provided.

There are 6 qualifying features of the SAC that could be affected by the proposals. These are considered below.

3.1 Caledonian forest. We advise that the proposals will benefit this qualifying habitat. However, we would request some further detail about the planting in terms of extent, the ground preparation and the provenance of stock used for planting.

3.2 Dry heath and Wet heath with crossleaved heath. The proposals will result losses in the areas of these habitats as a result of forest expansion. In our view the proposals are likely to have a significant effect on these qualifying interests. As a consequence the Forestry Commission is required to undertake an appropriate assessment in view of the Conservation Objectives for the site.

Of particular concern to SNH is the presence of H16 Arctostaphylos heath. The ES states that measures will be taken to ensure that this habitat is excluded from any proposals for ground preparation and planting. However, the map in Appendix 7 does not show these areas as open ground. SNH recommend that a monitoring and mitigation proposals are developed to prevent tree colonisation on this habitat below the tree line. This habitat should be actively managed to ensure that it is kept open.

As the proposals involve the expansion of one priority qualifying habitat, Caledonian forest, at the expense of two other qualifying habitats, wet heath and dry heath, SNH is required to seek

approval from the Scottish Government. It is our opinion that the proposals will be approved based on the precedent created by a similar case made for Caledonian pinewood under similar circumstances in Cairngorms SAC. **FCS will be unable to issue an RDC contract until this approval has been formally granted.** We are currently seeking advice on the likely timeframe for this.

3.3 Plants in crevices on base-rich rocks and plants on crevices on acid rocks. In our view the proposals are likely to have a significant effect on these qualifying interests. As a consequence the Forestry Commission is required to undertake an appropriate assessment in view of the Conservation Objectives for the site. It should be possible to prevent woodland expansion onto these habitats so long as appropriate mitigation is developed and adhered to. The ES states that survey work will be carried out to monitor the expansion of bird cherry onto areas of the Lion's Face where *Gyalecta ulmi* and *Stegonia latifolia* are known to be present. Fixed point photography will be carried out in years 1 and 5, and no tree planting will take place on the higher block scree Creag Clunie and Carn nan Sgliat. We would also recommend an agreed buffer around all sensitive areas. We are, however, concerned that the maps provided may have missed some sensitive areas. Therefore, we would appreciate the opportunity to meet and discuss the proposals on site so that we can advise further.

3.4 Otter. We consider that the woodland expansion itself is unlikely to have an impact on otter. However, the proposals for ground disturbance and planting may involve access by heavy machinery which could have a likely significant effect on this qualifying interest if there are any holts or resting places in the vicinity. As a consequence the Forestry Commission is required to undertake an appropriate assessment in view of the Conservation Objectives for the site.

#### 4. Appraisal for Designated Sites – Cairngorms Massif SPA, Ballochbuie SPA

In our view the proposals are likely to have a significant effect on Scottish crossbill, and Capercaillie, which are qualifying features of Ballochbuie SPA, and golden eagle, which are a qualifying feature of the Cairngorms Massif SPA. As a consequence the Forestry Commission is required to undertake an Appropriate Assessment of the proposal in light of the site's Conservation Objectives for these qualifying interests. The ES states that any forestry operations will take place outside the bird breeding and capercaillie lekking season and as a result impacts from direct disturbance are unlikely to be an issue.

4.1 Golden eagle. The appraisal we carried out concluded that the proposals are likely to have a significant effect on golden eagles as the proposals lie close to active eagle territories and are likely to result in a reduction in the available foraging habitat for golden eagle. The proposals are close to and within active eagle territories. Any appraisal should take into account the effect of the proposals in the context of the SPA as a whole.

4.2 Capercaillie. Creag Clunie has some existing deer fences around the boundary of the site which present a collision risk to capercaillie. The new fences are proposed for open moorland and are located outside of the forest area, and the ES includes proposals to mark the existing fences. Capercaillie habitat in Upper Deeside is currently fairly fragmented. The proposals for native woodland regeneration in Creag Clunie SSSI may have a positive impact on capercaillie in the long term through the creation of new habitat. The preferred management to benefit capercaillie would be to increase native woodland habitat across Ballochbuie Forest, without the use of deer fences. However, due to high deer numbers in the surrounding area and a lack of a collaborative approach to deer management, it is unlikely that any woodland regeneration would be successful without deer fencing. Capercaillie numbers are low in Upper Deeside and there have been few recorded sightings of capercaillie in the Creag Clunie part of Ballochbuie in recent years. Therefore, on balance, the new fencing proposals are unlikely to have an impact on capercaillie in the short term. However, capercaillie hens and their broods will take advantage of young regenerating woodland,

therefore, we advise that plans should include proposals for fence removal once the woodland is more established.

4.3 Scottish crossbill. The proposed woodland expansion is likely to benefit Scottish crossbill in the long-term.

5. Appraisal for Designated Sites – Creag Clunie and the Lion's Face SSSI

The SSSI interests of the site largely overlap with the SAC and SPA qualifying interests. Therefore, our comments in relation capercaillie and Scottish crossbill are relevant here. In addition, our comments that relate to plants in crevices on base rich rocks, and plants in crevices on acid rocks also apply to the SSSI features for lichen assemblage, bryophyte assemblage and also Elm lichen *Gyalecta ulmi*.

SNH considers that it should be possible to avoid impacts to these interests. The areas need to be appropriately mapped. In addition, a monitoring plan should be developed to ensure tree regeneration on these areas does not become a problem. An appropriate buffer zone for planting near these areas should also be agreed.

6. Appraisal for Protected Species

Woodland expansion is proposed in an area which is likely to have suitable habitat for otter and Scottish wildcat, which are European Protected Species, and Pine marten, which are protected under Schedule 5 of the Wildlife and Countryside Act (Scotland) 1981. We would therefore recommend that areas proposed for ground preparation and planting, or where vehicles access is likely, are surveyed for suitable habitat. If signs of these protected species, and any structures used by them for shelter, be found during a survey a licence from SNH may be required prior to carrying out the work.

7. Appraisal for Deer

We are satisfied that the Deer Management Plan has taken into consideration comments made by my colleague James Scott and therefore have nothing further to add.

8. Concluding Remarks

It is our view that FCS are required to carry out an Appropriate Assessment of the proposals in view of the Conservation Objectives for the various qualifying features. We would be happy to meet with you to discuss this further.

SNH will make a case to the Scottish Government to gain approval for woodland expansion in this area. We advise that the proposals can not be approved until SG have accepted the justification for the loss of Natura features.

We recommend arranging a site visit discuss the proposals further, in particular to discuss the proposals to monitor and protect the open habitats which will be sensitive to changes in shading and humidity that may result from woodland expansion.

Should you have any queries about this letter, please do not hesitate to contact me.

Yours sincerely



**Fiona Cruickshank**  
Area Officer - Grampian



## Memo

To	Carol Robertson, Scottish Native Woods
cc	Steve Brown at FCS
From	Fiona Cruickshank, SNH
Date	5 December 2011
Subject	<b>SNH advice to minimise potential impacts to non-woodland features from the proposed native woodland expansion scheme at Creag Clunie SSSI/Ballochbuie SAC</b>

Invercauld Estate is in the process of applying for funding for native woodland expansion at Creag Clunie SSSI. The Estate has carried out an EIA to assess the potential impacts. Carol Robertson of Scottish Native Woods completed the section on ecological impacts. SNH responded to consultation from FCS on the ES in a letter dated 4 October 2011. One of the key issues identified by SNH was the potential impact of woodland regeneration on open habitats, in particular, the Natura interests, including dry heath, wet heath with cross-leaved heath, plants in crevices on base rich rock, and plants in crevices on acid rocks. In order to get a better picture of the works proposed a site meeting between SNH and Carol Robertson of Scottish Native Woods was arranged. In attendance from SNH was Graham Sullivan, Upland Habitats Advisor, and Dave Genney, Lower Plants Advisor. Further to the meeting we offer the following advice.

### Proposals

Invercauld Estate aim to achieve natural woodland regeneration across the site by erecting a deer fence. SRDP is an outcome based scheme and the requirements are that at the end of the RDC contract period the applicant must have achieved around 1600 stems/ha in order to achieve this payment. The payment is outcome based which means that the estate can achieve this by natural regeneration, ground disturbance, and planting if required. However, no specific details about where these different techniques may be employed have been provided. The figure in Appendix 7 of the ES shows that with the exception of a few small areas, the expectation is that woodland will occur across the entire site. This figure includes the various predicted stem densities of the different woodland types that will be achieved as a result of the proposals. Density was not specified for montane woodland but Carol explained at the meeting that the vision was something like 60% trees/shrubs (most likely juniper and some stunted trees) and 40% open ground. Due to the RDC Option guidance, we understand that anything above 20% open ground would have to be excluded from the proposals and payment would not be eligible.

### Plants in crevices on acid rocks

This feature is found mainly on the east facing slopes of Creag Clunie and Carn nan Sglat, but small outcrops are present more widely. The key concern would be overshadowing from tree regeneration or planting. In addition, because the site is to be fenced which will exclude any deer grazing, rank heather may also become an issue.

Because of the scattered nature of the habitat we suggest that the easiest way to mitigate against impacts could be to define different zones and define different planting practices for each. This should be identified prior to an RDC contract being issued as an addendum to the ES. For example:

- Areas with numerous extensive crags or boulders with little separation – no planting, maintain buffer.
- Areas with well-developed but separated crags – scope for planting “tongues” or small patches of trees with buffer from crags.
- Areas of scattered rock or boulders– more extensive planting, with buffer maintained from examples with plants in crevices.

Photographic examples could be used to guide planting on the ground.

We welcome the fact that the management recommendations from the report by Rothero (1998) have been included. As discussed at the meeting the recommendations from the Coppins and Coppins (1999) report should be integrated into the proposals.

#### Plants in crevices on base rich rocks

The areas of base-rich outcrops appeared to be fairly accurately mapped in the ES. These are mainly located in the lions face part of the site but there are areas of scree and outcrops elsewhere in the site. The important species associated with these habitats require a range of conditions. The lichens and bryophytes associated with base-rich cliffs and scree require some shelter (as provided by existing tree cover) but would be damaged by excessive shading due to over-regeneration and/or spread of invasive species such as bird cherry. Other areas, particularly for the bryophytes, are very open habitats that should be kept free from tree regeneration using buffers as discussed above. These open habitats also need a certain degree of disturbance, some of which may be provided by deer under the current management. Frost may also maintain bare earth in these areas. Care will need to be taken to ensure bare earth habitat is maintained and monitoring is discussed below.

Over-shading by trees could potentially cause adverse impacts to these species and so various ideas about how to avoid potential impacts were discussed. Again, producing a set of different principles to work by in the vicinity of these different outcrops was proposed.

Again, as discussed at the meeting, the recommendation from the report by Coppins and Coppins (1999) should be integrated into proposals.

#### Wet heath with cross-leaved heath

The ES shows that around 13ha of wet heath is likely to be lost to woodland regeneration. SNH will make the case to Scottish Government to prioritise the woodland features over wet and dry heath features. The Cairngorms SAC case to SG for the loss of wet heath to Caledonian forest favoured pine due to the degraded state of the woodland in this site. The situation at Ballochbuie is similar and so it is likely that the justification will be accepted here.

#### Dry heath

The ES shows that around 87ha of the dry heath feature across the site could be lost to native woodland regeneration. As for wet heath, the case for prioritising Caledonian pinewood over this habitat in the Cairngorms SAC has been accepted by SG. However, the exception to this is *Arctostaphylos* (H16) heath, which is a rare and fragmented habitat.

On the site visit we discussed the *Arctostaphylos* (H16) heath present on the site. H16 is a community of limited extent and distribution which should be maintained or increased. SNH consider that a loss to woodland within the designated site should be avoided. This is accepted in the Cairngorms SAC case for favouring woodland over dry heath, where loss of H16 is not deemed acceptable. This habitat is mainly present on Creag Clunie at the higher altitudes. Tree regeneration would almost certainly have an adverse impact on this habitat and therefore, some form of monitoring and follow up management is likely to be required to keep this habitat open where tree regeneration is likely to occur following the exclusion of deer.

According to the extent mapped in the ES, maintaining the *Arctostaphylos* heath could result in more than 20% open ground, which would make it ineligible for funding. Therefore, it may be advisable to enter this area as a BAP non-woodland habitat, which can be managed through the Woodland Improvement Grant (WIG).

The WIG does fund the management of priority or BAP non-woodland habitats, therefore it is possible that the *Arctostaphylos* heath could be managed through this. See the following for further information -

[http://www.forestry.gov.uk/pdf/openhabitatrestorationguidance.pdf/\\$FILE/openhabitatrestorationguidance.pdf](http://www.forestry.gov.uk/pdf/openhabitatrestorationguidance.pdf/$FILE/openhabitatrestorationguidance.pdf)

At the meeting we discussed the possibility of muirburning as an option to keep this habitat free from trees and to prevent the heather becoming rank and out competing the *Arctostaphylos*. However, due to the presence of lichen and bryophyte interest throughout the site, we recommend that burning may not be advisable in the first instance. We would recommend a monitoring programme should be developed and a plan for removal of regenerating trees if these become an issue.

#### Monitoring

A monitoring plan will be key for this proposal, as there will need to be assurance that these non-woodland habitats will be retained. This will be important for informing management through the term of this RDC contract, or for the time the area is fenced in, as regeneration which is having an adverse effect on the open features will have to be removed. The habitats and features we advise should be included in the monitoring plan include the following:

- Plants in crevices on base rich rocks
- Plants in crevices on acid rocks
- *Arctostaphylos* (H16) heath
- Calcareous grassland

The protection of these habitats and features should ensure the protection of much of the SSSI features; Lichen Assemblage, Bryophyte assemblage, and the elm lichen *Gyalecta ulmi*.

We suggest that fixed point photography could be a simple way of achieving this. However, how to judge when regeneration was becoming a problem would be less easy to assess. It is possible that a specialist view would have to be obtained. For most of the species of concern some shelter is a positive thing but too much shading will likely damage the bryophyte and lichen features. More detailed guidance for monitoring in relation to the lichen and bryophyte interests can be found in an Annex.

#### Conclusion

We recommend the following points should be considered before proceeding further with an RDC contract.

- To integrate management suggestions from Coppins and Coppins report, where these are not already included (see Annex).
- Develop more specific proposals to show where planting and scarifying is likely to happen, and how this management will be carried out, particularly within the boundary of the SSSI and SAC.
- Develop principles which set out the methods of working in various 'zones' around the more complex and fragmented rocky features. For H16 heath and calcareous grassland, which are less fragmented these areas could be mapped with a buffer for no planting and use this to identify an ecologically relevant (e.g. not fragmented) no-planting and no encouragement of regeneration zone.



- To produce a monitoring strategy for the site. For rocky features, Arctostaphylos heath, and calcareous grassland simple photographic fixed-point monitoring with a set of rules about removing colonisation could be used. Alternatively, a few transects could be used.
- Future herbivore management – particularly the eventual removal of the fencing and also grazing management of open-ground habitats should be part of the long-term aim.

These issues could be addressed either as an addendum to the ES or through the more detailed planting plan. SNH would like the opportunity to comment on any additional documents produced.

If you have any queries about the advice provided in this memo please do not hesitate to contact me.

**Fiona Cruickshank**  
5 December 2011

#### **Annex - Monitoring proposals to safeguard the bryophyte and two lichen features**

##### *Lichen features:*

The report by Coppins and Coppins (1999) includes many monitoring photographs that could be repeated to assess changes in the amount of regeneration and shade. A simple solution would be to re-take a selection of these photos (wouldn't need to be a lichenologist) and consult with a lichenologist if changes are detected. The lichenologist should be able advise whether there is likely impact on the lichens and if required, conduct a site visit to assess whether the feature is being damaged. This may coincide with SCM, but there is no guarantee the site will be selected for monitoring in each cycle. Also, we recommend 3 year photographic monitoring for the first 6 years. The priority areas for monitoring are:

1. The calcareous and acidic outcrops and cliffs around the Lion's Face, cliffs and boulders near Charter's Chest, and to a lesser extent boulders and outcrops in the moorland. Greatest priority should be given to *Gyalecta ulmi* populations. Tree cover should remain light and scattered and particular attention should be paid to the bird cherry as outlined in Coppins and Coppins, 1999)
2. The pinewoods on Creag Clunie East and West (see Coppins and Coppins, 1999)

The difficulty comes from trying to set thresholds for when action is required i.e. either reintroduction of some grazing or manual control of regeneration from sensitive areas. This will have to be done by a combination of expert judgement and direct monitoring. Much more information is included in the Coppins and Coppins report.

##### *Bryophyte feature:*

Bryophyte monitoring could follow similar lines to the suggestion for lichens above. The bryophyte feature of interest is associated with calcareous outcrops and flushes and as described above, they seem to have been mapped well after consultation with Gordon Rothero. The bare earth calcareous outcrops will also need monitoring to check that removal of grazing doesn't result in loss of bare ground due to reduced disturbance. Because grasses and other herbs have the potential to spread much more rapidly than trees, this feature should be monitored relatively frequently, at least initially until the rates of change have been assessed (every 2 years as a starting point).



**Scottish Natural Heritage**  
**Dualchas Nàdair na h-Alba**

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

Mr Steve Brown  
Forestry Commission Scotland  
Grampian Conservancy  
Portsoy Road  
Huntly  
Aberdeenshire  
AB54 4SJ

4 July 2012

Our Ref–SIT/SSSI/CREAG CLUNIE AND THE LIONS FACE

Dear Steve

**CREAG CLUNIE NATIVE WOODLAND REGENERATION  
ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY)(SCOTLAND) REGULATIONS  
1999**

Thank you for sending further information in support of the Environmental Statement, and for allowing us an extension to the normal timescale for commenting.

**1. Background**

1.1 We have commented previously on this proposal in letters dated 4 October 2011, and 1 February 2012. In these letters we concluded that the proposals would not have an adverse impact on the site integrity of the Cairngorms Massif Special Protection Area (SPA) and Ballochbuie SPA. However, for completeness, we have still included our appraisal of the implications of the proposal in relation to these sites in an Annex to this letter.

1.2 Our comments in this letter are restricted to Ballochbuie Special Area for Conservation (SAC), Creag Clunie Site of Special Scientific Interest (SSSI), and protected species. The outstanding issues relating to these sites were discussed during a site visit with Carol Robertson on 31 October 2012. The conclusions from this visit were summarised in the memo dated 5 December 2011. The issues discussed related to the following:

- Plants in crevices on base-rich rocks–Ballochbuie SAC
- Plants in crevices on acid rocks–Ballochbuie SAC
- Dry heaths including bearberry (H16) heath–Ballochbuie SAC
- Wet heathland with cross-leaved heath–Ballochbuie SAC
- Lichen assemblage–Creag Clunie SSSI
- Bryophyte assemblage–Creag Clunie SSSI
- *Gyalecta ulmi* (Elm lichen)–Creag Clunie SSSI

**2. Position**

**2.1 European Designated Sites**

2.1.1 Ballochbuie Special Area of Conservation (SAC)–we consider that this proposal to expand the existing woodland habitat will benefit the Caledonian forest which is one of the



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priority qualifying interests of the site. We also advise that consequently there will be an adverse affect on the dry heaths, and wet heathland with cross-leaved heath qualifying interests which the woodland will expand onto. However, SNH considers that, in this case, this loss of dry and wet heath habitat is acceptable as it is for the benefit of a priority interest. As these are qualifying interests of a European designated site we are required to seek formal approval from Scottish Government to favour the expansion of the priority feature Caledonian forest over non-priority habitats. This particular case has now been endorsed by SG on the basis that the proposals fall within the limits of acceptable change agreed for Ballochbuie SAC.

With regards to the remaining qualifying features we advise that the proposals will have a likely significant effect on plants in crevices on base rich rocks, plants in crevices on acid rocks, and also bearberry (H16) heath. As a consequence Forestry Commission is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we would further advise that in our view on the basis of the information provided, if the proposal is amended so that the works are done strictly in accordance with the mitigation suggested below, SNH is satisfied that the work will not result in an adverse impact on site integrity.

Our full appraisal of the proposals in relation to European designated features can be found in an Annex to this letter. We advise that FCS can use the information to inform an appropriate assessment.

## 2.2 National Designations

2.2.1 Creag Clunie and the Lion's Face Site of Special Scientific Interest (SSSI)—we consider that the proposals are likely to benefit the Native pinewood feature of this site. The proposals may have a detrimental impact to other features of the site including the Bryophyte assemblage, lichen assemblage, and Elm lichen (*Gyalecta ulmi*). However, if the work is done strictly in accordance with the mitigation provided in the ES, then the proposal will not have an adverse impact on these features.

## 2.3 Species

2.3.1 We provide advice on protected species in Section 5.

## 2.4 SNH/Cairngorms National Park Authority (CNPA) Casework Agreement

1.4.1 In preparing this response we have followed the role for SNH that is set out in the SNH/Cairngorms National Park Authority (CNPA) Casework Agreement. Under this agreement, within the National Park, SNH only advises on any implications for Natura sites, Sites of Special Scientific Interest, National Nature Reserves and European Protected Species. CNPA advises on other natural heritage issues including outdoor access, landscape and visual, wild land, wider biodiversity interests, and impacts on the National Park itself.

## **3. Appraisal for Designated Sites – Ballochbuie SAC**

3.1 Plants in crevices on base-rich rocks—We are satisfied that the locations of the fixed point points provide a representative cover of this feature. We are also satisfied that the 20m buffer area surrounding the *Stegonia latifolia* areas is adequate to protect the feature. However, we would advise that the RP contract contains a condition requiring scrub and trees to be removed from this 20m buffer area when monitoring shows that this has occurred. In addition, all monitoring information should be forwarded to FCS and SNH for review. This should be made a condition of any RP contract.

3.2 Plants in crevices on acid rocks—We are satisfied that the Monitoring Plan provides a good representative coverage of the features at risk of being adversely affected by the

proposals. The proposal to leave a 10m buffer around the rocky outcrops between 540m–560m, and that no planting will take place above 560m should be adequate to protect the lower plant interest on these rocky outcrops. The proposal not to scarify around the burn at Allt na Claise Mhor should also mitigate against impacts to the feature in this area.

We would add that any trees recorded in the 10m buffer areas are removed, and that the monitoring results should be provided to FCS and SNH for review. We would recommend that this is added as a condition to any RP contract.

**3.3 Dry heaths (including bearberry heath)**–The additional information submitted suggests that there will be no planting above the 560m contour line, which is below the elevation that H16 heath occurs at in Creag Clunie. The monitoring also includes fixed point photography monitoring points which cover this area. We advise that in addition a condition be attached to the RP contract requiring trees to be removed if the cover of small trees and shrubs exceeds 20%.

With respect to the remainder of the dry heath habitat, we are content to accept a reduction in the extent for the benefit of Caledonian forest in this particular case. SG has endorsed this approach.

**3.4 Wet heathland with cross-leaved heath**–The proposals will result in a reduction in the extent of wet heath habitat. However, we are content to accept a reduction in the extent of this habitat for the benefit of Caedonian forest in this particular case. This approach has been endorsed by SG.

**3.5 Otter**–SNH considers that the proposals could have a likely significant effect on otter, however, our appraisal concludes that there is unlikely to be an adverse affect on site integrity resulting from the proposal.

#### **4. Appraisal for Designated Sites – Creag Clunie and the Lion's Face SSSI**

The Monitoring Plan states that fixed point photography will be used to monitor the areas of calcareous grassland and flushes. The proposals include a 20m buffer area surrounding this habitat where no tree planting will take place. We would recommend a condition is added to the contract which required that if trees are recorded as encroaching into this buffer area they are removed.

We are satisfied that the monitoring and suggested mitigation for the Plants in crevices features above is sufficient to mitigate against impacts to the lichen assemblage, bryophyte assemblage, and also the Elm Lichen (*Gyallecta ulmi*) which largely overlap with the SSSI features.

We are satisfied that the proposals not to scarify in the area adjacent to Allt na Claise Mhor should protect the lichen interest identified in this area.

We welcome the proposals to carry out small scale enrichment planting of rowan and birch in areas around the Lion's Face in line with the recommendations made in the report by Coppins and Coppins (1999).

#### **5. Protected Species**

There is suitable habitat for protected species in the area, including otter and wildcat, which are European Protected Species (EPS), and pine marten, which are protected under Schedule 5 of Wildlife and Countryside Act 1981 (as amended). Some aspects of the proposal may have the potential to damage or disturb protected species and their places of shelter, however, FCS has its own guidance on protected species and so we will defer to the

Commission's own staff advise further. If protected species are thought to be present please contact SNH and we can advise further on the need for a licence.

#### 6. Planting and Dothistroma Needle Blight

We would want to ensure that any planting uses stock which is of local provenance, however, we are happy to defer to FCS to judge that the species used are appropriate for the area. In addition, we are aware that the current risk of Dothistroma Needle Blight could have an impact on the implementation of this scheme and we would appreciate being kept informed of any potential changes to the proposals.

#### 7. Fencing

We note that the ES states that a review of the requirement of the deer fence will be carried out once the trees are at a height where they are not longer vulnerable to deer. We would support this approach in order to mitigate against future impacts to capercaillie which may establish in this new woodland, and also to allow the re-introduction of grazing animals at an appropriate level to help maintain the condition of the woodland and open habitats in the longer term. However, we appreciate that it is difficult to attach a timescale for carrying out this review.

#### 8. Concluding Remarks

In our view, on the basis of the information provided, and if the proposal is amended so that the works are done strictly in accordance with the mitigation suggested below, SNH is satisfied that the work will not result in an adverse impact on Ballochbuie SAC, and Creag Clunie SSSI. These are as follows:

- *Arctostaphylos* (H16) heath—If monitoring indicates that scattered tree and scrub cover exceeds 20% on H16 heath then action should be taken to reduce cover to below this level.

*Reason - To maintain the extent and distribution of bearberry (H16) heath.*

- Plants in crevices on base rich rocks—If tree regeneration occurs within the 20m buffer of the *Stegonia latifolia* outcrops then this should be removed.

*Reason – To maintain the extent and distribution of this habitat.*

- Plants in crevices on acid rocks—If monitoring indicates that trees are regenerating within the 10m buffer surrounding the rocky outcrops at Carn nan Sgliat then these trees should be removed.

*Reason – to maintain the extent and distribution of this habitat.*

- Calcareous grassland—If monitoring indicates that trees and scrub are beginning to encroach within the 20m buffer area then this should be removed.

*Reason – to maintain the extent of habitat and to prevent overshadowing.*

- All monitoring results from fixed point photos should be forwarded to FCS and SNH for review/retention.

*Reason – To allow a judgement to be made as to whether regenerating trees should be removed from the key areas containing the interests from the designated sites.*

We would be happy to discuss these conditions further, particularly if you think that FCS may have any difficulty in enforcing these.

We would appreciate being consulted on the more detailed plans produced for planting and scarifying once these have been produced. Should you have any other queries about the advice provided in this letter please do not hesitate to contact me. I am happy to meet and discuss our comments if you feel this would be useful.

Yours sincerely

*[by e-mail]*

**Fiona Cruickshank**  
Operations Officer - Tayside & Grampian



From: Brown, Steve [Steve.Brown@forestry.gsi.gov.uk]  
Sent: 23 August 2012 12:31  
To: Fiona Cruickshank  
Cc: carol.robertson@nativewoods.co.uk  
Subject: RE: Response to FCS - Creag Clunie Woodland  
Regeneration

Dear Fiona,

We seem to have hit a bit of an impasse here.

3.2 Given that we are around or above the natural treeline here and a long way from the main tree seed sources I believe that tree regeneration if it occurs at all will be very slow and sporadic. This is why I agree in principle with Carol that the sites should be inspected at year 6 by FCS, SNH and the estate to look at the effects of deer exclusion. We can ask the estate to clear trees annually as they occur but there is no guarantee that they will do it effectively.

However I realise that SNH is the body that will be blamed if these sites fail their SCM's and it is incumbent on SNH to ensure that this does not happen. Therefore can you give me some text that can be added to the contract that states exactly what you expect from the estate to ensure that these sites stay in good condition.

3.3 As with the above sites I do not feel that the Arctostaphylos heath areas are in too much immediate danger from tree regeneration because of the distance from the seed sources and the high altitude of the area.

However Bearberry heaths do seem to provide a good medium for pine regeneration so in time pine regeneration could become a problem. So again can you send some text that clearly states how to keep the sites in good condition following removal of deer grazing pressure and what is expected of Invercauld estate.

If tree regeneration does not occur on the designated areas then it will cost very little apart from monitoring. If regeneration is prolific and keeps happening then costs could mount up and this is certainly not covered by the woodland creation grant. At the moment these sites are maintained by grazing deer. The estate gets an income when it lets out the stalking there. The grants do not cover this loss of income either.

I do believe that it will take some time for trees to start appearing and then it will be up to the agencies to decide if they are becoming a problem.

Regards  
Steve  
Stephen Brown  
Woodland Officer  
Grampian Conservancy  
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From: Fiona Cruickshank [mailto:Fiona.Cruickshank@snh.gov.uk]  
Sent: 17 August 2012 12:24

To: Brown, Steve

Subject: RE: Response to FCS - Creag Clunie Woodland Regeneration

Dear Steve

Apologies for the delay in responding to this. See our comments in relation to Carol's points:

3.2 The problem with tolerating a low level of tree cover is that it becomes really difficult to set a limit, which is why it is easier to say no trees in these areas. We are trying to manage a site with multiple objectives here so we feel quite strongly that we should keep the buffer area. A scattering of trees may be tolerated but it can also be interpreted as an indicator of decline. We would be happier if the condition to remove all trees encroaching on the buffer area was kept. It will also be easier for the Estate to deal with a scattering of seedlings, than to wait until the tree cover is higher. Carol states that not all the crags are important for this feature. I am not sure where she has got this information from but all the acid rocks form part of this feature and this area in particular is a key area for these types of outcrop. There are boulders throughout the site which we have not requested be mapped in detail and so I think it is not unreasonable to request that this one key area is protected.

3.3 The 20% limit comes from our Site Condition Monitoring guidance and should not be averaged over the whole habitat, but from the the extent of the habitat that can be seen from any one point. If the cover of trees/scrub exceeds this at any one location then the site could fail it's SCM. As Carol says, the says cover could potentially be higher than this without detriment to bearberry, however, we regularly use this figure in our SCM to identify a habitat in decline and we would not want the cover of scrub at any one point to exceed this. The 20% threshold should be a warning that the habitat is under threat and that something should be done to manage it.

According to inspections guidance the case should always be inspected jointly, and where forestry and designated sites are involved this should be done by both SNH and FCS so this shouldn't be too much of a problem.

Under section 4 - this was indeed a mistake, apologies for this.

If you are concerned that the payments under RDCs do not cover this sort of maintenance by the Estate please let me know as this is something we should be feeding back to SG. Also, there are other things we can try, such as a bespoke SNH Management Agreement like the one that might be required at Creag Leek. We would need some good evidence to suggest the payment rates do not cover this type of intervention. We don't want the Estate to lose out because they have a designated site, which can often make things more expensive.

Regards  
Fiona

09/12