SCOPING OPINION FOR THE PROPOSED GLEN DYE MOOR WOODLAND CREATION EIA FORESTRY PROJECT

Introduction

This scoping opinion has been adopted pursuant to Regulation 15 of The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017[1] ("the EIA Regulations"). It is based on information available at 11th February 2025 and relates to Glen Dye Moor, which is located approximately 14km southwest of Banchory, on the edge of the Grampian Mountains in Aberdeenshire and encompasses the hills of Badymicks, Edendocher, and Clachnaben. The primary access point is near Spittal Bridge on the B974 between Strachan and Fettercairn, with a grid reference of NO647844. Figures 1 & 2 (Annex 1) illustrate the location and extent of the proposal area. The project areas covers the Water of Dye and Water of Aven as part of the upper reaches of the River Dee SAC and is a popular destination for recreational activities such as walking, cycling, skiing, horse riding and bothying and also contains several cultural heritage features.

The project area as illustrated in Figures 1, 2 and 3 (Annex 1) and as described in the Scoping Opinion Report provided on 6th January 2025, extends to approximately 6,356 hectares and comprises approximately 1,420 hectares of new native woodland; 640 hectares of new productive conifer woodland; and 690 hectares of new native woodland through natural regeneration totalling approximately 2,750 hectares of afforestation. A further 3,606 hectares is comprised of open ground, unplantable land and existing woodland within the EIA project boundary. Approximately 2,240m (2.24ha) of new forest road project is associated with the afforestation project and an undisclosed area of forest quarrying required within the project boundary to provide stone for new roading. The afforestation project as described includes 45,000m of perimeter deer fencing.

At a meeting on 30th October 2024 with Scottish Forestry, the agent and landowner agreed that managing the project as an EIA forestry project with the preparation of an EIA report was the most appropriate route to progress the project through the regulatory approvals process.
The project has not been the subject of an EIA Screening Opinion or Statement of Reasons with the applicant requesting a Scoping Opinion under Regulation 15.[2]

The purpose of this document is to identify all of the likely significant effects of the EIA forestry project on the environment identified during the scoping process; and determine the level of detail of information required for the assessment, so they can be adequately addressed in the EIA Report.

[1] http://www.legislation.gov.uk/ssi/2017/113/contents/made
[2] https://www.legislation.gov.uk/ssi/2017/113/regulation/15/made

In accordance with the EIA Regulations, the EIA Report must be based on this scoping opinion. To reduce the risk of additional information being requested, which would be subject to further publicity and consultation cycles, applicants are advised to consider all aspects of the scoping opinion when preparing a formal application for EIA consent.

This scoping opinion has been adopted following consultation with: SEPA, NatureScot, Historic Environment Scotland and Aberdeenshire Council as the statutory consultation bodies and with: Botanical Society of Britain and Ireland; Coriolis Energy; Dr Alan Fielding; Dr Graham Rebecca; Finzean Community Council; Feughside Community Council; Glen Dye Estate; James Hutton Institute; Outdoor Access Trust; River Dee Trust & Dee District Salmon Fisheries Board; RSPB and Scottish Water, whom we considered likely to have an interest in the proposed EIA forestry project.

In adopting this scoping opinion, we have taken into account:

a. the specific characteristics of this particular forestry project;
b. the specific characteristics of forestry projects of the type concerned; and
c. the environmental features likely to be affected by the forestry project.

In adopting this scoping opinion, Scottish Forestry are not precluded from requiring the applicant to submit additional information in connection with any EIA Report that may be submitted pursuant to the application for EIA consent. The opinion is also given on the basis that all elements of the project as described in the report comply with the UK Forest Standard 5th edition (UKFS v5).[3]

Specific issues to be addressed via EIA report sections

Pursuant to Regulation 6 of the EIA Regulations, the EIA Report submitted in relation to the proposed EIA forestry project must address the following specific issues:

1. River Dee Special Area of Conservation (SAC) and qualifying interests
2. Golden eagle
3. Merlin
4. Curlew
5. Waders (Lapwing; golden plover; oystercatcher; common sandpiper and snipe)
6. Black grouse
7. Large heath butterfly

[3] Forest Research (2023) The UK Forestry Standard (5th edition) cdn.forestresearch.gov.uk/2023/10/The-UK-Forestry-Standard.pdf

8. Deer management
9. Recreation
10. Landscape (including Clachnaben & Forest of Birse Special Landscape Area (SLA))

The EIA Report must be based on this scoping opinion and must include the information that may be reasonably required for reaching a reasoned conclusion on the significant effects of the project on the environment.

The EIA report must include, at least, all those requirements set out in s6(3)(a)-(f) of the regulations.

The EIA Report must detail the predicted residual impact of the project on each specific issue as listed above and arising from the proposed approach, mitigation to address likely impacts and make a judgement about the significance of this impact. The significance of the predicted impact should be considered at the local/regional/national level.

Guidance on predicting the environmental effect and determining significant impacts is available in 'Undertaking and Environmental Impact Assessment in Forestry (2022)[4] and should be followed in the EIA Report. Page 18, Table 1 and Table 2, page 19 detail the multi-criteria analysis framework to be adopted for this assessment.

Specific issues to be addressed through UKFS and published guidance and included in EIA Report project description

There were a number of other issues raised by stakeholders at the scoping meeting which Scottish Forestry are satisfied that can be addressed in the design of the scheme through the application of the UKFS v5 and the relevant published guidance. These are as follows:

1. Local Nature Conservation Site (LNCS)
2. Priority plants
3. Archaeology
4. Soils and ground cultivation
5. Peatland
6. Ground water dependant terrestrial ecosystems (GWDTE)
7. Water (including Drinking Water Protected Area)
8. Wildfire

[4] Undertaking an Environmental Impact Assessment in Forestry 2022

EIA Report sections

With respect to the specific individual issues and environmental receptors the EIA Report should address, it should consider the following:

1. **River Dee Special Area of Conservation (SAC) and Qualifying Interests**

The likely significant effects from afforestation, fencing and roading include:

- **Habitat modification**: Creation of riparian woodland resulting in shading, nutrient and organic material input, bankside stabilisation of watercourses. This may also include improvement of breeding habitats.
- **Breeding site damage or disturbance**: During operations, works that result in direct damage or disturbance of the active breeding sites and resting places of protected species, and spawning beds, or other structures or locations critical to populations of other priority species, should be avoided and mitigated.
- **Hydrological change**: Changes to local water tables or changes to peak flow runoff due to afforestation and road construction. This may also include natural floodwater abatement effects and water temperature changes with reduced solar exposure.
- **Diffuse and point-source pollution**: Resulting from operational spills of oil, fuel, or other chemicals, as well as potential sediment run-off following soil disturbance through ground preparation, road construction and quarrying.

The assessment should refer to the Marine Scotland river temperature mapping[5] to demonstrate the significance of the benefits the riparian planting would have for lowering river temperatures. The report should relate riparian woodland expansion to the enhancement of the water environment for wild salmon populations.

The Water of Feugh which is 'moderate' water quality status due to 'Overall Ecology'. UKFS Practice Guide: Managing the water environment[6] should be referred to and adopted.

The assessment should describe and consider the project against the River Dee SAC Conservation Advice Package[7] and the conservation objectives for its qualifying interests; UKFS Practice Guide: Creating and managing riparian woodlands[8]; UKFS Practice Guide: Designing and managing forests and woodlands to reduce flood risk[9]; UKFS Practice Guide: Managing forest operations to protect the water environment

[5] Scotland River Temperature Monitoring Network (SRTMN) - Predictions of river temperature and sensitivity to climate change | marine.gov.scot
[6] Managing forest operations to protect the water environment - Forest Research
[7] Available at SiteLink - Home
[8] Forest Research (2024) Creating and managing riparian woodland – UKFS Practice Guide
[9] Designing and managing forests and woodlands to reduce flood risk - Forest Research

(2nd edition)[10] and Scottish Forestry's Cultivation guidance[11]. It should be informed by the protected species survey previously provided to Scottish Forestry as part of the Glen Dye Moor Habitats, peat & protected species survey. On the advice of NatureScot at Scoping, the project should be based on the assumption that freshwater pearl mussels and salmon are present within the project area and address this through appropriate design and operational mitigation.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts to the River Dee SAC and it's Qualifying Interests to include:

- No planting.
- Consideration of different cultivation methods.
- Alternative design of riparian buffer and planting corridor.
- Alternative species choice.
- Minimising and design of water course crossing points

Mitigation proposed may include a range of measures to include reasonable alternatives and:

- Riparian planting: Design, creation and expansion of riparian woodlands.
- Ground preparation: adopt optimal ground cultivation techniques and UKFS practice guidance to mitigate risks of diffuse pollution.
- Pre-operational surveys: Prior to commencement of operations, sites will be assessed for the breeding sites and resting places of protected and priority species.
- Diffuse Pollution Control Planning: During the planning stage of operations an assessment of diffuse pollution risk and instructions for prevention techniques will be carried out and form part of contract materials. This will be presented under site-specific operational plans before work commences and will be approved by Scottish Forestry as a condition of any EIA Consent.
- Emergency planning: Ensuring all operational contracts include emergency response plans and prevention techniques to reduce risk of pollution. This will be presented under site-specific operational plans before work commences and will be approved by Scottish Forestry as a condition of any EIA Consent.
- Design and location of site infrastructure, including the construction of new forest roads, alteration of any existing roads, and ensure that any substandard drainage on existing roads is upgraded and mitigated.

[10] Managing forest operations to protect the water environment - Forest Research
[11] Scottish Forestry (2021) Cultivation for Upland productive woodland creation sites – Applicant's Guidance

- Chemical use plan: to ensure chemical storage and application avoids and reduces risks to water environment. This will be presented under site-specific operational plans before work commences and will be approved by Scottish Forestry as a condition of any EIA Consent.
- Biosecurity precautions: safeguarding the water environment from invasive species and ensuring sure machinery is clean and washed down.

2. Golden eagle

The potential likely significant effects from afforestation, fencing and roading include:

- **Disturbance**: Noise and visibility of operations within a critical distance of active breeding sites.
- **Disturbance**: Increased recreational use of the site increases bird disturbance.
- **Prey species habitat change**: Semi-open woodland and montane scrub woodland creation will change the habitat for prey species. Native woodland creation at a density of canopy closure resulting in potential changes to prey species numbers, with an additional potential impact of new nesting and roosting locations for eagles.
- **Loss of Foraging Ground**: Areas shown as having a high probability of use in the Golden Eagle Topographical (GET) [12] model are lost following establishment of dense conifer plantation.
- **Cumulative impact**: Neighbouring windfarm approval may have effects to golden eagles which should be considered.

Dr Alan Fielding should be engaged to undertake further analysis of potential golden eagle use of the project area to characterise and assess the likely impacts of the project on golden eagle. This analysis should:

- Identify the assumed territory based on a single pair occupancy using current research estimates for north east Scotland of 8,871ha ± (6,267ha).[13]
- Determine the total area of 'open' 6+ GET total area, this excludes all existing closed canopy forest and 500m buffer from turbines. This should be part of a GET model assessment which should be part of the EIA Report.
- Consider other factors such as constrained territories, prey abundance, positive impacts from land use change or habitat diversification.

[12] As referred to in Recommended bird survey methods to inform impact assessment of onshore windfarms | NatureScot
[13] Fielding et al. (2024) The Characteristics and Variation of the Golden Eagle Aquila chrysaetos Home Range. Available at https://doi.org/10.3390/d16090523

- Quantify project in terms of closed canopy woodland proposed, this will exclude low density, semi-open canopy, natural regeneration, native upland birch at 1600 trees per hectare, and native pine woodland mixed with broadleaves.
- From this a total loss estimate can be assumed and resulting % loss compared against current standards of what is 'significant'.
- Determine cumulative impacts on golden eagle arising from the proposed project and Glen Dye Windfarm.

Additional data could be sought with regards to breeding bird data and survey conducted to inform the Glen Dye Windfarm development and to determine whether there are cumulative impacts arising from both projects. The cumulative impact assessment should identify any predicted loss of golden eagle territory arising from the windfarm development and the impacts of the afforestation project on any agreed off-site mitigation for the windfarm development.

Dr Alan Fielding should be engaged to assess the impacts of the project at a local, regional and national level.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts to golden eagle to include:

- No planting on the site.
- Planting of a low-density native woodland mosaic within 500m of nest site.
- Management of recreational access to minimise potential disturbance.
- Other, different design of woodland creation.
- Full vantage point survey to determine current use of project area by golden eagle.
- Predator control and impacts on prey availability.
- Design of access and recreation routes.

Mitigation proposed may include a range of measures to include reasonable alternatives and:

- Operational timing restrictions: Limiting operations to safe working distances within critical breeding and nesting periods in areas with active territories.
- Woodland type, design and species choice: To increase open ground habitat, buffers and transitional habitat.
- GET model assumptions: Using GET model to make conservative assumptions on appropriateness of species choice and location of closed-canopy forest likely to exclude higher ground from conifer planting.
- Recreational Access Management Plan: Management of recreational access to avoid and minimise impacts and disturbance of golden eagle and other known

raptor species and ground-nesting birds within the project area or adjacent and located in an overlapping disturbance zone.

3. Merlin

The likely significant effects from afforestation, fencing and roading include:

- **Disturbance**: Noise and visibility of operations within a critical distance of active breeding sites.
- **Disturbance**: Increased recreational use of the site increases disturbance of ground-nesting birds.
- **Loss of breeding sites**: Afforestation resulting in unsuitable habitat types for breeding/nesting and feeding.
- **Cumulative impact**: Neighbouring windfarm approval may have effects to merlin which should be considered.

The assessment should consider WLC 22001 – Glendye Woodland Creation Project: Breeding Bird Survey Report (2022) as previously submitted to Scottish Forestry in support of this project and previous commentary from Dr Graham Rebecca and his long-term study of local merlin populations.

Additional data could be sought with regards to breeding bird data and survey conducted to inform the Glen Dye Windfarm development and to determine whether there are cumulative impacts arising from both projects. A merlin cumulative impact assessment should form part of the EIA Report to clearly identify and assess any significant impacts. It should identify any predicted loss of merlin territory arising from the windfarm development, and the impacts of the afforestation project on any agreed off-site mitigation for the windfarm development.

The EIA Report should also consider the impacts of prey and predator dynamics with respect to merlin populations and the impact of the proposal on prey and predator populations. On the Scoping advice of NatureScot, given the uncertainty around how merlin will respond to afforestation, the EIA Report should consider the significance of the worst-case scenarios which would be loss of all known territories.

Dr Graham Rebecca should be engaged to assess the impacts of the project at a local, regional and national level.

The project as described in the Scoping Opinion Request identifies nine merlin territories within the project area, two of which are likely to be lost and two of which may be impacted. The EIA Report must consider the alternatives to reduce or avoid significant impacts on merlin to include:

- No planting.
- Revised design to retain all nine merlin territories in open ground.

- No deer fencing.
- Predator control.
- Vegetation management.
- Recreational management to reduce disturbance.
- Monitor impact and response of merlin to afforestation and inform future land management decisions.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Operational timing restrictions: Limiting operations to safe working distances within critical breeding and nesting periods in areas with active territories.
- Woodland type, design and species choice: To increase open ground habitat, buffers and transitional habitat.
- Other mitigation e.g. provision of artificial nests on forest edges.
- Recreational Access Management Plan: Management of recreational access to avoid and minimise impacts and disturbance of merlin and other known raptor species and ground-nesting birds within the project area or adjacent and located in an overlapping disturbance zone.

4. Curlew

The likely significant effects from afforestation, fencing and roading include:

- **Disturbance**: Noise and visibility of operations within a critical distance of active breeding sites.
- **Disturbance**: Increased recreational use and disturbance of ground-nesting birds.
- **Loss of breeding sites**: Afforestation and changes in land management resulting in unsuitable habitat types for breeding/nesting.
- **Cumulative impact**: Neighbouring windfarm approval may have effects on curlew or other displacement related issues which should be considered.

WLC 22001 – Glendye Woodland Creation Project: Breeding Bird Survey Report (2022) has been previously submitted to Scottish Forestry, and we are satisfied that this provides a baseline survey of curlew populations. Additional data should be sought with regards to breeding bird data and survey conducted to inform the Glen Dye Windfarm development and to determine whether there are cumulative impacts arising from both projects. The cumulative impact assessment should identify any predicted loss of curlew territory arising from the windfarm development and the impacts of the afforestation project on any agreed off-site mitigation for the windfarm development. It should also consider the cumulative impacts of the peatland

restoration project within the project area with regards to the availability of suitable territory for curlew.

On the Scoping advice of NatureScot, given the uncertainty around how curlew will respond to afforestation, the EIA Report should consider the significance of the worst-case scenarios which would be the loss of all known territories.

The curlew assessment should consider the impact of deer fencing on this species including the short to medium-term impact on ground vegetation.

RSPB should be consulted when assessing the impacts of the project on curlew at a local, regional and national level.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts to curlew grouse to include:

- No planting on the site.
- Planting of a low-density native woodland mosaic.
- Other, different design of woodland creation.
- Predator control.
- The use of grazing regimes to help deliver a habitat that benefits curlew.
- Recreation management to avoid territories.
- Monitoring: monitor impact and response of curlew to afforestation and inform future land management decisions.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Operational timing restrictions.
- Woodland type, design and species choice: To increase open ground habitat, buffers and transitional habitat.
- Recreational Access Management Plan: Management of recreational access to avoid and minimise impacts and disturbance of known raptor species and ground-nesting birds within the project area or adjacent and located in an overlapping disturbance zone.

5. Waders (Lapwing; golden plover; oystercatcher; common sandpiper and snipe)

The likely significant effects from afforestation, fencing and roading include:

- **Disturbance**: Noise and visibility of operations within a critical distance of active breeding sites.

- **Disturbance**: Increased recreational use and disturbance of ground-nesting birds
- **Loss of breeding sites**: Afforestation resulting in unsuitable habitat types for breeding/nesting.
- **Cumulative impact**: Neighbouring windfarm approval may have effects on waders or other displacement related issues which should be considered.

WLC 22001 – Glendye Woodland Creation Project: Breeding Bird Survey Report (2022) has been previously submitted to Scottish Forestry; we are satisfied that this provides a baseline survey of wader populations. Additional data should be sought with regards to breeding bird data and survey conducted to inform the Glen Dye Windfarm development and to determine whether there are cumulative impacts arising from both projects. The cumulative impact assessment should identify any predicted loss of wader territory arising from the windfarm development and the impacts of the afforestation project on any agreed off-site mitigation for the windfarm development. It should also consider the cumulative impacts of the peatland restoration project within the project area with regards to the availability of suitable territory for waders

The wader assessment should consider the impact of deer fencing on this species including the short to medium-term impact on ground vegetation.

RSPB should be consulted when assessing the impacts of the project on waders at a local, regional and national level.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts to waders to include:

- No planting on the site.
- Planting of a low-density native woodland mosaic.
- Other, different design of woodland creation.
- Predator control.
- The use of grazing regimes to help deliver a habitat that benefits waders.
- Recreation management to avoid territories.
- Monitoring: monitor impact and response of waders to afforestation and inform future land management decisions.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Operational timing restrictions: To avoid disturbance during breeding season.
- Woodland type, design and species choice: To increase open ground habitat, buffers and transitional habitat.

- Recreational Access Management Plan: Management of recreational access to avoid and minimise impacts and disturbance of known raptor species and ground-nesting birds within the project area or adjacent and located in an overlapping disturbance zone.

6. Black grouse

The likely significant effects from afforestation, fencing and roading include:

- **Disturbance**: Noise and visibility of operations within a critical distance of active breeding site.
- **Loss of breeding sites**: Afforestation resulting in unsuitable habitat types for breeding/nesting.
- **Fence strike**: Deer fence presents physical barrier and hazard to black grouse.
- **Cumulative impact**: Neighbouring windfarm approval may have effects on black grouse or other displacement related issues which should be considered.

WLC 22001 – Glendye Woodland Creation Project: Breeding Bird Survey Report (2022) has been previously submitted to Scottish Forestry and we are satisfied that this provides a baseline survey of black grouse populations at a local level.

Additional data should be sought with regards to breeding bird data and survey conducted to inform the Glen Dye Windfarm development to determine whether there are cumulative impacts on black grouse arising from both projects. The cumulative impact assessment should identify any predicted loss of black grouse territory arising from the windfarm development and the impacts of the afforestation project on any agreed off-site mitigation for the windfarm development.

Deeside Black Grouse Group; RSPB; Forestry & Land Scotland; NESBReC[14] and/or the Local Bird Recorder should be consulted with regards to additional data for black grouse lek count data in Deeside to provide contextual data and assess the impacts of the project on black grouse at a regional level.

The black grouse assessment should consider the impact of deer fencing on this species, including the short to medium-term positive impact on ground vegetation for black grouse and how this could be maintained.

RSPB should be consulted when assessing the impacts of the project on black grouse at a local and regional level.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts to black grouse to include:

[14] North East Scotland Biological Records Centre https://nesbrec.org.uk/

- No planting on the site.
- Planting of a low-density native woodland mosaic.
- Other, different design of woodland creation.
- No perimeter/limited barrier deer fence.
- Moorland management.
- Predator control.
- The use of grazing regimes or mechanical techniques to help deliver a habitat that benefits black grouse.
- Recreational management to avoid disturbance.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Operational timing restrictions.
- Woodland type, design and species choice: To increase open ground habitat, buffers and transitional habitat.
- Fence marking as per Forestry Commission Technical Note: Fence marking to reduce grouse collisions.[15]
- Limited barrier fencing.
- Recreational Access Management Plan.

7. Large heath butterfly

The likely significant effects from afforestation, fencing and roading include:

- **Tree seeding**: Spread of tree species into open ground over time.
- **Habitat change**: Changes to local water tables due to afforestation and road construction resulting in drying and habitat changes.
- **Isolation**: Afforestation resulting in enclosure of the colony, limiting future dispersion to suitable habitats.
- **Disturbance/damage**: Resulting from machine movements through occupied suitable habitat and increased recreational use of the site.

The EIA Report should make an analysis of suitable large heath butterfly habitats as identified in the Glen Dye Moor: Habitats, Peat and Protected Species (2022) and Butterfly Conservation Scotland (BCS) national survey data 2018 – 2022. The report should assess impacts and mitigation against BCS Factsheet: Large Heath Butterfly[16]. The Report should also include the field survey methodology and results from the

[15] Forestry Commission (2012) Technical Note: Fence marking to reduce grouse collisions.
[16] Available at https://butterfly-conservation.org/sites/default/files/large-heath-psf.pdf

2024 site work which is referred to in the Issues Log but has not been made available to Scottish Forestry. This survey should determine the distribution and locations of colonies across the project area and be recognised by Butterfly Conservation Scotland as a competent survey.

Butterfly Conservation Scotland should be consulted to assess the impacts of the project on large heath butterfly at a local, regional and national level.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts to large heath butterfly to include:

- Increased open ground buffers around suitable habitats.
- Increased connectivity of open ground around colonies.
- No planting.
- Different tree species and stocking density.
- Recreational management.
- Vegetation management for suitable habitat.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Monitoring and management intervention: Monitoring to identify and address threats related to tree seeding into open ground habitat for large heath butterfly. Ongoing surveys to determine extent and spread of large heath butterfly on site.
- Operational management: To avoid and reduce impacts arising from machinery movement across site.
- Recreational Access Management Plan: To reduce and avoid disturbance of habitat.

8. Deer Management

The likely significant effects from afforestation, fencing and roading include:

- **Habitat loss**: New fencing will exclude deer from foraging areas.
- **Entrapment**: Deer will remain resident within the enclosure.
- **Change to immigration/emigration**: Changes to local deer dispersion to and from neighbouring properties.
- **Habitat change**: Lowering of browsing pressure impacting sensitive habitats and species.
- **Recreational access**: Deer fence will impede recreational access across the site.

- **Bird strike**: Deer fence will be a physical barrier and hazard for birds.
- **Visual impact**: Deer fence will have visual impact at scale and impact setting of scheduled monuments.
- **Redundant materials**: New fence line will render existing fencing materials redundant and a hazard for wildlife, recreational users and potential wildfire.
- **Breaches of deer fencing**: Deer fence is liable to breaches due to snow conditions and poor maintenance.
- **Disturbance**: Layout of materials for any deer fence could cause disturbance to golden eagle, black grouse, ground-nesting birds, archaeology and LNCS.

The EIA Report should include a Deer Management Plan to be completed using the Scottish Forestry Deer Management Plan template[17] which considers the wider landscape-scale movement of deer to and from the project area and the opportunities for collaborative landscape-scale deer management. The assessment should consider long-term deer management beyond the lifespan of any fence to sustain woodland ecological processes and natural regeneration in perpetuity.

An assessment should be made, and detail provided, on the ongoing requirements to maintain the effectiveness of any deer fencing proposed for the life of the fence and the subsequent replacement and removal if required to meet the establishment objectives.

The Landscape and Visual Impact Assessment should consider the impacts of new deer fencing on landscape. The impacts of the fence on the setting of the scheduled monument should also be assessed as a separate consideration as described in UKFS Section 3 of this Opinion.

The Recreation Access Management Plan should consider the impacts of new deer fencing on access and egress for all users now and over the lifespan of the fence as referred to in Section 9 of this Opinion.

The curlew, wader and black grouse assessment (EIA Report section 4, 5, and 6 of this Opinion) should consider the impact of deer fencing on these species.

The DMP needs to include an assessment of neighbouring ownerships and their management objectives (e.g. deer reduction/grouse moor/stalking estate), current deer numbers and migration routes to put the project area in wider context. It should consider the relative risk of immigration over the whole project area and consider the appropriate deer management at a landscape scale.

Neighbouring landowners and specifically Glen Dye Estate along with NatureScot should be consulted to consider the impacts of deer management at a local and regional level, and particularly the risks or sources of deer immigration which can be

[17] Available at Scottish Forestry - Forest plan resources

mitigated. NatureScot should also be consulted on deer management which is not predicated on a perimeter deer fence as part of the requirement to consider reasonable alternatives to reduce and avoid impacts.

The assessment should consider the risks of building a fence and maintaining this as deer-proof under all conditions to prevent incursions compared against the risks to establishment of not fencing. This should consider the topography of the site, prevailing weather conditions and snow events, movement of deer across the site, and differing management approaches.

The EIA assessment should also be made with reference to the Scottish Government's considerations on the sustainable management of deer and the recommendations of the Scottish Government's: Deer Working Group report[18].

A suitably experienced and recognised professional should be appointed to undertake this assessment and provide a robust evaluation of all options and alternatives and the proposed mitigations.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts of deer management, including:

- No deer fencing with increased deer control to secure establishment.
- Strategic deer fencing to prevent immigration of deer along established routes into project area.
- Deer management plan based on no/strategic deer fencing.
- Collaborative deer management at a landscape scale and in conjunction with neighbouring land managers to reduce deer numbers at scale and support new woodland planting without deer fencing.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Fencing: Design and extent of any fencing; fence marking as per as per Forestry Commission Technical Note: Fence marking to reduce grouse collisions[19] and gates.
- Compensatory cull: Any new fencing will require culling to compensate for habitat loss.
- Management cull: Deer levels within any enclosure will be managed to low levels. Deer numbers within unfenced project area will also require management cull.

[18] The management of wild deer in Scotland: Deer Working Group report - gov.scot
[19] Fence marking to reduce grouse collisions

- Monitoring: Long-term monitoring of herbivore impact to inform future cull targets and provide reporting figures.
- Waste and Redundant Materials Management Plan: To deal with redundant fencing materials at end-of-use or in the event of replacement. This plan should detail plans for disposal of litter and the use and disposal of manufactured products.

Materials Layout Plan: Detail timing and routes of layout of any fencing to avoid and minimise disturbance to golden eagles and ground-nesting birds.

9. Recreation and Access

The likely significant effects from afforestation, fencing and roading include:

- **Physical barriers to access**: New deer fencing creating physical barriers to all, or certain groups (e.g. horse access) of users at access points onto site.
- **Loss of access through physical damage**: Trails and paths being lost through direct planting of trees, or trails and paths being physically damaged through operations. This may include loss through lack of maintenance to infrastructure.
- **New or improved access**: Positive effects due to the removal of existing barriers, improvement of facilities and creation of new roads.
- **Disturbance/damage**: Increased recreational use resulting in disturbance of breeding birds and damage to priority habitats and sensitive areas.
- **Increased waste and litter**.
- **Increased risks of traffic accidents and vehicle collisions**: Arising from insufficient car parking provision.

The EIA Report should include the assessment of Strava heatmaps to capture further usage not captured in analysis of OS mapping and consultation process conducted in due diligence. This should include any seasonal snow-sport use. The assessment of any proposal for non-motorised access must meet the requirements of the Land Reform (Scotland) Act 2003[20] and the UKFSv5[21]. Additionally, it should consider potential conflicts with the Equalities Act 2010 and Forestry Commission Scotland (2013) Practice Note: Managing Woodland Access and Forest Operations in Scotland[22].

The EIA Report should specifically assess the impacts of a new deer fence on recreational access and egress at a landscape scale.

[20] Land Reform (Scotland) Act 2003
[21] Scottish Forestry - UK Forestry Standard
[22] Forestry Commission Scotland (2013) Practice Note: managing woodland access and forest operations in Scotland

The EIA Report should assess the impacts of recreational use on sensitive sites; archaeology; habitats and species which are at risk of damage or disturbance. This assessment should be based on relevant species guidance and survey recommendations and be supported by mapping at a suitable scale to articulate mitigation.

Outdoor Access Trust; Aberdeenshire Council Access Officer; Finzean Community Council; Feughside Community Council; Mountain Bothy Association; Mountaineering Council of Scotland; British Horse Society and Snowsports Scotland should be engaged with to provide comment on the location and types of access points and to consider the impacts of recreation management at a local and regional level.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts of recreation including:

- No planting.
- No deer fencing.
- Strategic deer fencing.
- Additional recreational infrastructure – opportunities to create more linkages between existing routes and desire lines.
- Increased car parking and visitor management.
- Re-routing paths to avoid known sensitivities such as breeding birds and sensitive habitats.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Fencing: Design and extent of fencing; fence marking as per Forestry Commission Technical Note: Fence marking to reduce grouse collisions[23] and appropriate gate prescription.
- Micro-siting of fence line to minimise bird strike.
- Recreational Access Management Plan: To assess and reduce risks to paths/tracks, the public and sensitive areas.
- Waste and Redundant Materials Management Plan: To address impacts of increased litter arising from the extended car park and any increase in recreational use. The plan should also address removal of redundant fencing material and operational waste arisings such as redundant tree shelters or vole guards.
- Extension of current car parking provision.
- Wildfire Control Plan.

[23] Fence marking to reduce grouse collisions

- Waymarking and signage: Waymarking and route management/ communication plan for recreational users.
- Data collection: Ongoing collection of user data to inform future management and development.

10. Landscape (including Clachnaben & Forest of Birse Special Landscape Area (SLA))

The likely significant effects from afforestation, fencing and roading include:

- **Effects on landscape (physical and character)**
- **Visual amenity**

The EIA Report should provide a Landscape and Visual Impact Assessment (LVIA) which is informed by the Guidelines for Landscape and Visual Impact Assessment[24] (GLVIA3) and Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3).[25]

The LVIA should consider potential effects upon the landscape resource, including relevant designated landscapes (i.e. Forest of Birse SLA) and non-designated landscape character. Effects on the landscape may occur within the site, but there is also potential to impact upon landscapes beyond the site boundary (i.e. indirect effects). The LVIA should consider potential effects on all landscape receptors within the study area.

The LVIA should also consider how the proposal may impact the visual amenity of the area, as experienced by people. Receptor groups include residents, road users and recreational visitors.

Although not defined explicitly, material presented to date has reflected a study area which extends approximately 3.5 km from the site boundary, this is considered sufficient.

The LVIA should be supported by photographs and visualisations, showing the existing view (baseline), short-term change (e.g. Year 5) and long-term change (e.g. Year 25). The following viewpoints are required:

- Old Military Road (approx. NO 639 933);
- Peter Hill (approx. NO 577 885);
- Airy Muir (approx. NO 604 874);

[24] Landscape Institute and Institute of Environmental Managers and Assessment (2013). Guidelines for Landscape and Visual Impact Assessment (3rd Edition).
[25] Landscape Institute (2024). Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3).

- Mount Shade (approx. NO 626 870);
- Clachnaben (approx. NO 615 865);
- Glen Dye Lodge (approx. NO 644 863);
- Charr Bothy (approx. NO 615 831);
- Cairn o'Mount (approx. NO 648 806);
- Mount Battock (approx. NO 550 845);
- Track above Burn of Baddymicks (approx. NO 584 836);
- Sandy Hill (approx. NO 593 859); and,
- B974 (approx. NO 650 837).

Please note that the majority of these viewpoints have been used in previous submissions, while the other four were highlighted in advice from Scottish Forestry ahead of the Scoping Meeting. Viewpoint locations are approximate to allow for ground-truthing, i.e. small relocations to prevent local features (e.g. trees, posts, walls, etc.) from obscuring the view. Visualisations should be presented alongside baseline photographs, aligned with them and at the same scale, to aid comparison.

The EIA Report should consider reasonable alternatives to reduce or avoid impacts on landscape:

- No planting.
- Design changes open ground and species choice.
- No deer fencing.
- Reduced deer fencing.
- No new roading.

Mitigation proposed may include a range of mitigation measures to include reasonable alternatives and:

- Amendments to the planting design with reference to, for example, previous advice provided by Scottish Forestry and/or relevant UKFS guidelines and/or relevant Practice Guide[26].

[26] Design techniques for forest management planning - Forest Research

Issues to be addressed through UKFS and published guidance and included in EIA Report project description

The following issues were identified in the Scoping Opinion Report; however it is Scottish Forestry's view that these items can be addressed through the application of UKFS and published guidance in refining the design of the scheme. Scottish Forestry expect to see these issues addressed in the design and project description and operations detail of the EIA Report project descriptions.

1. Feughside Local Nature Conservation Site (LNCS)

The potential effects from afforestation, fencing and roading include:

- **Visibility**: Relic glacial and fluvial landforms can be obscured by commercial woodland.
- **Ground Disturbance**: Relic glacial and fluvial landforms can be damaged by operations and commercial woodland.

The design should consider the project in the context of the Aberdeenshire Local Development Plan: Appendix 12 Local Nature Conservation[27] and the UK Forest Standard[28]. It should provide analysis of the High-Resolution Digital Terrain Models referred to in the Scoping Opinion Report and generated through aerial survey using fixed wing aircraft carried out in 2023 producing 20cm resolution to a digital terrain model as well as 10cm resolution Ortho-mosaic photography of the land ownership.

The design should consider appropriate mitigation to reduce or avoid impacts to th e LNCS such as:

- Other, different design of woodland creation.
- Species choice and stocking density.
- Avoidance of planting: Retaining open ground around sensitive areas.
- Limitation of ground disturbance: Avoidance of some areas from new tracks or ground cultivation.

2. Priority Flora

The effects from afforestation, fencing and roading may include:

- **Tree seeding**: Spread of tree species into open ground over time and into adjacent sensitive areas.

[27] Aberdeenshire Council. 2023. Aberdeenshire Local Development Plan: Appendix 12 Local Nature Conservation Sites. https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2023/
[28] Forest Research (2023) The UK Forestry Standard

- **Adjacent habitat**: Important mire site (considered the best of its type in Kincardineshire) outside the project boundary is likely to be affected by tree planting detailed on current project maps.
- **Shading**: Reduced light availability impacting priority plant growth.
- **Ground disturbance**: Impacts to soil and vegetation from ground preparation, fencing, and infrastructure works.
- **Species choice**: County records contain no evidence to suggest that any species of mountain willows have occurred in Kincardineshire during the last 200 years.
- **Herbicide control and fertiliser use**: Spray drift and run-off may impact sensitive species.

Glen Dye Moor: Habitats, Peat and Protected Species (2022) survey has been previously submitted to Scottish Forestry and provides a baseline vegetation survey for the site. Additional data from the Botanical Society of Britain and Ireland (BSBI) has also been provided by David Elston to identify species of local, regional and national interest and where they are known to occur. A list of a list of species referenced in the Mountain Woodland Action Group[29] guidance as being native to Kincardineshire has also been provided to the applicant.

The design should consider the habitat requirements of the botanical species already identified. Impact assessments will also be carried out for species not included in the national lists, but known to be of conservation concern in Kincardineshire as referenced in BSBI Register of the Flora of Conservation Concern in Kincardineshire[30]. All relevant official lists of conservation statuses for all UK plants will be used in the assessment as per the BSBI Taxon lists for: Red listing based on 2001 IUCN guidelines; Rare and scarce species (not based on IUCN criteria) and Biodiversity Lists – Scotland.

Dr Andy McMullen of Botanaeco could be engaged to assess the impacts of the project on priority flora at a local, regional and national level in the design. Further comment could be sought from David Elston, BSBI.

The design should consider appropriate mitigation to reduce or avoid impacts to priority flora to include:

- Avoidance of planting: Retaining open ground where planting might affect sensitive areas.
- Increased open ground buffer around sensitive habitats and flora.

[29] msag.org.uk
[30] David Elston & David Welch Edition (2024) A Register of the Flora of Conservation Concern in Kincardineshire available at https://bsbi.org/wp-content/uploads/dlm_uploads/2024/04/RPR_Text_and_All_Tables_2024_Edition_1_v1-1.pdf

- Drainage and road placement to avoid the diversion of overland flow paths feeding wetlands dependent on surface water.
- Species choice: No flushes to be planted with commercial conifer species.
- Chemical use plans: Operational plan for storage and application of chemicals. This will be addressed under site-specific operational plans before work commences.
- Monitoring and management intervention: Monitoring to identify and address threats related to tree seeding.

3. Archaeology including Cairn o'Mount Scheduled monument (SM) (SM4968 Cairn o'Mount cairns)

The effects from afforestation, fencing and roading could include:

- **Woodland establishment**: Rooting can damage archaeological features over time, both surface and subsurface features may be impacted.
- **Ground disturbance**: Impacts on surface and sub-surface features arising from soil and vegetation disturbance through ground preparation, fencing, and infrastructure works.
- **Visual impact**: Both planted, and naturally regenerating trees can obscure the visibility of the features including views to and from the SM.
- **Sense of place**: New planting will impact the open aspect around the unscheduled settlement.
- **Damage to scheduled monument**: The proximity of the monument to the boundary of the application area and the public road puts it at risk of accidental physical damage from vehicular movement, storage of vehicles and material and works relating to the construction of the boundary fence.
- **Setting impacts on scheduled monument**: The creation of new woodland and the construction of a new deer fence have the potential to result in adverse impacts on the setting of the monument.

The design should be informed by the Archaeological Report (GUARD Archaeology Ltd, 2022) as previously submitted to Scottish Forestry, to present detailed maps and site-specific mitigation proposals for each of 17 known cultural heritage sites within the area, including one nationally significant scheduled monument, and six previously unrecorded cultural heritage sites of lesser cultural heritage significance which were located during the walkover survey.

A further nine cultural heritage sites, including one nationally significant scheduled monument and one regionally significant Category B Listed Building, are located within 100 m of the area. The design should consider the impacts of the afforestation and roading project on features within 100m of the project area.

The design should consider fit with the Aberdeenshire Local Development Plan[31] Policy HE1 and the retention of 'sense of place' with regards to landscape setting for cultural heritage features and Scottish Planning Policy[32] para 151 regarding open space.

The design should be informed by the Landscape and Visual Impact Assessment (LVIA) to be undertaken as part of the EIA Report and to include an assessment of the impacts of the proposed fence line in relation to the Cairn o'Mount scheduled monument. The LVIA should also consider the intervisibility and 'sense of place'.

A competent and qualified individual should carry out an assessment of setting impacts on cultural heritage assets. We would expect the setting impact assessment to consider the impact of the scheme overall, not just the impact of the fence line placement. Historic Environment Scotland's Setting guidance note[33] offers more information on this matter.

Aberdeenshire Council and Historic Environment Scotland could be engaged to assess the impacts on archaeology at a local, national and regional level.

The design should consider appropriate mitigation to reduce or avoid impacts on archaeology of recreation including -

- No planting.
- Re-routing of new roads to avoid heritage features as an alternative to roadbuilding through features.
- Additional recreational infrastructure – opportunities to create more open ground linkages between features.
- Retaining features in open ground buffers.
- Inter-visibility: Interconnectivity of open corridors around archaeological features where this enhances user experience and understanding of the cultural setting.
- Operational planning: Site marking and operator training as per UKFS Forests and Historic Environment. [34]
- Natural Regeneration Management protocol: Agreed protocol to monitor and deal with natural regeneration in archaeological features.
- Recreational Access Management Plan: To manage visitor experience and reduce potential damage to archaeological sites.

[31] Aberdeenshire Council. 2023. Aberdeenshire Local Development Plan: Appendix 13 Aberdeenshire Special Landscape Areas. https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2023/
[32] Scottish Planning Policy (SPP) - Scottish planning policy - gov.scot
[33] Historic Environment Scotland (2016) Managing Change in the Historic Environment: Setting
[34] Forest research (2023) UKFS: Forests and Historic Environment

The Historic Environment Scotland EIA Handbook[35] also provides best practice advice on assessing cultural heritage impacts.

4. Soils and Ground Cultivation

The potential effects from afforestation, fencing and roading include:

- **Carbon balance**: Release of stored carbon through soil disturbance from cultivation and habitat change.
- **Diffuse pollution**: Erosion and sediment run-off resulting from soil disturbance for cultivation, drainage and roads.
- **Soil disturbance and compaction**: Impacts to soil (compaction, erosion and drainage changes) and vegetation from ground preparation, fencing, and infrastructure works.
- **Flood risk**: Soil erosion and compaction can lead to rapid runoff and siltation of rivers, further reducing their water holding capacity.
- **Recreation**: Ground preparation can hinder and impede recreational use of the site.

The design should be informed by soil types, soil erodibility risks[36], and phases as described in FC field guide 'The Identification of Soils for Forest Management[37]'; FC Bulletin 124 'Ecological Site Classification for Forestry in Great Britian'[38]; 2001 ESC Field Survey Pack and related online videos[39]. The design and operations plan should consider proposed cultivation methods against Scottish Forestry's Cultivation guidance[40].

The design should confirm the location and number of quarries and borrow-pits required to service roadbuilding if the intention is to generate material on-site and consider mitigation as per the UKFS Practice Guide Managing forest operations to protect the water environment (2nd edition).[41]

The design and operations plan should consider appropriate mitigation to reduce or avoid impacts on soils including:

- No cultivation.

[35] Environmental Impact Assessment Handbook | Hist Env Scotland
[36] Forest Research (2025) UKFS Practice Guide: Managing forest operations to protect the water environment (2nd edition) Box 1, page 4.
[37] Forest Research (2025) UKFS Practice Guide: Managing forest operations to protect the water environment (2nd edition)
[38] Forestry Commission Bulletin: An ecological site classification for forestry in Great Britain
[39] ESC Field Survey Pack
[40] Scottish Forestry - Cultivation Guidance
[41] Managing forest operations to protect the water environment - Forest Research FCPG025B-WEB-compressed.pdf

- Drainage design, timing and placement.
- Road placement and design.
- Use of inverted mounding where appropriate.
- Timing of ground preparation operations to reduce risks of collapse of hinge mounds prior to planting, soil erosion, soil compaction and loss of sediment.
- Avoidance of planting on skeletal soils and outcrops.
- Ground preparation: Use of optimal cultivation methods and machinery appropriate for soil types to avoid or reduce disturbance and compaction of soil.
- Diffuse Pollution Control Planning: During the planning stage of operations an assessment of diffuse pollution risk and instructions for prevention techniques will be carried out and form part of contract materials. This will be presented under site-specific operational plans before work commences.
- Emergency planning: Ensuring all operational contracts include emergency response plans and prevention techniques to reduce risk of pollution. This will be presented under site-specific operational plans before work commences.

5. Peatland

The potential effects from afforestation, fencing and roading include:

- **Carbon loss**: Release of stored carbon through soil disturbance from cultivation and road construction.
- **Hydrological change**: Impacts on the functional hydrological connectivity of adjacent peatlands, including changes to local water tables and water flows, due to cultivation, afforestation, drainage and road construction.
- **Soil disturbance and compaction**: Resulting from operations e.g. cultivation, machinery, roads and drainage.
- **Risk of invasive seeding-in from conifer species**.

A peat depth survey was undertaken for the entire landholding (Glen Dye Moor Habitats, peat & protected species. 2022.) with supplemental survey work carried out by Scottish Woodlands and provided in its 'Deep Peat Assessment, Methodology and Approach' report of August 2024.

The design should consider the impacts of the afforestation and forest road projects on the peatland restoration project being carried out within the project boundary. This includes the peatland restoration project area relative to the afforestation and roading project to address potential impacts and mitigation and be informed by Scottish Forestry's Cultivation guidance[42] and UKFS Practice Guide: Managing Forest

[42] Scottish Forestry - Cultivation Guidance

operations to protect the water environment[43]. It should consider the hydrological and seeding impacts of afforestation on the peatland restoration projects, including the areas identified as being under third-party ownership.

Species choice should refer to Forestry Commission Practice Guide: Managing open habitats in upland forests[44] and Scottish Forestry's Supplementary guidance to support the FC Forests and Peatland Habitats Guidance Note[45].

The NatureScot Peatland ACTION project[46] should be engaged to comment on the impact of the project on peatland at a local, regional and national level.

The design should consider appropriate mitigation to reduce or avoid impacts on peatland:

- No planting.

  Alternative planting species.
- Drainage design, timing and placement.
- Road placement and design.
- Cultivation techniques as described in Scottish Forestry Cultivation guidance[47]
- Avoidance: No planting on peatland greater than 50cm in depth and planning new access tracks to avoid deep peat wherever possible.
- Buffers: Utilisation of low-density native woodland and natural regeneration to create transitional habitats and minimise risk of non-native tree species seeding.
- Regeneration Management Plan: Commitment to removing non-native tree species seedlings from peatland.
- Operational planning: Site marking and operational supervision to avoid areas of deep peat being cultivated or impacted by vehicular traffic.

6. Ground Water Dependant Terrestrial Ecosystems (GWDTE)

The potential effects from afforestation, fencing and roading include:

- **Shading**: Can improve species-poor communities, where there is single species dominance such as grass, to improve diversity of flora.
- **Reduction of grazing pressure**: Can improve diversity of plant communities within GWTDE.

[43] Managing forest operations to protect the water environment - Forest Research
[44] Managing open habitats in upland forests - Forest Research
[45] Supplementary guidance to support the FC Forests and Peatland Habitats Guideline Note (2000)
[46] Peatland ACTION | NatureScot
[47] Scottish Forestry - Cultivation Guidance

- **Hydrological Change**: Changes to local water tables due to afforestation and road construction.
- **Pollution of groundwater**: From any oils, fuels, or chemicals. Deep excavations (>0.5m) and can release and mobilise pollutants from soils into the water environment.
- **Ground disturbance**: Impacts to soil and vegetation from ground preparation, fencing, and infrastructure works.

A NVC survey was conducted in 2022 (Glen Dye Moor Habitats, peat & protected species. 2022.) to identify identifying habitats/plant communities of relevance to Annex I of the Habitats Directive, or GWDTE under the Water Framework Directive. This has previously been provided to Scottish Forestry in support of the project.

The design of the scheme should be informed by the Confor, FCS, SNH, SEPA Working Group Practice guide for forest managers to assess and protect Groundwater Dependent Terrestrial Ecosystems when preparing woodland creation proposals (2018)[48]. The design should be accompanied by mapping of an appropriate scale to clearly demonstrate mitigation.

The design should consider appropriate mitigation to reduce or avoid impacts on GWDTE:

- No planting.
- Alternative species.
- Buffers: Utilisation of low-density native woodland and natural regeneration to create transitional habitats.
- Avoidance: Retain botanically high-value GWDTE in open ground buffers.
- Monitoring: monitoring to identify and address threats related to tree seeding.
- Operational planning: Site marking and operational supervision to avoid damage to GWDTE and to include machinery exclusion zones, adequate buffers and appropriate road design.
- Emergency planning: Ensuring all operational contracts include emergency response plans and prevention techniques to reduce risk of damage to GWDTE.
- Chemical use plan: Prevent risk of over-spray and other impacts.

7. Water (including Drinking Water Protected Area)

The potential effects from afforestation, fencing and roading include:

- **Diffuse and point-source pollution**: Operational spills of oil, fuel, or other chemicals (pesticides and fertilisers), as well as potential sediment run-off carrying pollutants and causing siltation following soil disturbance.

[48] practice-guide-on-ground-water-dependent-terrestrial-ecosystems.pdf

- **Hydrological change**: Changes to local water tables, overland flow paths, runoff volumes and peak stream flows which can have flood mitigation benefits, but flood risk can be exacerbated if the site is not planned, cultivated and managed well.
- **Impact on the water of Feugh**: 'Moderate' water body status for overall ecology, this can be impacted by nitrogen & phosphate loading mobilised by soil erosion and sediment in surface runoff.
- **Riparian habitat modification**: Creation of riparian woodland resulting in shading, temperature change, nutrient and organic material input, bankside stabilisation of watercourses.

The design should demonstrate management of risks and outline how water quality, particularly on the Water of Feugh will be safeguarded and by what design measures.

It is noted that there is abandoned Scottish Water pipework and a reservoir within the project area which will be subject to formal decommissioning. Application paperwork should confirm what the status of this infrastructure is and apply mitigation as appropriate.

The project area has been confirmed as a Drinking Water Protection Area. The design should be informed by Scottish Water. Annex 1: Precautions to protect drinking water and Scottish Water assets during forestry activities[49]. This should consider overland flow paths which lead to sensitive receptors such as wetlands and justify suitable locations for buffers and riparian woodland design and placement. It should also consider the timing and frequency of water quality monitoring during operations. Scottish Water should also be engaged to comment on this.

The design should consider soil types and characteristics and ground cultivation with regards to risks to the water environment arising from soil erosion and sedimentation. The project should also describe any new drainage; culverting or bridging, assess the impacts and describe site-specific mitigation. It should refer to Scottish Forestry Cultivation guidance[50]; UKFS Practice Guides: Managing forest operations to protect the water environment[51]; Designing and managing woodland to manage flood risk[52]; Creating and maintaining riparian woodland[53] and the CREW Better Buffer Design, Placement and Management paper.[54]

[49] Available at https://www.scottishwater.co.uk/-/media/ScottishWater/Document-Hub/Key-Publications/Energy-and-Sustainability/Sustainable-Land-Management/091120SWListOfPrecautionsForDrinkingWaterAndAssetsGeneralEdD.pdf

[50] Scottish Forestry - Cultivation Guidance
[51] Managing forest operations to protect the water environment - Forest Research
[52] Designing and managing forests and woodlands to reduce flood risk - Forest Research
[53] Creating and managing riparian woodland - Forest Research
[54] CREW Better Buffer Design, Placement and Management

The design should consider appropriate mitigation to reduce or avoid impacts on water:

- No planting.
- Design of riparian woodland.
- Alternative ground preparation.
- Timing of ground preparation operations.
- Alternative new roading routes and routing of new roading to minimise water crossings.
- Diffuse Pollution Control Planning: During the planning stage of operations an assessment of diffuse pollution risk and instructions for prevention techniques will be carried out and form part of contract materials. This includes a 50m exclusion buffer zone for refuelling, storage or handling of fuels, oils or hazardous materials around all surface watercourses, boreholes and springs. Monitoring of water quality: Location, methodology and frequency of water quality monitoring and especially turbidity to monitor impacts on the DWPA and the Water of Feugh being 'moderate' water quality status.
- Minimising, avoiding, strategically locating and appropriately designing the installation of new drainage.
- Minimising ground disturbance, soil compaction and soil erosion.
- Operational planning: Operational supervision of ground preparation, fuel storage and refuelling, roading and quarrying and monitoring of impacts of water quality.
- Emergency planning: Ensuring all operational contract include emergency response plans and prevention techniques to reduce risk of pollution.
- Chemical use plan: To ensure chemical storage and application avoids and reduces risks to water environment.
- Biosecurity precautions: Safeguarding the water environment from invasive species and ensuring sure machinery is clean and washed down.

8. Wildfire

The potential effects from afforestation, fencing and roading include:

- **Fuel loading**: Change of available fuels both in type and quantity.
- **Lack of planning**: No measures in place to prevent or contain wildfire.
- **Increased recreational access**: Increase in potential anti-social behaviour and fire-lighting.

The design should be informed by Forestry Commission Practice Guide: Building wildfire resilience into forest management planning[55] and UKFS Practice Guide: Adapting forest and woodland management to the changing climate.[56]

Neighbouring land managers should be engaged with to address cross-boundary risks and effects of wildfire.

The design should consider appropriate mitigation to reduce or avoid impacts of wildfire:

- Design revisions to increase firebreaks.
- Planning: Wildfire Management Plan. This will include cross-boundary effects.
- Signage: Fire prevention signage and other information signage to be used on site
- Fire breaks: Maintaining fire breaks in line with the Wildfire Management Plan.
- Waste and Redundant Materials Management Plan: To minimise additional fuel loading on-site. This should detail plans for disposal of litter and redundant materials and the use and disposal of manufactured products.
- Recreational Access Management Plan: Manage recreational fire-lighting.

Presentation of EIA Report

The EIA Report must be prepared by competent experts and must be accompanied by a statement outlining the relevant qualifications or experience of those experts.

The format and layout of the EIA Report must follow the Scottish Forestry's 'Undertaking an Environmental Impact Assessment in Forestry' guidance[57].

The Report should go through an appropriate internal review process prior to submission to Scottish Forestry to ensure clarity, accuracy, and completeness. It should also have version-control and numbered paragraphs to aid review. All supporting maps should be of an appropriate scale and size to clearly-articulate the required information with the avoidance of doubt.

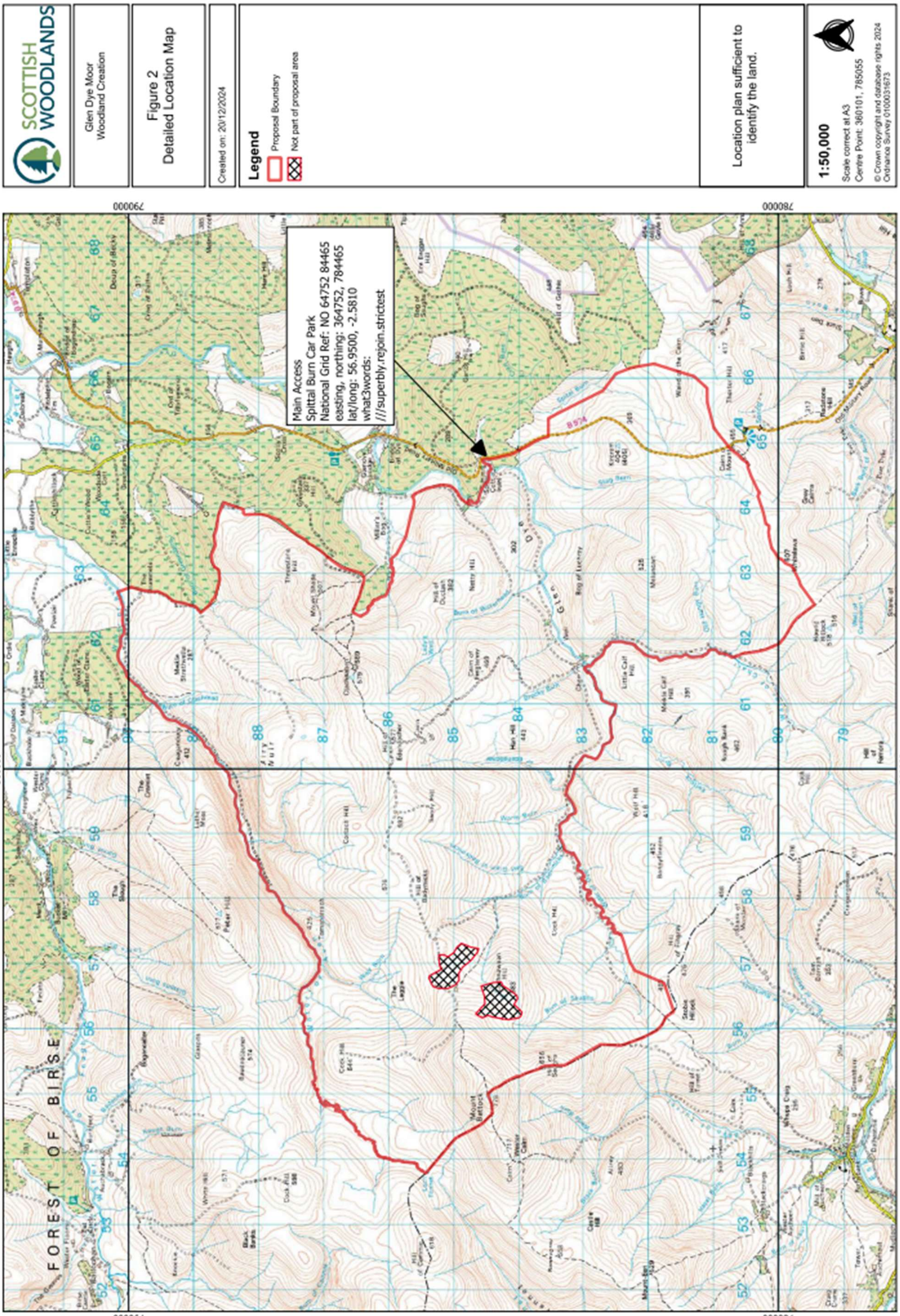
You should ensure that the project presented and described in the EIA Report meets the UK Forestry Standard (UKFS v5)[58] and, in particular, you should ensure that the EIA Report also addresses all the UKFS issues set out in the Issues Log dated 30th August 2024 and submitted in the Scoping Opinion Report.

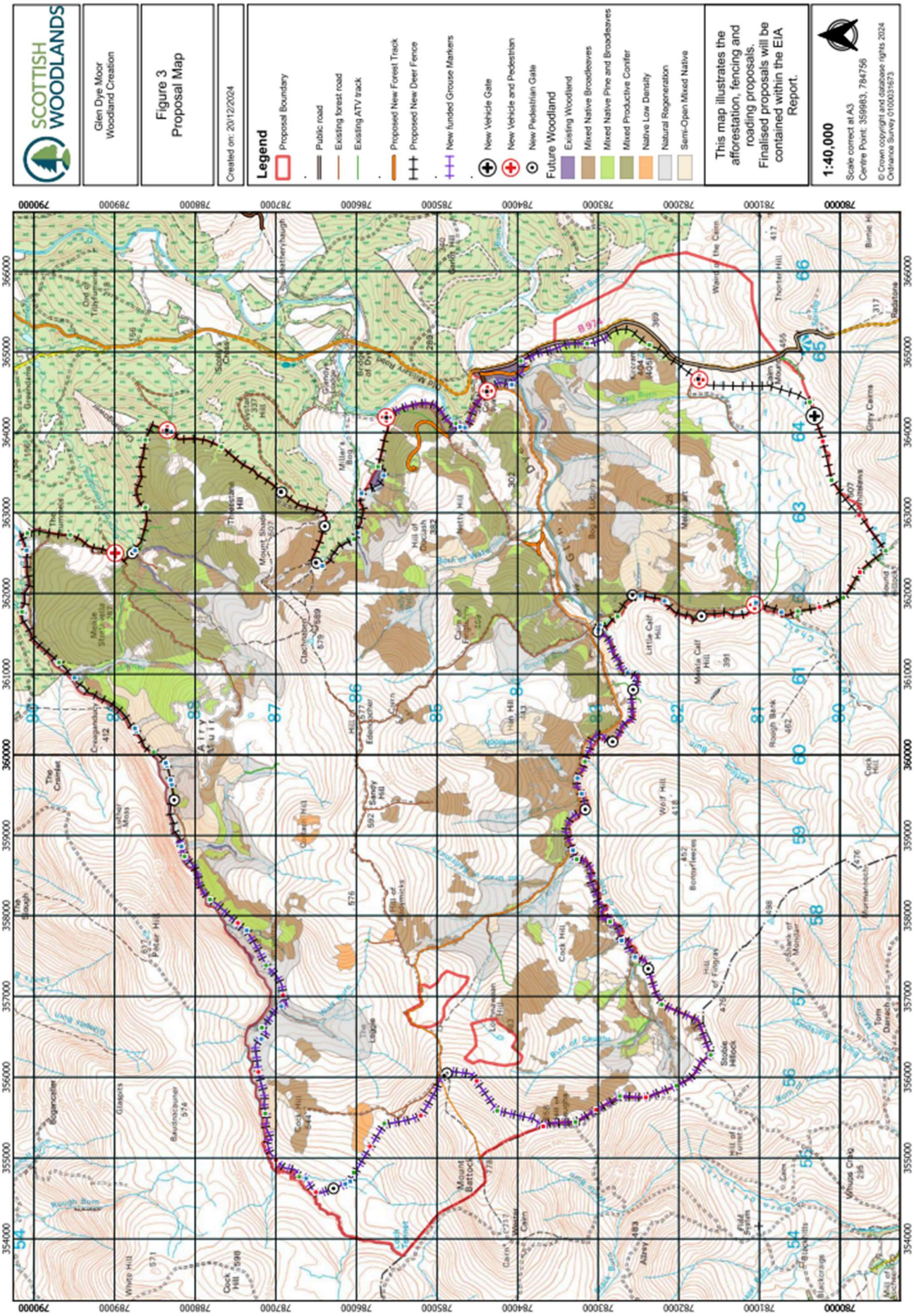
[55] Building wildfire resilience into forest management planning - Forest Research
[56] Adapting forest and woodland management to the changing climate - Forest Research
[57] Scottish Forestry - Undertaking an Environmental Impact Assessment in Forestry guidance
[58] Scottish Forestry - UK Forestry Standard

Information on how to undertake an EIA, including the preparation of the EIA Report is available in the guidance booklet 'Undertaking an Environmental Impact Assessment in Forestry'.[59]

[59] Scottish Forestry - Apply for consent

Annex 1: Figures 1, 2 and 3


SCOTTISH WOODLANDS
Glen Dye Moor Woodland Creation
Figure 2
Detailed Location Map
Created on: 20/12/2024
Legend
Proposal Boundary
Not part of proposal area
Location plan sufficient to identify the land.
1:50,000
Scale correct at A3
Centre Point: 360101, 785055
© Crown copyright and database rights 2024 Ordnance Survey 0100031673
Main Access
Spittal Burn Car Park
National Grid Ref: NO 64752 84465
easting, northing: 364752, 784465
lat/long: 56.9500, -2.5810
what3words:
///superbly.rejoin.strictest
FOREST OF BIRSE


SCOTTISH WOODLANDS
Glen Dye Moor Woodland Creation
Figure 3 Proposal Map
Created on: 20/12/2024
Legend
Proposal Boundary
Public road
Existing forest road
Existing ATV track
Proposed New Forest Track
Proposed New Deer Fence
New funded Grouse Markers
New Vehicle Gate
New Vehicle and Pedestrian
New Pedestrian Gate
Future Woodland
Existing Woodland
Mixed Native Broadleaves
Mixed Native Pine and Broadleaves
Mixed Productive Conifer
Native Low Density
Natural Regeneration
Semi-Open Mixed Native
This map illustrates the afforestation, fencing and roading proposals. Finalised proposals will be contained within the EIA Report.
1:40,000
Scale correct at A3
Centre Point: 359983, 784756
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