Acha-bheinn – Scoping Report

Introduction

Scottish Woodlands Ltd (SWL) submitted an application for an Environmental Impact Assessment (EIA) screening opinion for 95.7ha of afforestation on 11th August 2017. Forestry Commission Scotland (FCS) issued an EIA determination on the 22nd December 2017, which stated that the project would require an EIA. FCS supplied a statement of reasons, which is included as appendix 1. to this report. A scoping meeting was held on the 28th March 2018 and the report that follows is the summary of that meeting, the issues raised, and ultimately SWL's recommendations for the focus of the EIA.

Scopting Meeting

The scoping meeting took place at SWL office in Lochgilphead. A list of attendees and apologies is shown in table 1.

Scopee	Organisation
Attended	
Alison Phillip	Royal Society for the Protection of Birds (RSPB)
Barbara Holmes	Dunadd Community Council
Blair Urquhart	Argyll Raptor Study Group (ARSG)
Cameron Maxwell	FCS
Charles Bushby	SWL
Hazel Boyd	FCS
Jan Brown	Kilmartin Museum
Lochlan Dulson	SWL
Sheila McCallum	Landowner
Simon Lawrence	Lawrence Environmental
Apologies	
Alasdair McNair	Stroneskar Farm
David Warden	Argyll Raptor Study Group (ARSG)
Eric Roberts	FCS
General Enquiries	Argyll and Bute Council
General Enquiries	Scottish Environment Protection Agency (SEPA)
Gordon Gray-Stephens	Individual
John Halliday	Individual
Sharron Webb	Kilmartin Museum
Simon Stronach	Historic Environment Scotland
Stan Philips	Scottish Natural Heritage

Table 1. List of attendees and apologies.

Minutes
Table 2. contains the minutes from the scoping meeting. The final column shows a reference to the issues log (appendix 4.). There is a reference in this column if an issue is raised or if the information in the minute is relevant to the issue. Multiple minutes are assigned to single issues.

Many of the issues arising from the scoping meeting were brought up in the EIA determination statement of reasons issued by FCS on 22nd December 2018. Some duplication occurs in the issues log, this is to ensure that the scopees concerns can be addressed as clearly as possible, rather than referring them to a relevant issue from the statement of reasons.

Issues are coded by topic as follows:

SoR – Arising from the EIA determination statement of reasons (appendix 1.)
AR – Issues concerning archaeology
TT – Issues concerning timber transport
BG – Issues concerning black grouse
GE – Issues concerning golden eagle
WC – Issues concerning whinchat
MF – Issues concerning march fritillary
HH – Issues concerning hen harrier

Scopee / Heading	Minute	Issues log ref. (if added).
Intro		
Cameron Maxwell	Explanation of EIA and scoping process. Scottish Woodland to write scoping report detailing issues raised. Summary of EIA letter: Cumulative impact of this and previous planting. UKFS compliance Red listed species (excluding black grouse) may not be an issue in this location.	na na SoR1-15
Alison Philip	Cumulative impact on black grouse and other species such as whinchat and golden eagle.	SoR5, SoR6 and GE1-3
Barbara Holmes	Concern that undiscovered archaeology will be lost. Links to archaeological features. Concern over the increased pressure on the public road from timber harvesting.	AR1 and AR2 TT1
Jan Brown	Scottish Woodlands survey identified 41 archaeological features. Potential for more sites to be discovered. Concerns over lack of connectivity.	AR1 and AR2
Blair Urquhart	Planting is leading to slow erosion of eagle territory. Survey intensity is too low. Proposed mitigation is not enough.	GE3 GE1 na

	Potential to use GERM model – ridge modelling may not be relevant. Potential to use PAT model.	GE1
Simon Lawrence	Bird survey undertaken in 2017 – 3 visits. Discussed John Halliday survey information. Explained black grouse distribution and lek positions, including leks outside of the scheme area.	na na
Sheila McCallum	Site not grazed for 2/3 years. Occasional use by horses and cattle. On ownerships: Stroneskar farm to north, sheep farm with black grouse. Estate of brother to the NW, cattle farm. Sheila's land includes this site and land to the south.	BG4 na
Black Grouse		
Simon Lawrence	First proposal not adequate as one lek is missing. Lek requires visibility splays and planned buffer. Requirement to visit to plan lek beffer. Potential to mow the lek or use ponies/cattle in an electric fence.	BG2 BG2 BG2
Alison Philip	Lek requires low density woodland cover. Loss of nesting habitat and brood rearing areas. These require short and long vegetation, flushes and Blaeberry. Cotton grass and bog moorland important.	BG1 BG2
Blair Urquhart	Can't rely on simply displacing black grouse to other sites, as they might not be suitable.	BG2
Barbara Holmes	Asked if Glyphosate was a problem for birds.	BG3
Simon Lawrence	Black grouse could be using most of the site.	BG5
Alison Philip	Females stay within 1.5km of lek and nest in tall vegetation.	BG5
Sheila McCallum	Asked if removal of her sheep has benefitted black grouse.	BG4
Simon Lawrence	Some sheep grazing helps maintain black grouse habitat. Populations have been increasing since a dip in ca. 1991	BG4 BG5
Cameron Maxwell	Increased felling and restocking provides black grouse habitat.	BG3
Simon Lawrence	Predator control, connected with sheep farming, usually benefits black grouse.	BG4
Sheila McCallum	Stroneskar controls foxes but non-sheep areas are seeing more foxes.	BG4
Simon Lawrence	If dipped, sheep can reduce tick numbers, which is a benefit for black grouse.	BG4
Alison Philip	Would prefer native woodland planting.	BG1
Simon Lawrence	Scots pine and juniper would be useful at low densities.	BG1

Simon Lawrence	A black grouse survey over the wider area would be required.	BG5
Cameron Maxwell	Is there an increased black grouse population to the east of the road.	BG5
Alison Philip	Would like to see the extent on woodland cover in the wider are (inc FE blocks) change. Male black grouse tend to be static/hefted to their areas. Prefer to see no ground preparation March to August.	BG5 BG6
Public Road		
Cameron Maxwell	Explained the Argyll Timber Transport Forum. Hazel Boyd to speak to timber transport officer and revert to Barbara.	TT1
Archaeology		
Cameron Maxwell	Explained the walkover report – connectivity requirements and buffers according to UK Forest Standard. This area is not as important as the Kilmartin Glen, but there still could be undiscovered sites.	AR1 AR2
Jan Brown	Sharron Web will write to Cameron Maxwell.	na
Golden Eagle		
Simon Lawrence	This is not classic eagle territory so they may behave differently.	GE1
Blair Urquhart	PAT model not take account of prey availability 9 hours of survey not enough and timing of observations not so good.	GE1
Cameron Maxwell	PAT model suggests low activity on site.	GE1
Blair Urquhart	Quite a number of eagles observed in the general area.	GE1
Cameron Maxwell	Is there a lack of prey on the site? Black grouse could be prey.	GE2
Blair Urquhart	Virtually no red grouse in the area. Concerned about cumulative loss of land. Eagles adapt to land use and changes of prey type.	GE2 GE3 GE2 and GE3
Cameron Maxwell	What type of mitigation is possible?	na
Blair Urquhart	Ungrazed open ground is better for golden eagle than Sitka spruce.	GE3
Sheila McCallum	Alternative to afforestation is 5 ponies plus deer.	BG4
Alison Philip	Requests that golden eagle be addressed through EIA on a cumulative basis.	GE2 and GE3
Blair Urquhart	Suggests more observations required throughout the year.	GE1
Other Species		
Alison Philip	Whinchats – strong holding in Scottish and Wales. This is a good area and so should be concerned. There are other species too to be concerned about.	WC1 (SoR6)

Cameron Maxwell	Other species may benefit.	na
Simon Lawrence	Other species may benefit.	na
Marsh Fritillary		
Alison Philip	Previously grazed areas are becoming rank, which is not good for this species.	MF1
Hen Harrier		
Alison Philip	Concern over loss of hen harrier habitat.	HH1

Table 2. Minutes of the scoping meeting.

Issues Log
Each point from the statement of reasons has been included in the issues log. Issues raised in the minutes have been grouped and added to the issues log. SWL has proposed mitigation next to each issue and given an indication of significance following mitigation in the next column. Some issues are simply relevant information and so have not been given a significance. Issues of UKFS non-compliance have not been assigned mitigation or significance as they are outside the scope of the EIA.

Recommendations for the EIA Report
SWL assessment of significance in the issues log shows 6 issues as unknown significance (SoR2, SoR3, SoR5, Sor7, BG1 and BG2). These issues are all focussed on black grouse and we recommend that the EIA covers black grouse only.

The EIA should quantify the likely current black grouse population within the area of the proposed woodland creation and in the wider area (defined below and in appendix 5 as the study area).

It should provide descriptions and maps to show the site, design, size and context.

Working on the basis that the EIA determination, made by FCS, concluded that the woodland creation proposal is likely to have a significant impact on black grouse and its habitat, the EIA report should aim to describe these impacts within the woodland creation proposal area. Further to this it should describe the likely significant effects of the cumulative afforestation of the study area (appendix 5).

It should identify mitigation to negate or reduce the significance of the likely impacts found.

It should describe and discuss the alternative to the woodland creation proposal, a low-density grazing regime using cattle and/or horses.

It should include a non-technical summary of the information.

It should include an updated issues log (appendix 4) showing how each issue has been mitigated and closed out.

Recommendations for Surveys
There are black grouse records for the area ranging back to 2007. These come from local interested parties and from surveys associated with woodland creation. SoR5 mentions a commitment by SWL to monitor populations in these previous schemes, but unfortunately this was not carried out.

Existing record are usually black cock counts during leking. While these give snap shots of the population they do not account for the same birds using multiple leks. SWL proposes a survey regime using two surveyors simultaneously to account for duplication.

The suggested study area is a 1.5km (1512ha) buffer around the two main leks atr Acha-bheinn and Stroneskar Farm. This is shown in appendix 5.

The survey will monitor grouse numbers and movements across the two leks and the surrounding areas.

This survey method was carried out in Spring 2018 by Lawrence Environmental.

Appendices

Appendix 1. FCS EIA determination and statement of reasons.
Appendix 2. John Halliday Correspondence
Appendix 3. RSPB follow up letter
Appendix 4. Issues log
Appendix 5. Suggested study area

Lochlan Dulson
Scottish Woodlands Ltd
11th February 2019

Forestry Commission Scotland
Coimisean na Coilltearachd Alba

Perth & Argyll Conservancy
Upper Battleby
Redgorton
Perth, PH1 3EN

Tel: 0300 067 6005
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Conservator
Cameron Maxwell

Stuart Johnston
Scottish Woodlands
Loghgilphead
Argyll

By email

22 December 2017

Dear Stuart

Acha-Bheinn WC - Forestry (EIA) (Scotland) Regulations 2017

We refer to your application for our screening opinion as to whether the forestry project you have proposed at Acha-Bheinn, by Barmolloch, Argyll is an EIA forestry project (is likely to have significant effects on the environment by virtue of factors such as its nature, size or location) and therefore requires our consent under regulations 3 and 7.

In making this screening determination under regulation 11, we have taken into account the relevant selection criteria set out in schedule 2 of the regulations, available results of any relevant assessment of the effects of the forestry project proposed and the information you have provided under regulation 12 (request for a screening opinion).

We can confirm that the work you propose is an EIA forestry project and requires our consent. In Annex 1 of this letter, we have set out the statement of reasons for our decision under regulation 11(3). This determination will be made publicly available.

Please contact us if you wish to take this project to the scoping stage.

Yours sincerely

Cameron Maxwell

Conservator

Annex 1

Statement of reasons

In this case the relevant criteria in schedule 2 are:

- Size and design of the forestry project
- Cumulation with other existing forestry projects
- The sensitivity of the area with regard to biodiversity.

Although the potential for cumulative impact is recognised in the EIA determination request, no real attempt has been made to consider the cumulative impact of the loss of open ground habitat and species by the preceding three Barmolloch schemes and the current proposal.

There is no explanation as to how the Acha-Bheinn proposal has been designed to complement or fit with Barmolloch 1, 2 and 3.

From the ornithological report, the site seems to be important for black grouse with four blackcock seen leking in the spring. The operational plan seems to contradict this and no mitigation is suggested for the lek on the site (the lek was not identified on the maps) or for general black grouse use of the proposal area.

The ornithological report concludes that the scheme may result in neutral impact to black grouse but notes an element of uncertainty that the current number of cocks could be supported long term. This raises a question which doesn't seem to have been answered in the scheme design. There is no consideration of the effects of fences in the plan.

Open habitat management is necessary to maintain the low / grazed type sward black grouse need to maintain a presence in the landscape. Bird movement, and activity at leks, is traditionally highly mobile across these types of landscape and some displacement would seem highly likely. The SNH Species Action Framework advocates moorland management, new native woodland creation and predator control as key prescriptions for black grouse management. These three actions could be considered as potential mitigation.

The cumulative impact of the current and preceding three woodland creation schemes on black grouse has not been considered. There is reference to the importance of black grouse in the documentation for the previous three schemes and a reference to a commitment by Scottish Woodlands to monitor the populations.

The ornithological report flags up significant concerns over the loss of red listed scrub/moorland songbirds and identifies a cumulative impact caused by the current proposal, other current proposals and the previous Barmolloch schemes. Although our internal advice suggests that the red listed songbirds identified are not in decline in Argyll, it is concerning that the issue identified in the report has not been addressed by the proposal.

The impacts on black grouse, on a site and cumulative impact basis, have not been adequately addressed or mitigated in the proposal and are likely to have significant effects on the environment.

Separately, there are a number of aspects of the proposal which would have to be addressed in order to meet the UK Forestry Standard:

- The design of any woodland in and around the higher, craggier areas within the proposal area likely to be of use to golden eagle should follow good practice on golden eagles and forestry.

- A significant area (9 hectares) of new native woodland placed at the highest part of the scheme could (at least in part) have been used to strengthen habitat networks within the forest.

- It will be important to check site suitability for the establishment of native woodland at the highest parts of the scheme.

- It's not clear how the 18 hectares of potential ground water dependant habitats (GWDTE), the marshy grassland identified in the vegetation survey, have been considered in light of the recent guidance on GWDTEs.

- There has been some attempt at creating habitat networks on the site but this is limited and more should be done to enhance and buffer the existing native woodlands and remnant mature trees and to connect to open space provided by the deep peat and high number of archaeological features.

- The ornithological report mentions calcareous grasslands and it would be useful to note how these are being mitigated and to cross-reference these with the vegetation survey.

- The operational plan does not identify how the habitats identified as being of conservation importance in the habitat survey will be mitigated.

- We would want to take a look at the area (7.5 hectares) of shallow and occasionally deep peat to confirm that it is appropriate for planting.

Observations of Black Grouse, Golden Eagle and Marsh Fritillary (1990-present)

Location – Fearnoch, Kilmichael Glen (NR875 973)

I lived at Fearnoch from 1989 to 2017 while employed as Nature Reserve Manager at Scottish Natural Heritage (1989-2013) and as Field Ecologist at Natural Research Projects (2013 – present).

Black Grouse

I made casual observations during the period 1990 to 2001. There was a peak count of 13 cocks and 3 hens in 1991 at what is now known as the **Lochan Add East lek** (NR8797). Numbers lekking dramatically declined for no apparent reason from 13 in 1991 to 2 in 1994 to zero in subsequent years. This may have been due to a change in grazing regime or movement to alternative leks.

During the period 2002 to 2018 I have been monitoring all the leks in the vicinity of Lochan Add and Barmolloch as part of the RSPB Black Grouse Survey. Three main leks were identified, Barmolloch at approx. NR871993, Lochan Add South at approx. NR856975 and Lochan Add North at approx. NR858983.

Barmolloch lek - one to three cocks used this lek during the period 2002 to 2010 and casual observations in subsequent years have located single cocks lekking here. The lekking area was ploughed and planted in 2010 (Barmolloch 1). There was always movement between Barmolloch and Lochan Add North leks and counts suggest Lochan Add north became more popular after planting.

Lochan Add South lek – this was a regular lek from 2004 to 2015 with one to five lekking cocks and up to 5 grey hens. In February 2016, the entire lekking area was ploughed in preparation for planting (Barmolloch 3). I actually witnessed this operation from my Vantage Point and considering the hundreds of hours of personal observations and diligent submission of survey forms, this was devastating. Following a meeting with Scottish Woodlands the disturbed ground was restored. Although no birds have been observed lekking since the disturbance up to four cocks have visited the lek from Lochan Add North. There is regular movement between Lochan Add north and south but since disturbance at Barmolloch and Lochan Add South, lekking acitivity has become concentrated at Lochan Add North.

Lochan Add North lek – one to four cocks have lekked here during the period 2009 to 2018. This important lek is now under threat from further planting. The Species Map for the Acha-bheinn scheme suggests the entire lekking area will be planted with sitka spruce! The operational plan suggests that the black grouse population has moved north and will not be affected by the proposal in the short term which is inaccurate. There is an outstanding lek 3km to NE at Stroneskar Farm which has been monitored since 2015 and counts suggest a steady increase from 5 cocks in 2015 to 9 cocks this year. This reflects the similar trend at Lochan Add North which has had a peak of four cocks in 2017 and this year (monitoring ongoing). Lochan Add East has also been used again in recent years reflecting a possible upward trend in the local population. It is therefore unlikely that the birds have moved from Lochan Add to Stroneskar and the Lochan Add North lek remains of outstanding importance.

Recommendation

It is imperative that the Lochan Add north lek is visited to ground truth the grid reference and mark out the boundary of the lek should planting be given approval. The area which was left as open ground at the Lochan Add South lek was inadequate. Consideration must be made not just to the lekking area but to the provision of a buffer of broadleaves and open ground as flight lines to provide connections to adjoining leks. Given the local importance of the area for black grouse, the recent upward trend needs to be encouraged by active management and design of any future planting. The abrupt change in vegetation structure due to lack of deer, sheep and cattle grazing is an important consideration and could have a profound effect on the location and survival of future leks. **It is imperative that a repeat of Barmolloch and Lochan Add South is avoided by good practice management and communication.**

Golden Eagle

The mosaic of open ground between the A816 and Kilmichael Glen forms the eastern half of a golden eagle territory. This territory has been occupied since 2014 and I have made regular observations since 2015. Although my observations have been limited since March 2017, I recently (daily during the period 4 to 9 March 2018) observed the pair of eagles displaying and hunting in the vicinity of the proposed Acha-beinn planting scheme. My hundreds of hours of observations during the last three years suggest that the eagles use this part of their territory on a daily basis. There is an eyrie only 1.5km south of the Acha-beinn proposal which has not been used in recent years possibly due to disturbance by forestry operations in the vicinity at this crucial time of the year. The eyrie which has been used in recent years is only 4km west of the Acha-beinn proposal – the operational plan indicates 6km.

The Acha-beinn scheme needs to address the cumulative loss of open ground in this area and the related loss of an abundant supply of sheep and deer carrion available to the eagles. On 4 April 2015 at 0630h I observed an eagle stoop on the black grouse lek at Lochan Add south – long may this continue! The operational plan indicates a lack of golden eagle sitings in the vicinity contrary to my observations which suggest regular foraging and display activity.

Marsh Fritillary

The Kilmichael Glen corridor is of outstanding local interest for marsh fritillary, the small satellite colonies being an important link between core populations at Moine Mhor and Stroneskar Farm. My observations have been mainly on a casual basis and much of the area west of Fearnoch has not been covered. I have however noted changes in habitat through lack of grazing following the planting of ground adjacent to Fearnoch and Barmolloch. Low intensity sheep, cattle and deer grazing maintain important habitats for marsh fritillary in favourable condition and the abrupt change to no grazing can have devastating effects on the local population.

Maintaining open corridors and continued active management of suitable habitat within planting scheme areas is recommended for this important species.

John B Halliday

27 March 2018

RSPB Scotland

Mr Lochlan Dulson
Scottish Woodlands
2 Smithy Lane
Lochgilphead
Argyll

29 March 2018

Dear Lochlan,

Cc Cameron Maxwell

ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY) (SCOTLAND) REGULATIONS 2017
ACHA-BHEINN NEW WOODLAND CREATION SCOPING

Thank you for consulting RSPB Scotland on this application for the creation of approximately 136ha of woodland and the opportunity to attend the scoping meeting. Following the meeting we would like to submit the following comments to summarise our concerns regarding the proposal.

RSPB Scotland welcomes the decision that an Environmental Impact Assessment (EIA) is required for this proposal due to its potential impacts upon priority species including golden eagles (Annex 1 of the EC Birds Directive), black grouse, whinchat and marsh fritillary. The cumulative impacts of open ground loss on priority species and habitats from existing, new and proposed woodland should be fully assessed**.**

Although some survey work has been completed we do not consider the information provided to be sufficient to adequately assess the potentially significant environmental impacts that could arise from this proposal.

This site has a high ornithological diversity, with a number of species of conservation concern present, including Annex 1 and UKBAP species. Following the consent of previous woodland creation schemes within this area, it is disappointing that further open habitat loss is being considered within an area currently heavily dominated by commercial conifer plantation forestry. **It is our view that further woodland expansion in this area should be focused on small-scale low density native broadleaved woodland designed to consider black grouse, eagles and other priority species present.**

Golden Eagle

Golden eagles are an Annex 1 listed species and are therefore offered special protection by EU law. This proposal has the potential to impact upon golden eagles that breed within the local area. The Operational Plan mistakenly identifies the closest current nest location as 6km from the proposal area (the nest is 6km west of a previous nest location, rather than the proposal area). In reality the most recent nest site location is located under 4km from the forestry proposal, and this pair has previously nested within 3km and are highly likely to utilise the open ground habitat for

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foraging as the 3km range of the current nest site is already heavily afforested. Further information should also be sought from the Argyll Raptor Study Group who have local knowledge of this area.

Currently, only 9 hours of Vantage Points (VPs) have been carried out across the proposal area and from the maps provided it appears that one of the vantage points utilised was within the proposed site. This is not best practice and we would request that further vantage point watches across the year are carried out following standard guidance http://www.snh.gov.uk/docs/C278917.pdf, and additional information from local Raptor Study Group members sought. The EIA should assess the potential impacts on this species and should provide details of how the scheme design has been modified to minimise/avoid impacts on eagles.

Hen harrier

Hen harrier is an Annex 1 listed species and are therefore offered special protection by EU law. The current proposal would result in large areas of suitable foraging habitat becoming unsuitable for hen harrier in the medium to long-term. As per the advice above regarding golden eagle, the current VP work is inadequate to assess utilisation of the site and further vantage point watches across the year should be carried out following standard guidance.

Black Grouse

Black grouse is a red-listed UKBAP species which remains a species of high conservation concern in Argyll. The current proposal would result in a large area of black grouse habitat becoming unsuitable in the medium to long term, in addition to losses already occurred as a result of previous forestry applications in this area.

This open ground area is a regionally important site for black grouse within Argyll. In 2017, between 10-14 males were present on 3 leks across the area. One of these leks is within the proposed planting area and the current FGS map indicates that planting would occur directly over the lek site. This would result in lek displacement and is unacceptable, particularly taking into consideration the damage caused to another established lek within the area as a result of a previous forestry scheme.

The current assessment of impacts on black grouse is inadequate. The operational plan outlines that black grouse surveys have been completed, but wrongly suggests that the black grouse population has moved north and would not be affected by the proposal in the short term. The breeding bird survey clearly indicates that black grouse were recorded lekking at a known lek site within the forestry proposal area. We therefore advise that further consideration of black grouse is required at this site in order to assess the importance of the local population and inform planting design and fence marking requirements.

The EIA should assess the cumulative impacts of forestry in the area on black grouse in the long term and identify appropriate ways to avoid impacts and if necessary compensate for habitat loss.

Whinchat

Whinchats are a red-listed species due to significant declines in recent years. The breeding bird survey indicates that a high density of this species is present within the proposed planting area with 22 pairs in c136ha. Afforestation is likely to lead to a decrease in the density of this priority species, and the impacts of this should be thoroughly assessed and appropriate mitigation identified.

Marsh Fritillary

From the information provided it appears that no survey work has been carried out to assess the importance of the area for marsh fritillary. Survey work is required to identify important areas for this species and to inform the planting design.

Cumulative Loss of Open Ground

In the past RSPB Scotland has expressed concern over the potential consequences on open ground biodiversity through the cumulative impacts of afforestation in this area. Previous afforestation in this area has concentrated on a similar altitudinal range of marginal 'rough moorland'. Barmolloch 1, 2 & 3 woodland proposals made little assessment of cumulative impact within their applications.

We welcome the inclusion of a 'Landscape Scale Assessment of afforestation' map with this proposal, however this is a very simplistic map and further assessment is required to determine the cumulative impact on priority species in order to comply with the requirements of the EIA Regulations. Ideally, habitat and species data from previous applications should be included within the assessment to determine cumulative impacts. Currently the 'landscape scale' assessment assumes all open ground is of equal importance, whereas a more thorough assessment should look at priority habitats and those of importance for priority species. For example, from aerial photography it appears that areas of the open ground to the north of the 'Bheinn Bhan Ridge' area is improved grassland, which will provide limited foraging opportunities for species such as golden eagle and black grouse. A cumulative impact assessment should form part an important part of the EIA.

Deep Peat

A comprehensive peat survey has not been presented with the operational plan. The habitat survey states that areas of deep peat may be present within the mapped wet heath areas and this should be fully investigated and used to inform the planting design to ensure that areas of deep peat are avoided.

Potential Mitigation

Appropriate mitigation is likely to include substantially reducing the size of the scheme, increasing the proportion of native-broadleaves and low density planting, incorporating buffers of at least 200m radius around lek sites and appropriately managing open ground habitat. No planting or ground preparation should be undertaken during the lekking or breeding season (Mar-Aug), and we would appreciate the opportunity to attend a site visit in conjunction with John Halliday to clearly identify lek sites.

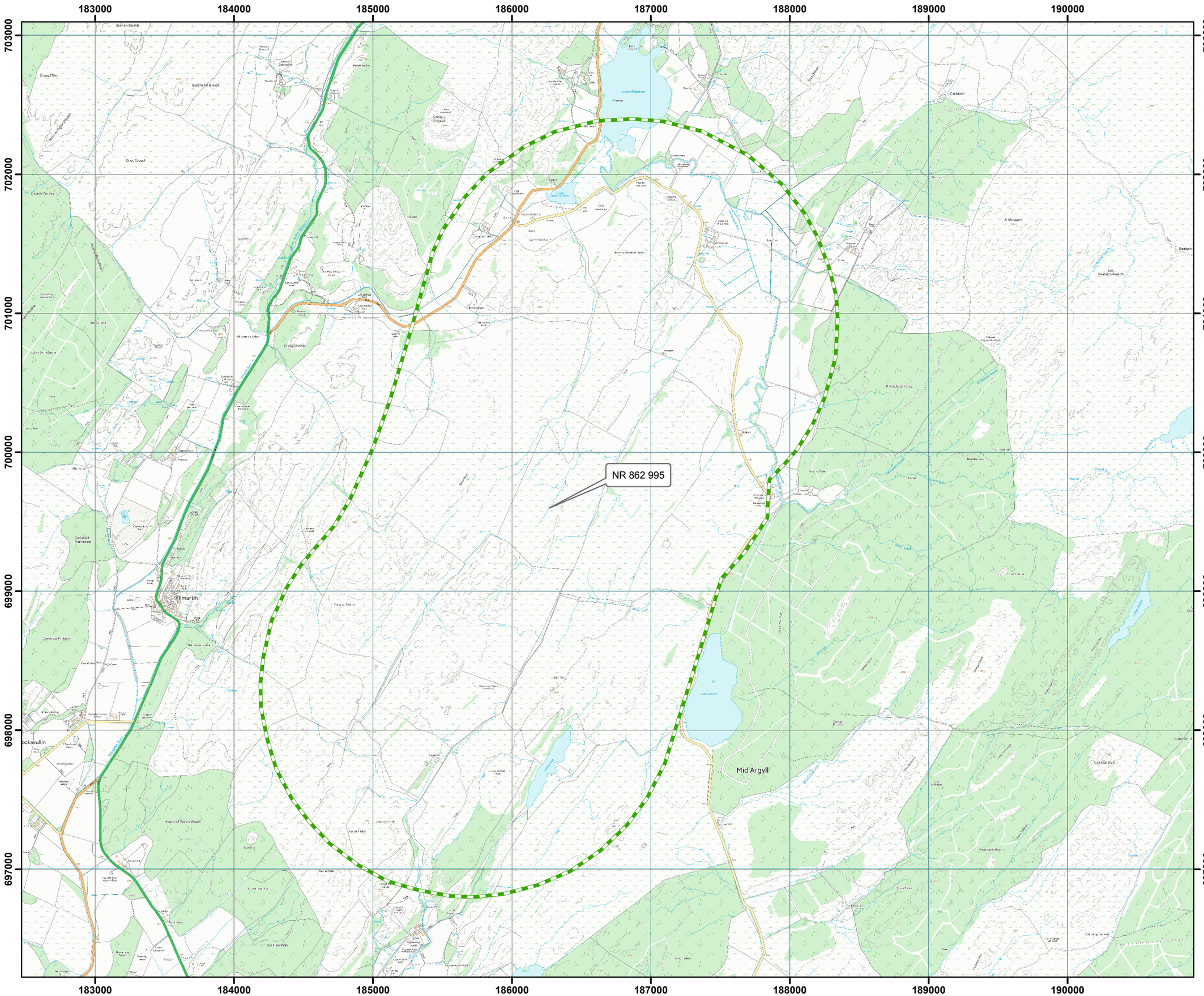
If you have any queries, please do not hesitate to get in touch.

Yours sincerely,

Alison Phillip
Assistant Conservation Officer

Ref	Raised By	Date	Issue (include date and raised by)	Applicant's response	SWL suggested significance following mitigation.	FCS Comments	Agreed Mitigation	Status (Open, Closed)	Significance of Impact (High, Medium, Low)
SoR1	Cameron Maxwell	22/12/2017	There is no explanation as to how the Acha-Bheinn proposal has been designed to complement or fit with Barmolloch 1, 2 and 3. i.e. FCS does not believe the current proposal has been designed to compliment the previous 3 barmolloch schemes	The proposal plants natural land forms, leaving areas of open ground and existing broadleaves. Previous proposals were designed in a similar manner and these areas naturally link up, providing transition through non coniferous forest areas. There will be information to support this in the revised FGS submission and the EIA chapter on black grouse (suggested below) is likely to assess the suitability of the remaining open ground throughout the recent afforestations. A ny revised proposal coming forward in the Environmental Report will take greater account of the 3 previous schemes in the revised proposal design.	low subject to the revisal of the proposals to take greater account of the previous Barmolloch schemes.				
SoR2	Cameron Maxwell	22/12/2017	From the ornithological report, the site seems to be important for black grouse with four blackcock seen leking in the spring. The operational plan seems to contradict this and no mitigation is suggested for the lek on the site (the lek was not identified on the maps) or for general black grouse use of the proposal area.	The original mitigation will be rectified to remove the lek area from the scheme. A bespoke buffer area will be created, taking into account the manner in which the birds use the lek (further surveys required).	This lek site will be assessed as part of the assessment of the impact of the proposal on black grouse in the Environmental Report.				
SoR3	Cameron Maxwell	22/12/2017	The ornithological report concludes that the scheme may result in neutral impact to black grouse but notes an element of uncertainty that the current number of cocks could be supported long term. This raises a question which doesn't seem to have been answered in the scheme design. There is no consideration of the effects of fences in the plan.	The applicant suggests an EIA chapter on black grouse, which will answer this question. Fences will be marked to prevent grouse strikes.	Long term viability of population, significance unknown - Recommend including in EIA. The significance of deer fencing will be low if marked.				
SoR4	Cameron Maxwell	22/12/2017	Open habitat management is necessary to maintain the low / grazed type sward black grouse need to maintain a presence in the landscape. Bird movement, and activity at leks, is traditionally highly mobile across these types of landscape and some displacement would seem highly likely. The SNH Species Action Framework advocates moorland management, new native woodland creation and predator control as key prescriptions for black grouse management. These three actions could be considered as potential mitigation.	Open habitat management for black grouse will be considered in the Environmental Report. The report will consider options for moorland management (including potential grazing regimes), woodland creation and predator control.	Will form part of Environmental Report in relation to black grouse habitat				
SoR5	Cameron Maxwell	22/12/2017	The cumulative impact of the current and preceding three woodland creation schemes on black grouse has not been considered. There is reference to the importance of black grouse in the documentation for the previous three schemes and a reference to a commitment by Scottish Woodlands to monitor the populations.	Cumulative impact unknown, mitigation depends on impact assessment.	Screening determination assesses cumulative impact as likely to be signifcant. - Recommend including in EIA. Mitigation of impact to be delivered will be dependant on surveys and assessment and expert advice through the Environmental Report.				
SoR6	Cameron Maxwell	22/12/2017	The ornithological report flags up significant concerns over the loss of red listed scrub/moorland songbirds and identifies a cumulative impact caused by the current proposal, other current proposals and the previous Barmolloch schemes. Although our internal advice suggests that the red listed songbirds identified are not in decline in Argyll, it is concerning that the issue identified in the report has not been addressed by the proposal.	The moorland bird survey dealt with these species on a national level. Any revised woodland creation proposal coming forward as part of the Environmental Report will consider this as part of ensuring any revised proposal is UK Forestry Standard compliant.	low				
SoR7	Cameron Maxwell	22/12/2017	The impacts on black grouse, on a site and cumulative impact basis, have not been adequately addressed or mitigated in the proposal and are likely to have significant effects on the environment.	Cumulative impact unknown, mitigation depends on impact assessment.	Screening determination assesses cumulative impact as likely to be signifcant. Recommend including in EIA.				
SoR8	Cameron Maxwell	22/12/2017	The design of any woodland in and around the higher, craggier areas within the proposal area likely to be of use to golden eagle should follow good practice on golden eagles and forestry.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
SoR9	Cameron Maxwell	22/12/2017	A significant area (9 hectares) of new native woodland placed at the highest part of the scheme could (at least in part) have been used to strengthen habitat networks within the forest.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	The creation of any new native woodland habitat networks will be considered as part of the black grouse assessment in the Environmental Report				
SoR10	Cameron Maxwell	22/12/2017	It will be important to check site suitability for the establishment of native woodland at the highest parts of the scheme.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
SoR11	Cameron Maxwell	22/12/2017	It's not clear how the 18 hectares of potential ground water dependant habitats (GWDTE), the marshy grassland identified in the vegetation survey, have been considered in light of the recent guidance on GWDTEs.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
SoR12	Cameron Maxwell	22/12/2017	There has been some attempt at creating habitat networks on the site but this is limited and more should be done to enhance and buffer the existing native woodlands and remnant mature trees and to connect to open space provided by the deep peat and high number of archaeological features.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
SoR13	Cameron Maxwell	22/12/2017	The ornithological report mentions calcareous grasslands and it would be useful to note how these are being mitigated and to cross-reference these with the vegetation survey.	This classification was a typo mistake in the bird report and was referring to calcareous rich marshy grassland for which the majority is retained in the revised design. This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
SoR14	Cameron Maxwell	22/12/2017	The operational plan does not identify how the habitats identified as being of conservation importance in the habitat survey will be mitigated.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
SoR15	Cameron Maxwell	22/12/2017	We would want to take a look at the area (7.5 hectares) of shallow and occasionally deep peat to confirm that it is appropriate for planting.	This is a UKFS compliance issue and will be rectified in any revised WC proposal which forms part of the Environmental Report	na				
AR1	Barbara Holmes, Jan Brown	28/03/2018	The applicant commissioned an archaeological walkover survey which identified 41 above ground features of local and regional significance, which will be protected according to the mitigation suggested in the survey. The scopees raised concerns that there are undiscovered, potentially below ground, features that would be damaged by operations. Quarrying operations in the nearby kilmartin glen were cited as an example of the existence of buried features and items.	The possibility of undiscovered archaeology is acknowledged. The location of the Acha-beinn is more remote than the kilmartin glen and therefore the likely frequency and significance of undiscovered features is lower. All ground prep operators will be made aware of the known features and asked to remain vigelant and report any features that are not known.	Low				
AR2	Barbara Holmes, Jan Brown	28/03/2018	In addition to buffers of no disturbance, the archaeological survey recommends that key features are connected by open ground. Scopees raised concerns that this was not being carried out to a great enough extent.	In any revised woodland creation proposal in the Environmental Report, archaeological features will be connected according to recommendations in the walkover survey and in compliance with UKFS	Low				
TT1	Barbara Holmes	28/03/2018	Concern was raised over use of the public road by timber lorries. Road quality and frequency of passing places are a problem now, this would be exacerbated in the future if further planting takes place.	Hazel Boyd will contact the local timber transport officer and revert to Barbara Holmes.	Low				

BG1	Alison Philip	28/03/2018	Black grouse require low density native woodland, including scots pine and juniper.	Subject to the expert advice in the Environmental Report, native woodland and low density native woodland will be planted in targeted areas to benefit black grouse. More information is required to inform the most beneficial type and extent of this.	Recommend including in EIA as part of potential black grouse mitigation.				
BG2	Simon Lawrence, Alison Philip, Blair Urquhart	28/03/2018	Potential loss of black grouse habitat within the site. The EIA determination statement of reasons and the scopees raised numerous concerns over the potential effects of the original proposal on black grouse habitat. The proposal failed to recognise a lek in the centre of the application area and showed trees to be planted over the area. Concern was also raised over the loss of nesting and brood rearing habitat. Concern was voiced over the suitability of the surrounding habitat, which would be relevant if birds were displaced.	The original mitigation will be rectified to incorporate the lek area within the scheme design. A bespoke buffer area will be created, taking into account the manner in which the birds use the lek (further surveys required). Areas of brood rearing habitat (nutrient rich flushes) will be preserved. Key areas of nesting habitat (rank heather) will be preserved. Management of the lek area (e.g. mowing or grazing) may be required, recommendations for will form part of the EIA.	Recommend including in EIA.				
BG3	Barbara Holmes	28/03/2018	Is Glyphosate harmful to birds?	Glyphosate is licensed for use in forestry and agriculture subject to following directions for use.	Low				
BG4	Simon Lawrence, Sheila McCallum	28/03/2018	The landowner explained that sheep were removed from the area two to three years ago and that there has been occasional use by horses and cattle. They asked if this was likely to have had a positive or negative effect on the black grouse. Simon Lawrence provided examples of positive effects of grazing animals including vegetation control, predator control and parasite control. It is not intended that sheep return to the area and the alternative to woodland creation would be 5 ponies, plus any grazing pressure from deer.	The potential use of controlled grazing as mitigation will be addressed in the Environmental Report.	Recommend including in EIA.				
BG5	Simon Lawrence	28/03/2018	Some of the black grouse issues raised by at the scoping meeting and in the EIA statement of reasons cannot be adequately mitigated without further information on how the black grouse use the site, as well as how they use the previous planting and the surrounding hill ground, it is evident that more date is required.	Requirement for a survey of how black grouse use the area in spring 2018. Ongoing requirement for surveys following planting. Suggested survey area is a 1.5km buffer around the two main leks at Acha-bheinn and Stroneskar, which includes minor satellite leks. Surveys would be used to assess cumulative impact of the previous schemes and current proposal.	This would be an essential part of the suggested chapter on black grouse.				
BG6	Alison Philip	28/03/2018	Potential for operations to disturb black grouse breeding season.	Operations to take place outside of the breeding season (March to August). Or otherwise a works curfew in dawn dusk period April- early May, and Ecow supervision for nests May to June with constraint zones. This is a UK FS compliance issue.	na				
GE1	Simon Lawrence, Blair Urquhart, Cameron Maxwell	28/03/2018	Golden eagles are present within the area. Prior to commissioning surveys the, the PAT model was used to inform the need for a golden eagle survey. This indicated low use, so no vantage point surveys were commissioned. During the moorland bird survey one juvenile was spotted perching on a crag. After consultation with FCS it was agreed that 3 sets of 3 hour vantage point surveys would be carried out. These showed no further sightings. Blair Urquhart noted that this survey intensity was too low. Simon Lawrence noted that this it not typical golden eagle territory and so their use is hard to predict. In a letter following the meeting Alison Philips highlighted that one of the vantage points used to survey golden eagles was within the site, which does not follow standard guidance.	From professional ornithologist's obervations (including members of the raptor study group), the pair of golden eagles most likely to be affected prefers nest locations >5km to the west and north of the site (with one year closer to the south). The species is known to use the area with a preference for the nearby Beinn Bhan ridge. We suggest that the site constitutes the outer parts of an active eagle range, but that it's importance is relatively low and that existing data is adequate to support this. The vantage point was not within the SRDP application site (there was one record of a juvenile golden eagle seen while undertaking the moorland bird survey within the site). Any revised woodland creation proposal in the Environmental Report will follow the new guidance (soon to be available) on forestry and golden eagles. This is a UKFS compliance issue.	na				
GE2	Cameron Maxwell	28/03/2018	Questions raised about prey availability on the site. Black grouse are a prey item for golden eagles.	Any revised woodland creation proposal coming forward in the Environmental Report should identify mitigation measures to ensure there is not a negative impact on black grouse (as GE prey).	Will be covered by black grouse assessment and proposed mitigation in ER.				
GE3	Blair Urquhart, Alison Philip	28/03/2018	This and previous plantings are leading to a reduction in eagle habitat. Alison Philip would like to see the cumulative effect addressed at EIA. It was also noted that golden eagles adapt to changes in land use and prey.	Advice from GE reports at Barmolloch 3 suggests that the ground is not of high value to GE and woodland creation will not have a signifcant impact on GE territory or breeding success.	Low				
WC1	Alison Philip	28/03/2018	Whinchats are a red listed species and the site has a relatively high number. These are a moorland bird and afforestation would decrease potential habitat.	Any revised woodland creation proposal in the Environmental Report is likely to include a very high proportion of open ground due to mitigation for archaeology and environment, this would lessen the impact on any moorland bird species. See also SoR6	Low				
MF1	Alison Philip	28/03/2018	Planting could potentially reduce marsh fritillary habitat.	There are no known records of marsh fritillary within the proposal. Devils-bit scabious can be a good indicator of their presence. Key areas of devils-bit scobious will be identified and remain as open ground or be planted with native woodland.	Low				
HH1	Alison Philip	28/03/2018	Planting could potentially reduce hen harrier habitat.	The moorland bird survey showed hen harriers nesting to the north. The revised proposal will include increased open ground, with continuous corridors linked to adjacent hunting habitat. Adjacent sheep walk to the north maintains the required habitat balance for the retention of this breeding species.	Low				



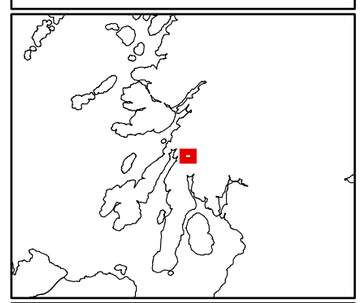
Scottish Woodlands

Acha-bheinn

Proposed Black Grouse Study Area

Created On: 08/01/2018

Proposed Study Area ~ 1,500ha



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Scale Correct at A3