

7. Ornithology

7.1 Introduction

- 7.1.1 The purpose of this chapter is to update the information on golden eagle flight activity contained in Chapter 12 of the 2016 EIA Report submitted in support of the Proposed Development.
- 7.1.2 This update provides further information on the use of the surrounding area by a resident pair of golden eagles (*Aquila chrysaetos*), which moved into a territory adjacent to the Proposed Development only after all baseline surveys were complete for the Section 36 application in 2012. These data were collected in 2016 and 2017 after the 2016 EIA Report was submitted.
- 7.1.3 In addition as new data were collected for other ornithological species, Appendix 7.B presents these data.
- 7.1.4 The chapter will also review whether the removal of three turbines for the Revised Layout alters the conclusions of the original assessment with regard to the potential impacts of the Proposed Development on ornithological interests.
- 7.1.5 This chapter is not intended to be read as a standalone document rather it should be read in conjunction with all sections of Chapter 12 of the 2016 EIA report and associated Appendices.

7.2 Relevant Consultation Responses

- 7.2.1 Following submission of the 2016 Section 36 Application, the following consultation responses was received from Scottish Natural Heritage (SNH) as set out in Table 7.1.

Table 7.1 Relevant Consultation Responses Received Following Submission

Consultee	Summary of Consultation Response
SNH 31/08/2016	<p>With appropriate mitigation the proposal could be progressed without adversely affecting the Caithness and Sutherland Peatlands SAC and SPA. However, because it could affect internationally important natural heritage interests, SNH object to this proposal unless it is made subject to conditions so that the works are done strictly in accordance with the mitigation detailed in our appraisal.</p> <p>SNH advise that there will be a likely significant effect on one of the qualifying interests of the Caithness Lochs SPA, but that this will not have an adverse effect on the integrity of the site.</p>

Consultee	Summary of Consultation Response
RSPB Scotland 21/07/2016	RSPB is concerned about the potential adverse impacts on a golden eagle territory that forms part of the qualifying interest of the Caithness and Sutherland Peatlands Special Protection Area (SPA). This golden eagle territory has been occupied in 2014, 2015 and 2016 and in the absence of undue disturbance or other changes in the local environment, it is likely that the territory would remain occupied for the foreseeable future. Although RSPB do not object to the proposal based on the information now available, they consider that the applicant could have done more to demonstrate convincingly that there will not be a significant adverse impact on golden eagles. On the balance of probabilities, however, RSPB consider this to be the most likely outcome.

7.3 Matters Arising from Consultation

- 7.3.1 SNH had no objection on ornithological grounds. The SNH objection, which they applied a mitigation condition to in their response, was in relation to deer management to prevent deer influx to the SAC/SPA which could damage important habitats.
- 7.3.2 RSPB raised a number of concerns regarding the ornithology submission but did not object to the Proposed Development.

7.4 Applicants Response to Matters Arising

- 7.4.1 As neither consultee objected on ornithological grounds, no response was required, however additional information on golden eagles is provided from further surveys during the breeding season to supplement that already presented in the 2016 submission.
- 7.4.2 These data are presented in the Technical Appendix 7.B and Confidential Technical Appendix 7.A

7.5 Additional Information

Baseline Conditions for Golden Eagle

- 7.5.1 As summarised in the 2016 application, the golden eagle territory was reoccupied in 2013 after several decades of being vacant. Since then it has been occupied in each year and has most probably been successful in raising a chick in all the years since reoccupation (although it is not known if a chick fledged in 2015). The nesting area is within 6 km of the Proposed Development.
- 7.5.2 In addition to the effort reported in the 2016 EIA Report (September 2015 to April 2016) further survey effort continued from May to August 2016 and from March to August 2017. This increased the effort from that reported in the

2016 EIA Report to over 271 hours of observations from several vantage points over the Development Site, plus over 98 hours of observation effort to watch specifically for any eagle flights from the territory centre towards the Proposed Development (SI Figure 7.1).

- 7.5.3 In the 271 hours of observations over the Development Site there were no observations of golden eagles within 500 m of the Proposed Development.
- 7.5.4 Golden eagles were observed on many occasions during the 98 hours of dedicated watches towards the territory centre (69 flights involving 82 birds), but there were no records of birds heading towards the Development Site: most flights were around the nest area or to the south and west. The closest record of these flights was over 850 m from the nearest proposed turbine and all records other than this were at least 1200 m away (Technical Appendix 7.B, Confidential Appendix 7.A, including Confidential Figure 7.2).
- 7.5.5 The additional survey effort complemented the results from previous surveys whereby no flights by golden eagle were within 500 m of the proposed turbine locations. Therefore there is no change to the conclusions drawn from that baseline.

7.6 Updates to Assessment

- 7.6.1 As there were no objections raised by any of the statutory consultees to the ornithology assessment presented in the 2016 EIA report no further assessment is required.
- 7.6.2 The removal of three turbines has no material effect on the assessment for golden eagle as they do not use the Development Site. Nevertheless, reducing the number of turbines would reduce the overall effects (especially collision risk) of the Proposed Development.

Potential Cumulative Effects

- 7.6.3 The 2016 EIA Report considered the 21 prospective, approved or installed wind farm proposals in the Natural Heritage Zone (NHZ) 5 which were cited in the 2012 EIA Report. The conclusion was that the predicted in-isolation effects of the Proposed Development were considered to have no potential to contribute to cumulative effects and cumulative effects were, therefore, negligible across all species; hence, effects will be not significant under the terms of the EIA regulations.
- 7.6.4 A further search of available information has produced a list of 18 additional developments (and also three on the original list which have been refused or withdrawn). The available information on the potential effects of these additional developments has been reviewed and there is no change to the assessment of cumulative effects which was stated in the 2016 EIA Report.

Potential Impacts on SPA Interests

- 7.6.5 The information and advice provided to the competent authority within the 2016 EIA Report remains the same.

7.7 Summary

- 7.7.1 There is no alteration to the conclusions of the 2016 EIA Report, and therefore the conclusion that the likely effects of the Proposed Development on all bird species are Not Significant under the terms of the EIA regulations remains the same.