Species Protection Plan: Badger

Tangy IV Wind Farm

sse Renewables

Report Versions

	Name	Position	Date
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V1	Species Protection Plan: Badger	September 2023	SSE
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Glossary

The following defines some of the terms used throughout this document:

The Development – All aspects of the Tangy IV Wind Farm construction project, including decommissioning of Tangy I and II Wind Farms.

The Employer – The wind farm developer (i.e., SSE Renewables).

The Contractor/Principal Contractor – The Contractor responsible for Civil Infrastructure and the Principal Contractor as defined in the Construction (Design & Management) Regulations 2015.

Aftercare – The definition of aftercare is considered largely synonymous with Restoration, although relates specifically to the requirement for further management effort as informed by post-restoration monitoring. For example, where seeding has been undertaken although subsequent monitoring has determined failure and requirement for additional effort to achieve restoration targets.

Environmental Impact Assessment Report (EIAR) – The document submitted in support of the wind farm planning application which comprehensively describes the site, baseline environmental conditions, potential impacts of the development and prescribed mitigation. The principles outlined in this document form part of the conditions of the Planning Consent.

Decommissioning – Decommissioning is a process including the partial removal of the wind farm components and infrastructure. Decommissioning may extend to the entire wind farm after its natural operational phase or relate to discrete areas of one or more turbines as part of upgrade / replacement works. Decommissioning works will involve similar tasks / impacts as construction works and will be subject to additional detailed proposals to be submitted to the Planning Authority prior to the commencement of the decommissioning works.

ECoW – The Environmental/Ecological Clerk of Works is an independent specialist appointed by the Employer. The ECoW monitors compliance of works with regard to environmental and ecological aspects in accordance with relevant planning conditions, applicable regulations, current best practice and prescribed works methods. The ECoW provides advice to the Employer.

Reinstatement – Reinstatement works undertaken during decommissioning aiming to address any development of landscape and habitats as part of the decommissioning works. Reinstatement is undertaken as soon as practical following the decommissioning works in each area, such as the redressing of road and tracks where applicable, turbine bases (and other areas that may be disturbed as a result of the decommissioning process). Re-seeding (conventional or hydroseeding) may be part of reinstatement measures where redressing proves unsuccessful.

Restoration – Restoration works are generally defined as long-term measures aimed to restore the ecological status (comparable to pre-commencement / baseline) of the development, through species and / or habitat management.

1. Introduction

SSE Renewables plan to repower the existing Tangy Wind Farm, Kintyre, Scotland. The 'Works' to facilitate Tangy Wind Farm IV will include construction of 16 new wind turbines, the decommissioning of 22 existing turbines, reinstatement, aftercare and restoration works.

Tangy Wind Farm IV , will be located on land 9 km north-west of Campbeltown, Kintyre, Scotland, hereafter referred to as the "Site", and is shown on a site layout plan produced for the Environmental Impact Assessment (EIA); **Figure 1**. The Site comprises areas of commercial forestry in the north and agricultural grazing in the south, in addition to the existing wind farm. Several small watercourses are present within the Site, many of which have hydrological connectivity to Tangy Loch, located approximately 230 m south-east of the Site at its closest point.

There are no nationally or internationally designated sites within the Site. Tangy Loch and Lussa Loch are part of the Kintyre Goose Roosts Special Protection Area (SPA) and Ramsar Site, both of which are located within 1 km of the Site. Tangy Loch Site of Special Scientific Interest (SSSI) extends across adjacent terrestrial habitat to the Loch directly adjacent to the Site. Lussa Loch SSSI and Tangy Gorse SSSI are within 1 km east and south-west of the Site respectively. None of these designated sites are designated for the presence of badger *Meles meles*.

In 2023, WSP ecologists carried out an ecological walkover survey of the Site and took target notes of any protected species evidence found, including badger. The 2023 survey of the Site identified two badger setts previously found during a full suite of ecological surveys conducted in 2013 and again in 2018. Both badger setts (Sett A: NR 67100 29389, and Sett B: NR 67131 29353, **Figure 2**) are located in the north-western extent of the Site.

A new badger sett (Sett C: NR 68417 28472) was recorded in the south-east of the Site with recent activity evidence including: freshly dug entrances, dung pits and guard hairs, The location of this sett is shown in **Figure 2**.

This Species Protection Plan (SPP) has been prepared by WSP UK Ltd. (WSP) on behalf of SSE Renewables to ensure the welfare of badger and disturbance to badgers in their setts during the Works is avoided or minimised as far as reasonably possible. The SPP will be referred to before and during the works by all personnel on Site, with the intention of ensuring legal compliance to legislation afforded to this species (outlined below).

2. Legislative Context

This SPP should be interpreted in cognisance of wildlife legislation relating to the protection of badger. Badgers are afforded protection under The Protection of Badgers Act 1992 as amended by the Wildlife and Natural Environment (Scotland) Act 2011. Under this Act it is illegal to:

- Intentionally or recklessly damage a badger sett;
- Cause a dog to enter a sett;
- Obstruct access to a sett;
- Disturb a badger while occupying a sett;
- Kill, injure or take a badger;
- Cruelly ill-treat a badger;
- Dig for a badger; and
- Snare a badger.

3. Ecology and Field Signs

Badger are members of the weasel family with a very widespread distribution in Scotland. They normally live in small family groups (clans) in sometimes large underground structures called setts. Setts are closely associated with woodland and sloping ground, but badgers can exploit many diverse types of habitat including upland moorland. Although they typically consume large numbers of earthworms they are omnivorous and will forage on a wide variety of foods including grains and carrion. The distance from the sett which they travel varies widely, with those in upland areas having to exploit large areas. Four kinds of setts are recognised – main, annexe, subsidiary and outlier although badgers are also known to use above ground nests and rock crevices.

The badger breeding season covers December - June, inclusive, with cubs born in February.

Signs of badger include the following:

- Dung heaps or latrines – small pits are dug and large faeces of variable consistency are deposited. Dung tends to have an inoffensive odour;
- Badger prints and tracks – badger paths are often well worn and lead from setts to and along boundaries such as fences. They may be marked at strategic points with dung heaps where they constitute the edge of a home range. Badger prints are about 4.5-6.5 cm wide and have five toes with very prominent claws;
- Guard hairs – stiff, long, elliptical hairs with black and white bands;
- Setts – typically large D-shaped burrows with large spoil heaps of excavated soil often with discarded bedding mixed in; and
- Snuffle holes – indentations in the ground where badgers have been rooting for food such as bulbs and invertebrates.

4. Works with Potential to Impact Badger

Works on site will include geotechnical investigations (GI), clear felling of forestry areas (including timber removal), construction phases and existing wind farm decommissioning phases. It is anticipated that Works will require the creation of temporary construction compounds, borrow pits and welfare facilities. The hours of work will be between the hours of 7am and 7pm.

Whilst there will likely be no direct impacts to badgers in the identified setts A, B and C (**Figure 2**), in the absence of mitigation any works required within 100m of these setts have potential to disturb badgers (if inside the sett at the time of works) and potential to damage the sett or (although unlikely) injure/kill badgers underground. The ECoW will review works activities and may reduce the disturbance buffer to 30 m if no high disturbance works (e.g. pilling, blasting or GI) are proposed. Heavy plant operating within proximity to setts and badger foraging habitat have potential to kill and injure badger. The above actions would contravene legislation afforded to this species.

5. Mitigation

5.1. Overview

All badger setts (those illustrated in **Figure 2** and any additional setts identified throughout the course of the works) will require monitoring to determine sett use, and specifically monitoring will be required during the breeding season to identify the presence of any breeding setts.

5.2. Pre-Construction

An ecologist/ Ecological Clerk of Works (ECoW) will be appointed to oversee the Works. The appointed ecologist will be of at least 'Capable' level in surveying for and advising mitigation for badger, as per the Chartered Institute of Ecology and Environmental Management (CIEEM) competency framework (CIEEM, 2019). The appointed ecologist will then undertake and oversee the measures detailed below.

Prior to commencement of any works, the following will be undertaken:

- The appointed ecologist will do a pre-construction survey of the Site to search for any additional setts;
- This SPP will be made available to all works personnel, with a hard copy available on Site;
- The appointed ecologist will present the information held within this SPP and any other supporting information to works personnel; and
- Where required suitable 30 m avoidance buffer (within which no works should take place and no works personnel should enter without prior consent from appointed ecologist) will be physically marked out on Site by the appointed ecologist surrounding known setts and any identified setts located during the pre-construction survey.

5.3. During Construction

The following methods will be adhered to during all construction works, to avoid/minimise disturbance impacts on badgers and to ensure the welfare of badgers active within the general area.

- A minimum of 30 m exclusion zone is to be maintained from all setts throughout construction and pile driving, blasting or other high vibration activities should be avoided within 100m of a sett. Where this is not possible a licence from NatureScot will be required to permit disturbance or destruction of a sett;
- All construction activities within 30 m of a sett should be avoided during the breeding season (i.e. they should be completed between July and November, inclusive); and pile driving or other high vibration activities should be avoided within 100m of a sett;
- Licences are not normally granted for works during the badger breeding season (1 December to 30 June) when they are most sensitive to disturbance. At other times of the year, a licence will only be issued if there are alternative setts available for badgers to move to within the same territory. If there are no other suitable setts available, an artificial sett must be provided, but this must be seen as the least preferred option. The site for an artificial sett must be carefully selected and all work supervised by a badger expert;
- Any works associated with a badger derogation licence will follow a separate licenced method statement and be overseen by the licenced ecologist;
- Where monitoring of setts is required, camera traps will be installed and monitored by the appointed ecologist;
- Construction works in proximity to a sett (as set out by the ecologist), will commence no earlier than one hour after sunrise, and end no later than one hour prior to sunset;
- No artificial light should directly illuminate any setts, foraging or commuting badger habitat;
- There will be no direct interference with any sett unless licenced to do so;
- No works materials will be left within 30 m of any sett, nor at a location with potential to block access by badgers to/from a sett and the wider area;
- All debris will be removed from Site upon completion of works, unless being re-used on Site;
- Sloping escape ramps will be created in any trenches to prevent badgers becoming trapped overnight;
- Any open pipework should be blocked off at the end of the day to prevent any animals accessing;

- Works adjacent to watercourses will comply with best practice guidelines as presented in the Scottish Environment Protection Agency's Guidance for Pollution Prevention (GPP) series (Netregs, undated);
- All plant and materials will be stored in a designated location approved by the appointed ecologist. All plant and materials will be stored appropriately; and
- All plant and machinery will not be left idling when not in use.

Should a badger be discovered (or suspected) at any time during works, the work must stop immediately, and the appointed ECoW informed. Contact information for the appointed ecologist will be readily available to all personnel and is listed in Table 5-1 below.

Table 5-1 – Contact information for appointed ecologist(s).

Name	Contact number	Email address
Helen Simmons	07393 008681	Helen.simmons@wsp.com
Tracy Kerr	07908 010334	Tracy.Kerr@wsp.com

5.4. Alignment with Project ECoW

It is assumed that the appointed ecologist role will be undertaken by the project ECoW where appropriate, to ensure resource efficiency, and allow a holistic approach to management of environmental/ecological issues on the Site.

5.5. Post-Construction

No post-construction mitigation is anticipated as part of this Development. This will be reviewed throughout the Development by the appointed ecologist.

6. References

CIEEM (2019). Competency Framework [online]. Available at https://cieem.net/resource/competency-framework/ [Accessed 19/07/2023].

Netregs (undated). Guidance for Pollution Prevention (GPPs) - Full list [online]. Available at: http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/ [Accessed 19/07/2023]

7. Figures

Figure 1: Site Layout Plan (produced for the EIA; Figure 5.1)

Figure 2: Badger Protection Plan

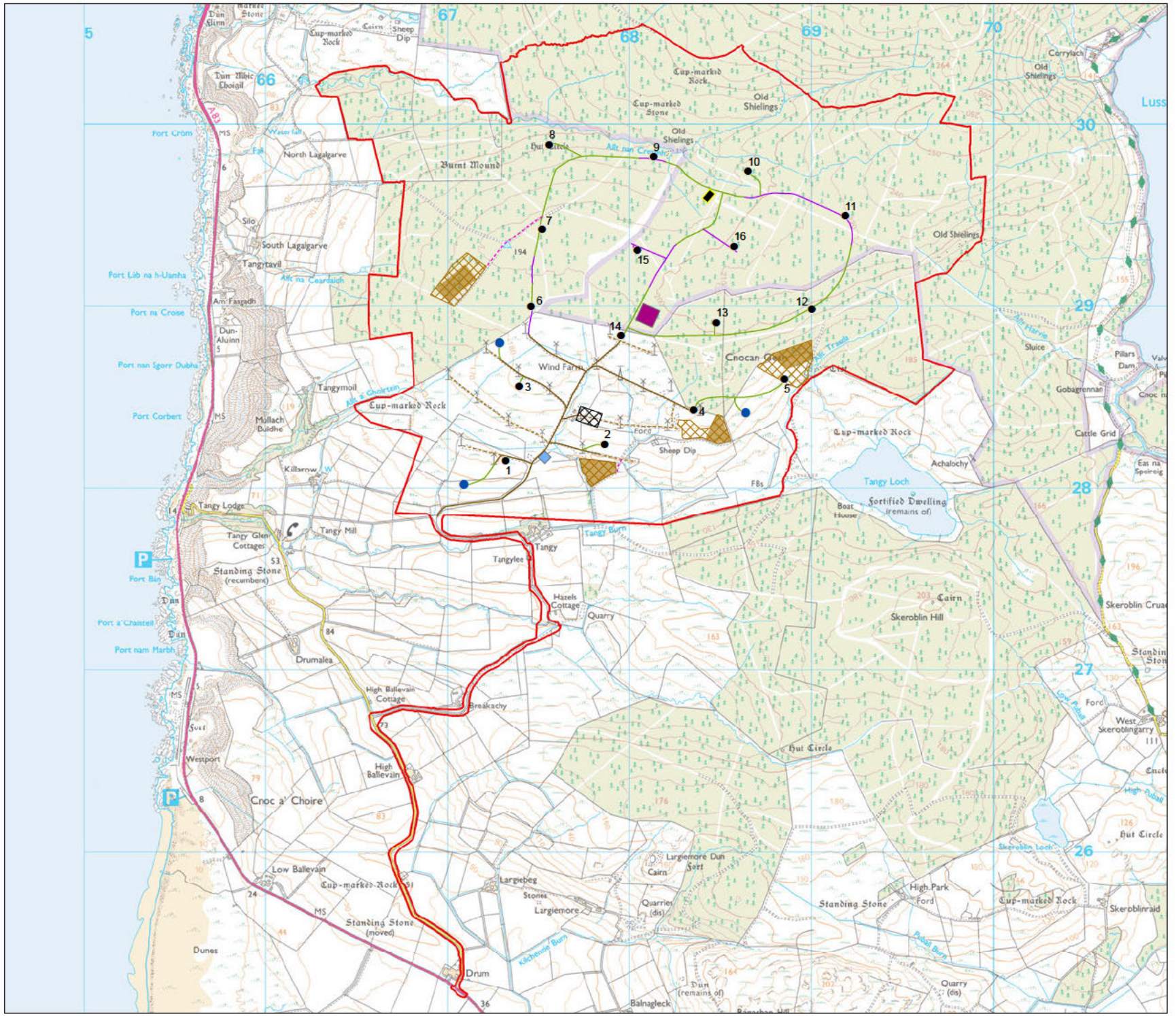

Figure 5.1

Site Layout

Tangy IV Wind Farm
EIA Report