



Species Protection

Plan: Otter

Tangy IV Wind Farm

Report Versions

	Name	Position	Date
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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.

Development Run-Off – Run-off from site infrastructure that may contain suspended solids, silt or other organic matter that requires treatment before discharge to the environment.

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 otter.

In 2013, a full suite of ecological surveys was undertaken in support of Tangy III, a wind farm within the Site for which planning permission was granted. In 2018, an updated extended Phase 1 habitat survey was undertaken to confirm ecological conditions at the Site. WSP ecologists carried out an otter survey along watercourses within the Site in July 2023. To date, no otter resting places have been recorded within the Site, however otter are known to be using the small water courses that run throughout and they will use these for foraging and commuting purposes.

This Species Protection Plan (SPP) has been prepared by WSP UK Ltd. (WSP) on behalf of SSE Renewables to ensure the welfare of otter and disturbance to otter 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 otters. Otters are afforded international legal protection as a European Protected Species (EPS) under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the Habitats Regulations). Otters are also afforded protection under the Wildlife and Countryside Act 1981 (as amended). This means that it is an offence to deliberately or recklessly:

- Capture, injure or kill an otter;
- Harass an otter or group of otters;
- Disturb an otter in a holt or any other structure or place it uses for shelter or protection;
- Disturb an otter while it is rearing or otherwise caring for its young;
- Obstruct access to a holt or other structure or place otters use for shelter or protection, or otherwise deny the animal use of that place;
- Disturb an otter in a manner or in circumstances likely to significantly affect the local distribution or abundance of the species;
- Disturb an otter in a manner or circumstances likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young;

- Damage or destroy a breeding site or resting place of such an animal (whether or not deliberately or recklessly); and
- Keep, transport, sell or exchange, or offer for sale or exchange any wild otter (or any part or derivative of one) obtained after 10 June 1994.

3. Ecology and Field Signs

Otters are largely solitary, semi-aquatic mammals which are found throughout Scotland on rivers, lochs and the along the coast. Otters are nocturnal animals that are active throughout the year and can also breed at any time of the year. Otters use holts for shelter and breeding which can be existing burrows, natural holes, caves or other structures including man-made structures such as disused drains. Holts can be temporary or permanent and can be used for breeding. They also utilise temporary above ground structures known as 'couches' which can be partially sheltered or fully exposed. Couches may be regularly used, especially in reedbeds and on in-stream islands but these can be difficult to identify as they may only consist of a flattened area of grass.

Signs of otter presence in an area include the following:

- Prints: characteristic foot prints often observed in soft ground and muddy areas;
- Spraints: otter faeces that can be used to mark territories or resting sites. Usually found on prominent features such as large boulders on the edge of a watercourse. Spraints have a characteristic smell and often contain fish remains;
- Anal jelly: like spraints often observed on prominent feature or outside resting sites;
- Feeding signs: remains of prey at resting sites such as remains of fish, crabs or skinned amphibians;
- Paths: terrestrial routes that otters can take when moving between resting sites and watercourses, or at high flow conditions when they will travel along bank sides in preference to swimming; and
- Slides and play areas: typically worn areas on steep slopes where otters slide on their front, often found between holts/couches and watercourses. Play areas are used by juvenile otters and are often evident by trampled vegetation and the presence of slides. These are often positions in sheltered areas adjacent to natal holt.



Otter prints (Credit: WSP)



Otter spraint (Credit: WSP)

4. Works with Potential to Impact Otters

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 otter any works required within 100m of resting sites (if present) have potential to disturb otter (if present at the time of works) and potential to damage a resting site or (although unlikely) injure/kill otter. The ECoW will review works activities and may reduce the disturbance buffer to 30m if no high disturbance works (e.g. pilling, blasting or GI) are proposed. Heavy plant operating within proximity to resting sites and foraging habitat have potential to kill and injure individuals.

5. Mitigation

5.1. Pre-Construction

An ecologist/Ecological Clerk of Works (ECoW) will be appointed to oversee works throughout the Development. The appointed ecologist will be of at least 'Capable' level in surveying for and advising mitigation for otter, 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 for any holts or couches (focusing on water courses shown in **Figure 2**);
- 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
- A 30 m buffer will be physically marked out on Site by the appointed ecologist surrounding any identified resting sites through the pre-construction survey within which no works should take place and no works personnel should enter without prior consent from appointed ecologist. This buffer could be extended to 100m for high disturbance works (e.g. pilling, blasting or GI).

5.2. During Construction

The following methods will be adhered to during all works associated with the Development, to avoid/minimise disturbance impacts on otters utilising resting sites and to ensure the welfare of otters active within the general area.

- All work within the vicinity of otter habitat (**Figure 2**) will be restricted to the hours of daylight. Works will commence no earlier than one hour after sunrise, and end no later than one hour prior to sunset;
- Where this is not possible screening will be used to provide a barrier between the works and the otter habitat;
- A minimum of 30 m exclusion zone is to be maintained from identified resting sites throughout construction;
- No works personnel will access the watercourses without prior consent from the appointed ecologist;

- No artificial light should directly illuminate any resting site, foraging or commuting otter habitat (watercourses on **Figure 2**);
- There will be no direct interference with any identified resting site;
- No works materials will be left within 30 m of any identified resting site, nor at a location with potential to block access to/from the resting site and the wider area;
- Sloping escape ramps will be created in any trenches to prevent otters becoming trapped overnight;
- Any open pipework should be blocked off at the end of the day to prevent any animals accessing it;
- 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 – in particular GPP5 referencing working in/near water (Netregs, undated); and
- All plant and materials will be stored in a designated location, away from the bankside and 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 an otter be discovered (or suspected) at any time during works, the work must stop immediately, and the appointed ecologist 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

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

5.3. 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.

5.4. 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

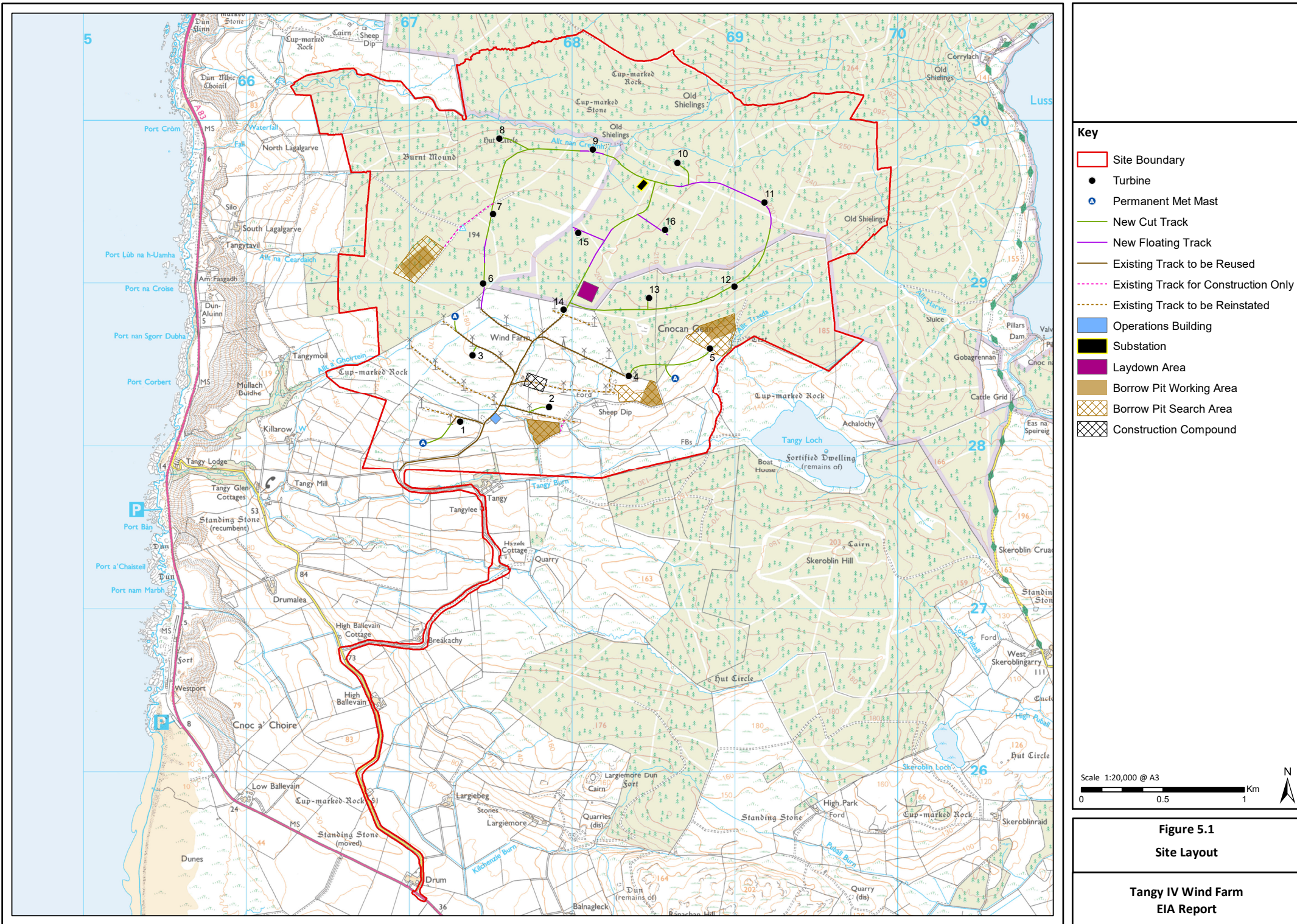
CIEEM (2019). Competency Framework [online]. Available at <https://cieem.net/resource/competency-framework/> [Accessed 19/07/2023].

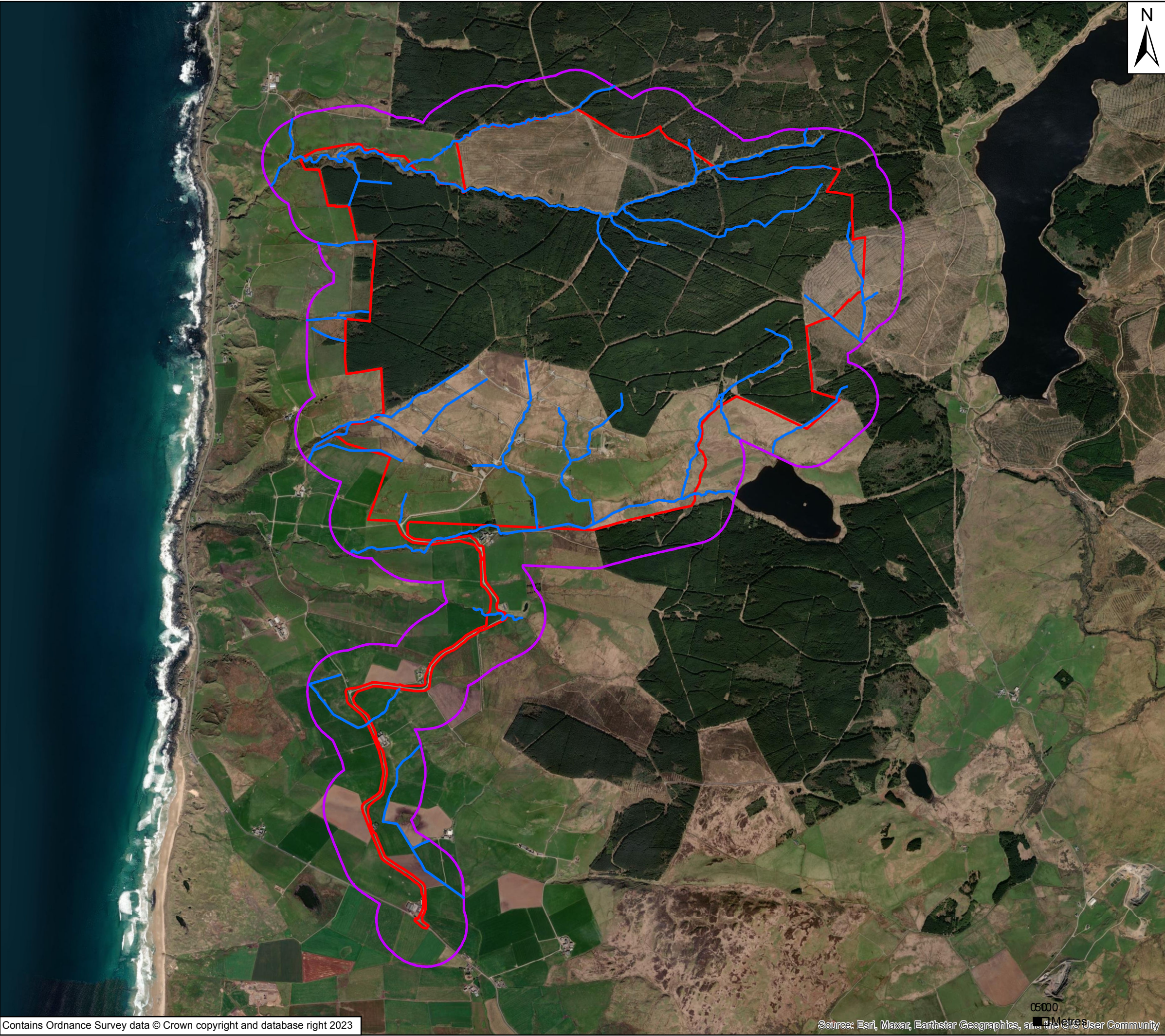
Netregs (undated). Guidance for Pollution Prevention (GPPs) - Full list [online]. Available at: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-pgps-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/> [Accessed 19/07/2023]

7. Figures

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

Figure 2: Otter Protection Plan





Key

-  Site Boundary
-  Otter Survey Area - 250m Buffer
-  Watercourses within the Site



Client:



Project:

Tangy IV Ecology and Ornithology

Title

Otter Protection Plan
Figure 2

Drawing No:

Layers

Drawn: KM

Date:

08/09/2023

Checked: DC

Scale:

24,000 @ A3

Approved: HS