

MARINE (SCOTLAND) ACT 2010
 Proposed Construction of a Seaweed Farm at Loch Snizort, North West Skye
 Kaly Group Limited

Appendix 7 - Habitats Regulation Appraisal - Report to Inform Appropriate Assessment

Plate 1 - Admiralty Chart with Site Extents

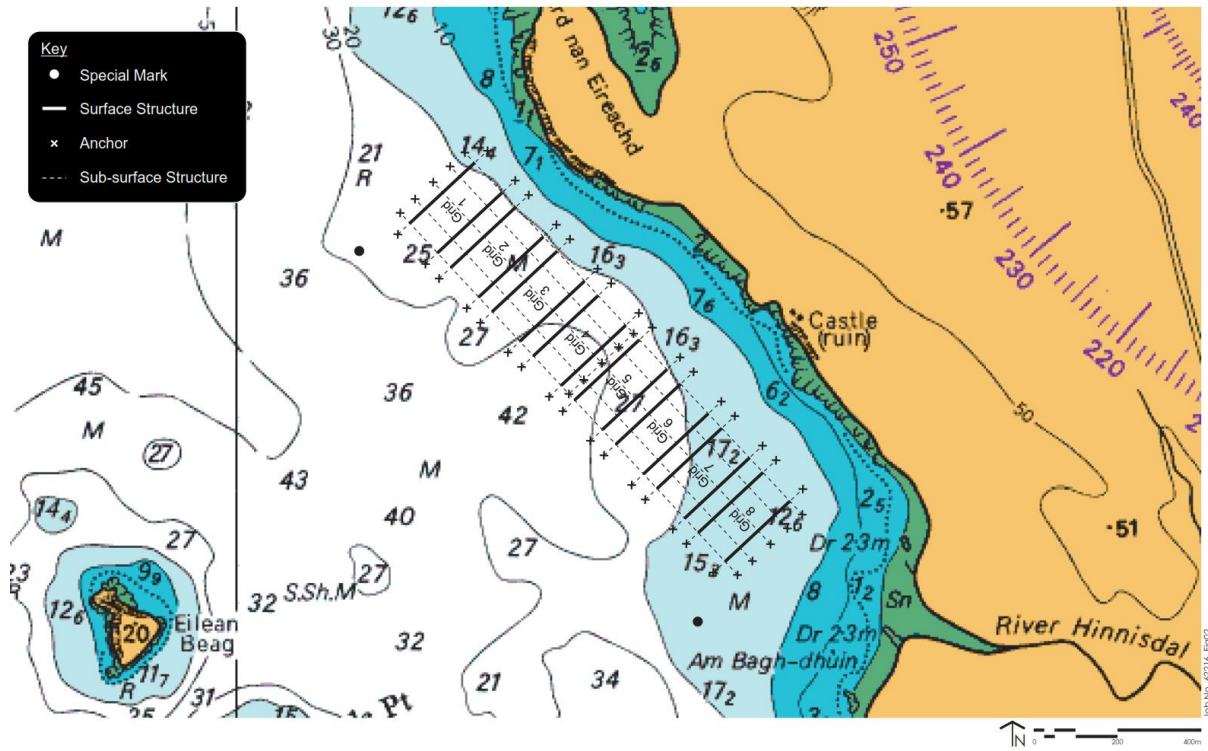
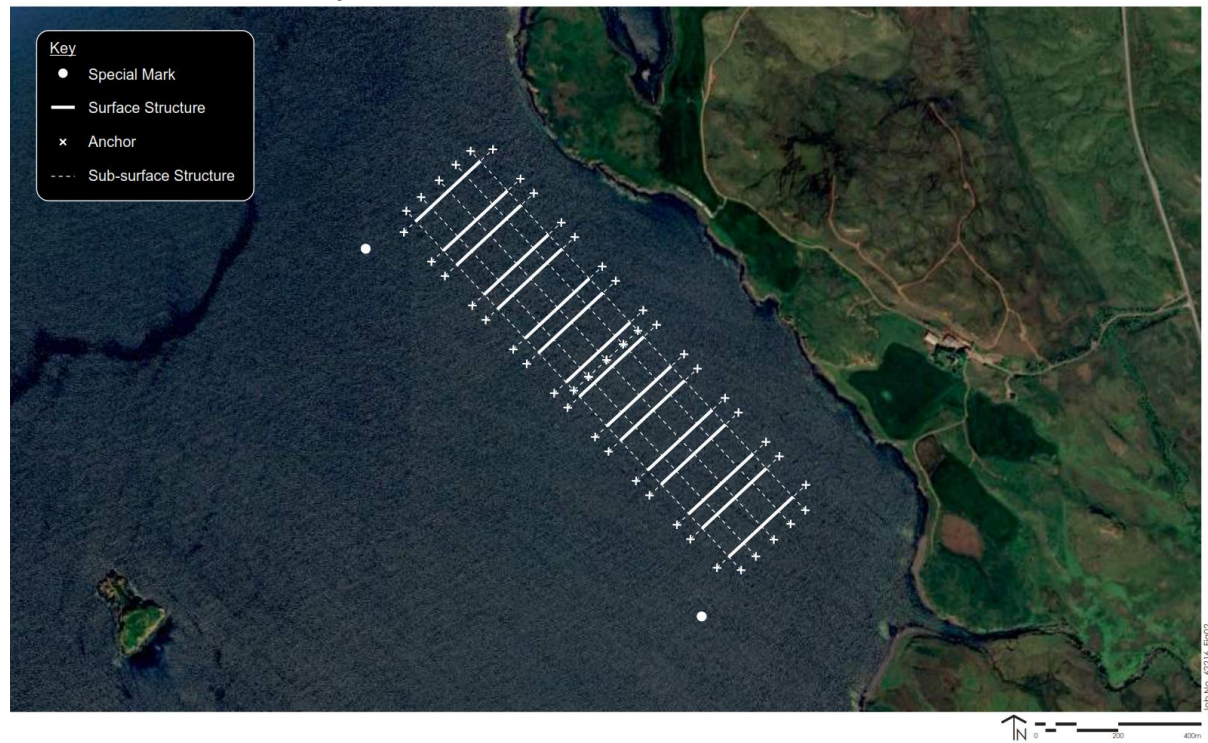


Plate 2 – Seaweed Farm Layout



**Habitats Regulation Appraisal
Report to Inform Appropriate Assessment
Proposed Construction of a Seaweed Farm at Loch Snizort, North West Skye**

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1 Introduction

1.1 Purpose and Format of the Report

1.1.1 This Habitats Regulations Appraisal (HRA) has been prepared by Ironside Farrar on behalf of Kaly to support a Marine Licence Application for the installation of a proposed seaweed farm at Loch Snizort, Isle of Skye. The report is designed to inform an Appropriate Assessment under Regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland).

1.1.2 The report provides a screening of potential impacts on European designated sites (Natura 2000 sites) based on the ecological desk study (Appendix A) and, where relevant, undertakes further assessment in line with NatureScot guidance.

1.2 The Proposed Development

1.2.1 The proposed seaweed farm site comprises a marine lease area within Loch Snizort. Coordinates and extents to be inserted if available.

1.2.2 Key characteristics include:

- Grid layout comprising multiple longlines for brown seaweed cultivation (e.g., *Alaria esculenta*, *Saccharina latissima*, and *Laminaria digitata*)
- Deployment and harvesting operations from October to May
- Vessel-based maintenance and monitoring with no permanent above-surface infrastructure
- Seeding sourced locally and applied to growing lines during winter months

1.2.3 Landing Area: Harvested material will be landed via a designated pier facility with consent or agreement in place (e.g., Uig or Portree piers). Transport will be by lorry to processing/distribution points

1.3 Consents and Programme

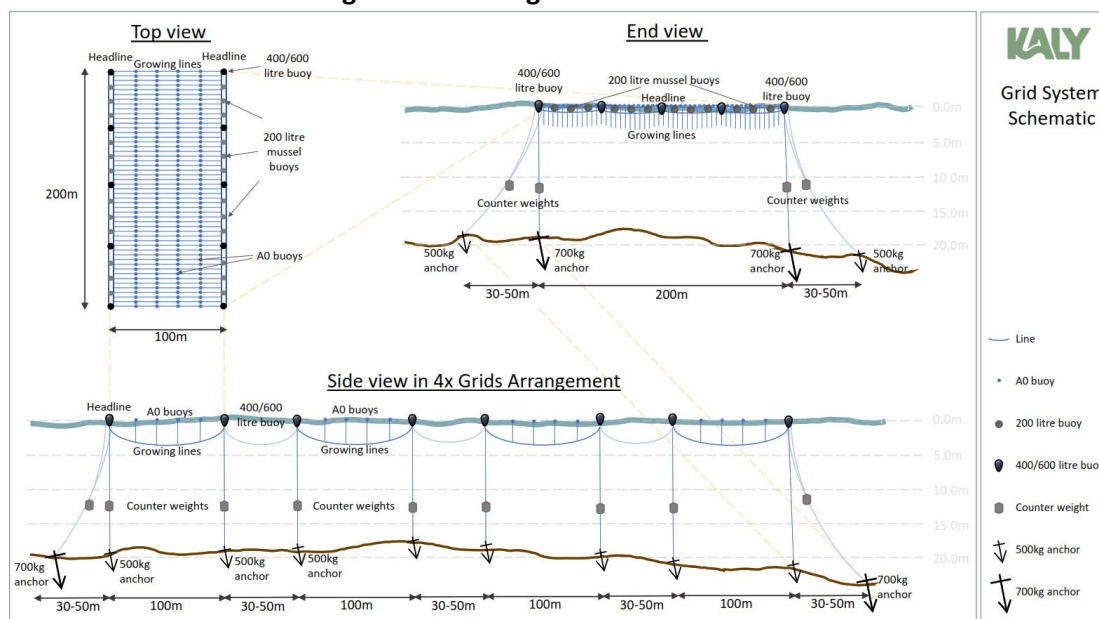
1.3.1 The HRA supports a Marine Licence application under the Marine (Scotland) Act 2010. Subject to consent, the farm would be constructed and seeded during autumn/winter 2025, with the first harvest in spring/summer 2026.

1.4 Seaweed Farming

Installation / Construction

1.4.1 The seaweed farm will be constructed using work vessels who will lay the anchor blocks as per Plate 4 before the interconnected grid of seaweed growing lines is laid. Deployment in each phase is anticipated to last 2 weeks. The anchoring system is robust to ensure farm stability but uses the minimum amount of infrastructure possible to reduce the footprint of the site and reduce seabed impact and is removable as part of decommissioning.

Plate 4 – Illustration Showing Anchor Arrangements



Operational Elements

1.4.2 The operational management of the seaweed farm is low intensity and is based around use of small vessels based locally. The key periods of activity as summarised above are based on the following:

- Seeding of seaweed lines in (Oct/Nov) with potential second deployment in (Jan/Feb) - each of approx. 2 weeks
- Harvesting of the matured seaweed plants (late Mar to late May depending on growth) – approx. 4 week harvesting period
- During the growing periods, the seaweed farm is checked weekly by boat to ensure the structures are secure, with additional checks following significant storms. This also allows a general check of crop health and growth
- Any equipment or ropes brought ashore from the farm site will be treated by cleaning with fresh water above the high tide mark.

Landing Area of Harvested Seaweed

1.4.3 All harvested kelp from Loch Snizort in Y1 (2026) will be landed by agreement (annual rent) with Dunvegan Estates at their pier in Dunvegan. We have estimated 172 tonnes of biomass which will be harvested in mid April/May in the first year and transported by a 16.5-meter boat. It is anticipated there will be 1 boat trip and landing per day. This equates to 10 boat and lorry loads during late April/May next year.

1.4.4 During full production from Y2, the seaweed farm will yield 344 tonnes, again landed by agreement (annual rent) with Dunvegan Estates at their pier in Dunvegan. This equates to 20 landings using 16.5m vessel which holds 17.2 tonnes per landing - 1 boat trip and landing per day. The harvested biomass is landed in 600kg bins with each holding 400kg of material equating to 43 bins per landing. Each landing is transferred directly to a lorry holding 17.2 tonnes meaning a total of 20 lorry movements with 1 lorry collection per day.

Species Cultivated

1.4.5 The species to be cultivated are native to the local area and requires only sunlight and the seawater to grow. There are no chemicals or other additions to the water column at the site from the activities.

1.4.6 Three species to be cultivated are native to, and frequent along, the west coast and are common ‘brown seaweeds’. They naturally occupy an ecological niche around and below MLWS, the extreme lower shore and shallow sea.

- Atlantic wakame (*Alaria esculenta*)
- Sugar kelp (*Sacharina latissimi*)
- Oarweed (*Lamatia digitata*)

1.4.7 The seed for the proposed farmed seaweed is sourced from local shore sites in very small volumes and is then cultured onto growing medium before being used to seed the lines. Seeding material will be collected during February and March each year from within Loch Snizort. Kaly are working with a local diving and conservation family owned company who will undertake the collection which will take no longer than a day. The seeding material will be collected from points near the proposed farm site but at a good distance from where any seals are present.

1.5 Environmental Designations

1.5.1 One statutory designated nature conservation site has been assessed as part of this HRA Report. A data summary of the main sites is provided below:

Inner Hebrides and the Minches SAC

1.5.2 The Inner Hebrides and the Minches SAC¹ was declared to provide protection to harbour porpoise (*Phocoena phocoena*). The Inner Hebrides and the Minches SAC is the second largest Marine Protection Area (MPA) for harbour porpoise in Europe and the only one for harbour porpoise in Scotland. The designation provides protection to approximately 32% of the harbour porpoise population found on the west coast of Scotland and the highest density of harbour porpoise in Scotland.

1.5.3 According to the NatureScot Conservation and Management Advice, the main sensitivities relate to:

- Removal of non-target and target species (i.e. entanglement of harbour porpoises in fishing gears and removal of their prey species).
- Contaminants (e.g. through effects on water quality and bioaccumulation of contaminants that in turn affects the survival and productivity rates of harbour porpoises).
- Underwater noise (e.g. from acoustic surveys).
- Death or injury by collision (predominantly in relation to collision with various types of

¹ <https://sitelink.nature.scot/site/10508>

fast moving vessels from commercial shipping to personal leisure craft and potentially from tidal turbines).

- 1.5.4 The current Conservation and Management Advice does not include seaweed harvesting given relatively novel nature of the activity, although it does cite potential for a variety of impacts, e.g. species disturbance, abrasion of seabed habitats and changes to trophic links although data is limited.

1.6 Content of the HRA Report

- 1.6.1 The remainder of this report is split into the following main sections according to NatureScot HRA guidance:

- **Section 2** – Habitats Regulation Appraisal – Natura Site Details
- **Section 3** – HRA Stage 1 - What Is The Plan Or Project?
- **Section 4** – HRA Stage 2 - Is The Plan Or Project Directly Connected With Or Necessary To Site Management For Nature Conservation?
- **Section 5** – HRA Stage 3 - Is The Plan Or Project (Either Alone Or In Combination With Other Plans Or Projects) Likely To Have A Significant Effect On The Site?
- **Section 6** – HRA Stage 4 - Appropriate Assessment of the Implications for the Site in View of its Conservation Objectives
- **Section 7** – HRA Stage 5 - Can It Be Ascertained that the Proposal will Not Adversely Affect the Integrity of the Site?
- **Section 8** – Environmental Commitments

2 Habitats Regulation Appraisal – Natura Site Details

Legislation

2.1.1 The following legislation has been taken into account when undertaking the assessment:

- Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) (the ‘Habitats Regulations’);
- European Council Directive 2009/147/EC on the Conservation of Wild Birds (the ‘Birds Directive’);
- European Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the ‘Habitats Directive’); and
- The Wildlife and Countryside Act 1981 (as amended) (WCA).

2.1.2 Marine Directorate, as a 'competent authority' under the Regulations, must be satisfied that the proposal will not adversely affect the integrity of any European site (SACs and SPAs, known as Natura sites) either alone or in combination with other plans or projects before authorisations can be given for the proposal.

Guidance

2.1.3 In addition, the following guidance documents were consulted:

- NatureScot Guidance on Habitats Regulation Appraisal²
- NatureScot Priority Marine Features Guidance (2016) and associated documents³

Baseline Information

2.1.4 This report has been informed by a range of baseline data sources including similar consented seaweed farms and we have referred to these where they assist in the assessment process. Relevant data includes:

Table 1 – Baseline Data Summary

Source	Summary of Key Findings / Information
Scotland’s National Marine Plan, adopted in March 2015	The Marine Plan recognises the opportunities associated with farming of seaweed ‘Other opportunities to grow and diversify the sector include: Increasing seaweed production for a variety of products, such as human food, a gelling and thickening agent, animal feed, and nutraceuticals (food products that provide health and medical benefits) as well as in integrated multi-trophic aquaculture systems, where the by-products from one species are recycled to become inputs for another’. The report notes that ‘The Scottish Government also supports the sustainable growth of the seaweed sector’. The Plan is based around 21 General Planning

² <https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra>

³ [Priority Marine Features Guidance | NatureScot](#)

Source	Summary of Key Findings / Information
	Principles which seek to promote sustainable development and are based around key social, economic and environmental drivers.
Seaweed Cultivation Policy Statement – Marine Scotland, 2017 ⁴	The Policy Statement covers small-medium sites which the Loch Snizort proposals would fall under and discusses potential impacts. <i>‘Small-medium (0-50 x 200m lines) At the lower end of this scale, seaweed farms are a similar size to a typical mussel farm, with up to 30 x 200m lines. Anecdotal evidence suggests this sector may grow significantly in the short-to-medium term. The SEA Environmental Report indicated that there is likely to be limited environmental impact from such sites, but potential negative environmental impacts from larger sites of 30-100 200m lines, primarily in relation to benthic shading, but also in relation to visual impacts, collision risks, spatial issues, and coastal impacts. Such farms will be required to demonstrate mitigation measures, particularly in relation to sensitive areas’</i>
SNH Commissioned Report 406: Descriptions of Scottish Priority Marine Features (PMFs) ⁵	<p>This report published in 2016 provides a summary of the 81 priority marine features (PMFs) identified in Scotland’s seas. The report includes information on characteristics, distribution and status. In terms of the qualifying interests of the Natura interests covered in this report:</p> <ul style="list-style-type: none"> • Harbour porpoises are noted as the most common small cetacean in the eastern North Atlantic, with a wide distribution in the waters of the northern hemisphere. The report states that Harbour porpoise are particularly sensitive to noise disturbance and are the most frequently stranded cetacean on the Scottish coast. Other potential impacts relate to collisions with vessels, water quality impacts and incidental fisheries bycatch. • Harbour seals are noted as widely distributed throughout Scottish waters but with significant concentrations on the west coast, the Hebrides and historically throughout the Northern Isles. Populations within the major firths on the east coast of Scotland, have declined for reasons not yet clear. The report also notes that west coast populations appear to be stable/ increasing at levels equivalent to, or greater than, those seen in the 1990s. They are impacted by anti-predator shooting at fish farms and fisheries, bioaccumulation of toxic compounds and underwater noise disturbance.
Harbour seal decline – vital rates and driver. Sea Mammal Research Unit Report to Marine Scotland, Scottish Government April	The report indicates that numbers of harbour seals (<i>Phoca vitulina</i>) have dramatically declined in several regions of the north and east of Scotland, while numbers have remained stable or increased in regions on the west coast.

⁴ [Seaweed cultivation policy statement 2017 - gov.scot \(www.gov.scot\)](http://www.gov.scot/publications/seaweed-cultivation-policy-statement-2017/pages/default.aspx)

⁵ <https://www.nature.scot/doc/naturescot-commissioned-report-406-descriptions-scottish-priority-marine-features-pmfs>

Source	Summary of Key Findings / Information
2019 ⁶	
Scientific Advice on Matters Related to the Management of Seal Populations: 2021, Natural Environment Research Council Special Committee on Seals ⁷	<p>SMRU carries out annual moult surveys in August to count the number of harbour and grey seals along the Scottish coastline (SCOS, 2021). Populations in western Scotland are either stable or increasing. Counts in the central and northern sections of the large West Scotland SMU and the Southwest Scotland SMU have been increasing since the 1990s and in all other areas they have remained stable.</p> <p>The report also includes information on possible impacts and interactions between seals and anthropogenic activity e.g. renewable energy developments and aquaculture. The report notes that ‘Observed responses to disturbance are very site and context specific and the impact of responses are likely to vary significantly depending on the species, time of year and life history stage of the animals involved. There are also well documented examples of both species habituating to disturbance from land-based tourism, boats and low-flying aircraft. Lower-level stress responses may occur with no visible behavioural response’</p>
Recent seaweed consents granted by Marine Scotland ⁸	There are a range of applications across a range of scales that have previously been submitted / approved by Marine Directorate. The supporting documentation submitted to Marine Scotland’s licencing portal indicates impacts can typically be reduced to an acceptable level through choice of location of the seaweed farm, relative scale of projects and methods of deployment and operational management. Obviously acceptability is dependent on individual site characteristics and site specific assessment is usually required.

Table 2 - Inner Hebrides and the Minches SAC Conservation Objectives and Qualifying Interests

Name of Natura site(s) potentially affected:	Inner Hebrides and the Minches SAC
Name of component SSSI if relevant:	N/A
Natura qualifying interest(s) & whether priority/non-priority:	Harbour porpoise (<i>Phocoena phocoena</i>)
Conservation objectives for qualifying interests:	<p>To ensure that the Inner Hebrides and the Minches SAC continue to make an appropriate contribution to harbour porpoise remaining at favourable conservation status.</p> <p>To ensure harbour porpoise within the context of environmental changes, the integrity of the Inner Hebrides and the Minches SAC is maintained through:</p>

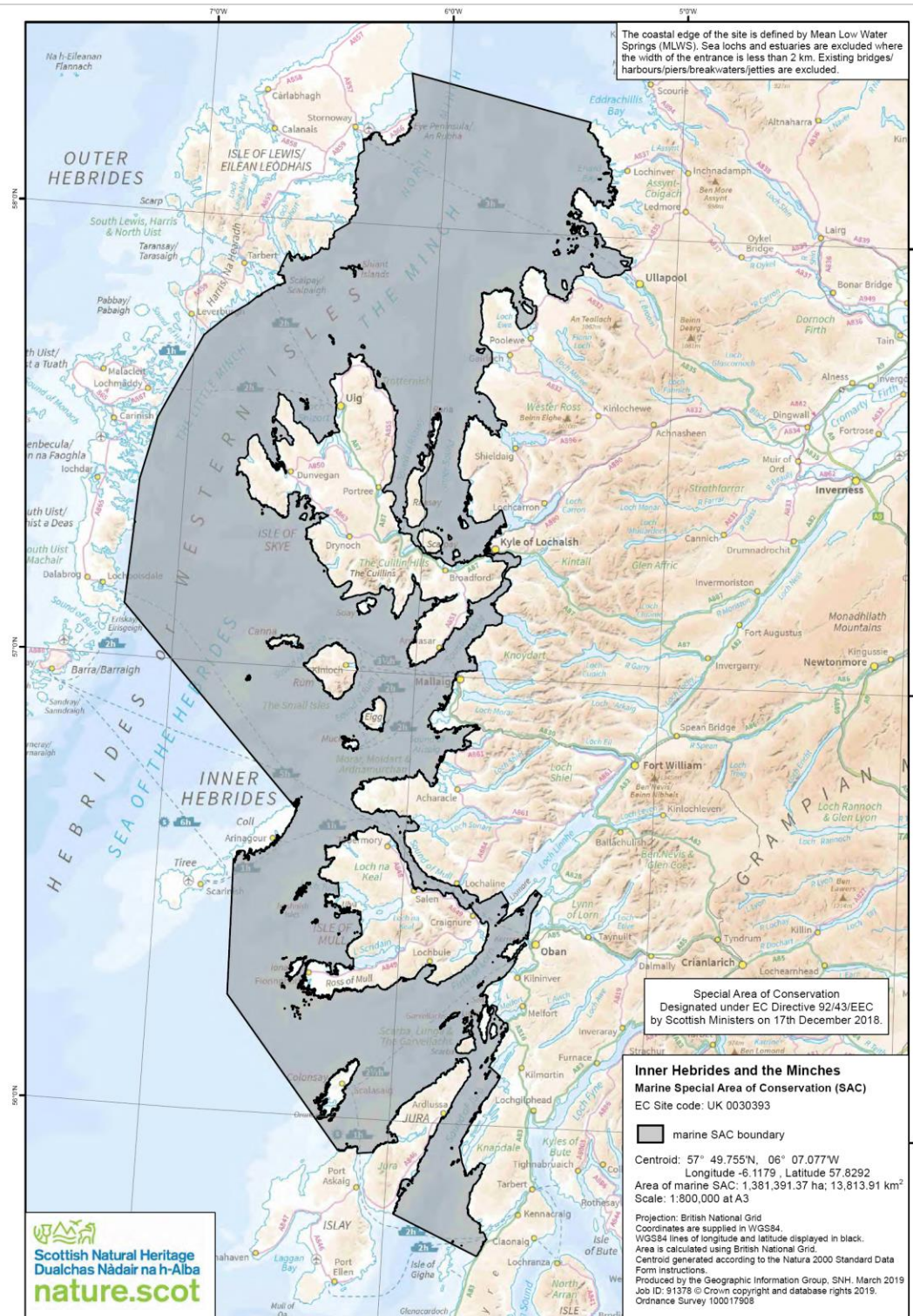
⁶ http://www.smru.st-andrews.ac.uk/files/2020/02/HSD2-yr4_annual-rep_web.pdf

⁷ <http://www.smru.st-andrews.ac.uk/files/2022/08/SCOS-2021.pdf>

⁸ <https://marine.gov.scot/marine-licence-applications>

	<ul style="list-style-type: none">• Harbour porpoises within the Inner Hebrides and the Minches are not at significant risk of injury or killing.• The harbour porpoise distribution throughout the site is maintained by avoiding significant disturbance.• The condition of supporting habitats and the availability of prey for harbour porpoises are maintained.
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Plate 7 - Inner Hebrides and the Minches SAC - from NatureScot SiteLink



3 HRA Stage 1: What Is The Plan Or Project?

Table 3 – Summary Project Information

Proposal Title	Proposed Construction of a Seaweed Farm at Loch Snizort, North West Skye
Competent Authority	Marine Scotland
Details of proposal (inc. location, timing, methods)	<p>Background Kaly Group Ltd are proposing to develop a seaweed farm in Loch Snizort, North West Skye. The development broadly comprises:</p> <ul style="list-style-type: none"> • LOA site - 1,350 m x 300m • Total Area - 40.5Ha • Area of Grid - 2Ha each x 8 grids • Total area under cultivation 16Ha • Majority of the structure is sub-surface - 40km lines in total • The average water depth across site is 15m • Annual Volume of seaweed cultivated and harvested: 344T based on 20 boat based harvests with 20 lorry movements. <p>Marine Licensing Context The proposed seaweed farm would be classed as a small – medium scale farm and this scale of production is typically supported under the Seaweed Cultivation Policy Statement (Marine Scotland, 2017) subject to ensuring potential impacts are suitably mitigated. This Report to Inform Appropriate Assessment supports the Marine Licence application.</p> <p>Site Location Relative to Designated Sites The site is located within the Inner Hebrides and the Minches SAC</p> <p>Infrastructure The seaweed farm will be constructed using work vessels who will lay the anchor blocks (mix of 700kg and 500kg anchors as per Plate 5) before the interconnected grid of seaweed growing lines is laid. The anchoring system is robust to ensure farm stability but uses the minimum amount of infrastructure possible to reduce the footprint of the site and reduce seabed impact and is removable as part of decommissioning.</p> <p>Seaweed Species The species to be cultivated are native and seed for the proposed farmed seaweed is sourced from local shore sites in very small volumes and is then cultured onto growing medium.</p> <p>Operations and Timing The operational management of the seaweed farm is low intensity and is based around use of small vessels based locally. The key</p>

	<p>periods of activity as summarised above are based on the following:</p> <ul style="list-style-type: none">• Deployment of seeded seaweed lines in (Oct/Nov) with potential second deployment in (Jan/Feb)• Harvesting of the matured seaweed plants (late Mar to late May depending on growth).• During the growing periods, the seaweed farm is checked weekly by boat to ensure the structures are secure, with additional checks following significant storms. This also allows a general check of crop health and growth• Any equipment or ropes brought ashore from the farm site will be treated by cleaning with fresh water above the high tide mark
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4 Stage 2: Is The Plan Or Project Directly Connected With Or Necessary To Site Management For Nature Conservation?

No. The operation is not connected with or necessary to conservation management of the site

5 Stage 3: Is The Plan Or Project (Either Alone Or In Combination With Other Plans Or Projects) Likely To Have A Significant Effect On The Site?

5.1.1 Consultation with NatureScot and baseline data review identified the following potential Likely Significant Effects where further assessment is required under Stage 4 onward.

Table 4 – Potential for Likely Significant Effects?

Qualifying Interests	Sites	Likely Significant Effects?
Harbour seal <i>(Phoca vitulina)</i>	Ascrib, Isay and Dunvegan SAC	Harbour seals may forage in, or transit through, the areas of the seaweed farm. Seals could be disturbed by noise and boat movements as well as other activities during deployment and harvesting. There may be impacts on the prey species of seals due to noise and localised changes due to the vertical seaweed ropes creating shade. Entanglement risk is associated with in-water infrastructure / seaweed farming gear.
Harbour porpoise <i>(Phocoena phocoena)</i>	Inner Hebrides and the Minches SAC	Porpoises (and other cetaceans) could be disturbed by noise and boat movements as well as deposition of sediment at disposal sites as well as other activities. It is unlikely that noise from dredging from a small area over a short period of time would give rise to significant disturbance. There may be impacts on the prey species of porpoises (and other cetaceans), either from placement of infrastructure or due to noise. Entanglement risk is associated with in-water infrastructure / fishing gear.
Priority Marine Features (PMFs)	The Harbour seal and Harbour porpoise are also covered as Priority Marine Features under NatureScot ⁹ Commissioned Report.	As above. The location of the seaweed farm contains locally diverse habitats and associated species. The main impacts are physical changes associated with the seaweed farm and disturbance associated with deployment and subsequent operations. The huge volume of water

⁹ Tyler-Walters, H., James, B., Carruthers, M. (eds.), Wilding, C., Durkin, O., Lacey, C., Philpott, E., Adams, L., Chaniotis, P.D., Wilkes, P.T.V., Seeley, R., Neilly, M., Dargie, J. & Crawford-Avis, O.T. 2016. Descriptions of Scottish Priority Marine Features (PMFs). Scottish Natural Heritage Commissioned Report No. 406.

Qualifying Interests	Sites	Likely Significant Effects?
		movement delivering fresh nutrients and limited shading effects from the vertical seaweed columns indicates that impacts on benthic habitats and species are not significant.
European Protected Species	Otters	Otters are common on Skye and are typically tolerant of people, vehicle and vessel movements. There are potential direct disturbance impacts on the shoreline and holts / resting areas at the landing site and across seed collection areas.

6 Stage 4: Undertake an Appropriate Assessment of the Implications for the Site in view of its Conservation Objectives

6.1 Appropriate Assessment

Table 5 – Appropriate Assessment - Inner Hebrides and the Minches SAC

Natura Site	Inner Hebrides and the Minches SAC	Conservation Objectives	Appropriate Assessment
<p>Natura qualifying interest(s) & whether priority/non-priority:</p>	<p>Harbour porpoise (<i>Phocoena phocoena</i>)</p>	<p>To ensure that the Inner Hebrides and the Minches SAC continue to make an appropriate contribution to harbour porpoise remaining at favourable conservation status.</p> <p>To ensure harbour porpoise within the context of environmental changes, the integrity of the Inner Hebrides and the Minches SAC is maintained through:</p> <ul style="list-style-type: none"> • Harbour porpoises within the Inner Hebrides and the Minches are not at significant risk of injury or killing. • The harbour porpoise distribution throughout the site is maintained by avoiding significant disturbance. 	<p>CO1 Harbour porpoises within the Inner Hebrides and the Minches are not at significant risk of injury or killing.</p> <p>Whilst we are not aware of reported cases of entanglement of cetaceans / seals and other species in seaweed farming, there have been studies on entanglement in creel fishing gear¹⁰. The NatureScot report defines entanglement as <i>‘wraps of line, netting or other materials around body areas (which may include cases in which animals are towing gear or anchored by gear) from which the animal cannot escape and which subsequently causes harm’</i>. To minimise risk of entanglement, the seaweed farm lines will be kept taut¹¹ and spaced to allow passage through the farm and monitored regularly with assistance sought should an entanglement occur (see Best Practice). This CO will continue to be met during construction and operation</p> <p>CO2 The harbour porpoise distribution throughout the site is maintained by avoiding significant disturbance.</p>

¹⁰ MacLennan, E., Hartny-Mills, L., Read, F.L., Dolman, S.J., Philp, A., Dearing, K.E., Jarvis, D. and Brownlow, A.C. Scottish Entanglement Alliance (SEA) - understanding the scale and impacts of marine animal entanglement in the Scottish creel fishery. NatureScot Research Report 1268.

¹¹ <https://www.scottishentanglement.org/downloads/best-practice-guide-for-fishermen-reducing-entanglement-risk-2018/>

Natura Site	Inner Hebrides and the Minches SAC	Conservation Objectives	Appropriate Assessment
		<ul style="list-style-type: none"> The condition of supporting habitats and the availability of prey for harbour porpoises are maintained. 	<p>The harbour porpoise is the most common and widely distributed cetacean in the Minches, and whilst present year-round their numbers peak August – September, particularly off north-east Skye, East of Raasay and around the Small Isles. Sightings are scarce November to March and records in Loch Snizort are rare. (Evans 2017)¹². Peak numbers in the Minch are reported later than the farming period (October-May).</p> <p>The median group size in British waters is 2 rising to 3 in summer months (Harris 2008)¹³. Evans reports low occurrence of a few porpoise in Loch Snizort. Porpoise forage over a very large area, normally several hundred kilometres but up to 6% may travel 800-1000km (Johnston 2005)¹⁴ Teilmann (2008)¹⁵. Activity is centred on the Continental shelf here they forage for pelagic fish, moving inshore to catch coastal and demersal fish in summer.</p> <p>No significant underwater noise will be created during the construction on the farm or operation. Importantly there will be no percussive activity associated with fixing screws or piles to the seabed, lines are attached to anchors and line tension maintained by the operators.</p>

¹² Evans, P.G.H., James, K (2017) Status of Cetaceans in the vicinity of the Isle of Skye.

https://marine.gov.scot/datafiles/lot/Kyleakin/Environmental_Statement/4.%20Appendices/App_19.2_Status_of_Cetaceans.pdf

¹⁴ Johnstone, D.W., Westgate, A.J and Read, A.J. (2005). Effects of fine-scale oceanographic features on the distribution and movements of harbour porpoises *Phocoena phocoena* in the Bay of Fundy. Marine Ecology Progress Series 295, 279-293

¹⁵ Teilmann, J., Sveegaard, S., Dietz, R., Petersen, I.K., Berggren, P. & Desportes, G. (2008). High density areas for harbour porpoises in Danish waters. National Environmental Research Institute, University of Aarhus. 84 pp. - NERI Technical Report No. 657

Natura Site	Inner Hebrides and the Minches SAC	Conservation Objectives	Appropriate Assessment
			<p><u>Therefore, this CO will continue to be met during construction and operation.</u></p> <p>CO3 The condition of supporting habitats and the availability of prey for harbour porpoises are maintained.</p> <p>Habitat effect of the tiny footprint will <i>de-minimis</i> and will not significantly affect fish prey species populations.</p> <p><u>This CO will continue to be met during construction and operation.</u></p>

6.2 In Combination Impacts

6.2.1 We have reviewed the Marine Scotland website for relevant projects around Skye as well as the Highland Council onshore planning portal to allow consideration of potential ‘in combination effects’ with a summary provided below.

Table 7 – Consideration of Possible ‘In Combination’ Impacts

Project	Status	Description	Date?	Potential Interaction?	Potential for Likely Significant Effects?
22/00339/SCOP Ardmore Sub-Station, Ardmore, Hallin, Dunvegan	EIA Scoping Stage	Skye Reinforcement Project - construction of 132 kV overhead transmission line (OHL)	In planning	No direct or indirect impact relative to the qualifying interests of the relevant designated sites.	No ‘in combination’ adverse effects with Natura Interests.
Marine Licence - Pontoon - Loch Dunvegan, Isle of Skye – 00010006 (Loch Duart Ltd)	Licence from Marine Scotland	Pontoon	Granted 23.12.22	No direct or indirect impact relative to the qualifying interests of the relevant designated sites.	No ‘in combination’ adverse effects with Natura Interests.
Marine Licence - Finfish Farm - Ardtreck Bay, by Portnalong, Isle of Skye – 00009946 (MOWI Scotland Ltd)	Licence from Marine Scotland	Fish (including shellfish) farm	Granted 1.10.23	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located on the far west of the island.	No ‘in combination’ adverse effects with Natura Interests.
Marine Licence - Marine Farm - Uig Bay, Isle of Skye - 00009840 (Sgeir Mhor (Salmon) Ltd)	Licence from Marine Scotland	Fish (including shellfish) farm	Granted 19.12.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the	No ‘in combination’ adverse effects with Natura Interests.

Project	Status	Description	Date?	Potential Interaction?	Potential for Likely Significant Effects?
				relevant designated sites. Remote from the proposed seaweed farm as located in Uig Bay c. 13km to the east.	
Marine Licence - Marine Farm - Leinish, Dunvegan, Isle of Skye – 00009900 (Scottish Sea Farms Shetland Ltd)	Application	Fish (including shellfish) farm	Application 24.05.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located c. 12km to the west.	
Marine Licence - Marine Farm - Gob Na Hoe, Loch Dunvegan, Skye – 00009896 (Scottish Sea Farms Shetland Ltd)	Application	Fish (including shellfish) farm	Application 24.05.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located c. 12km to the west.	No 'in combination' adverse effects with Natura Interests.
Marine Licence - Marine Farm - Loch Snizort, Isle of Skye – 00009895 (Scottish Sea Farms Shetland Ltd)	Application	Fish (including shellfish) farm	Application 23.05.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located c. 14km to the North East.	No 'in combination' adverse effects with Natura Interests.

Project	Status	Description	Date?	Potential Interaction?	Potential for Likely Significant Effects?
Marine Licence - Marine Farm - Greshornish, Edinbane, Isle of Skye - 00009842 (Mowi Scotland Limited)	Licence	Fish (including shellfish) farm	Licence 27.04.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located c. 14km to the North East.	No 'in combination' adverse effects with Natura Interests.
Marine Licence Application - Algal Farm - Uig Bay, Isle of Skye – 00009699 (Climavore CIC)	Application	Macroalgae	Application 24.12.21	Proposed small-scale testing area in Uig Bay will have minimal impact on the environment according to supporting information. All materials will be removed at the end of feasibility study. No cumulative impacts relative to small scale nature of the proposals and locational separation.	No 'in combination' adverse effects with Natura Interests.
Marine Licence - Marine Farm - Cairaidh Farm, Loch Ainort, Skye – 000009473 (Mowi Scotland)	Licence	Fish (including shellfish) farm	Granted 12.05.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located c. 40km to the South East.	No 'in combination' adverse effects with Natura Interests.

Project	Status	Description	Date?	Potential Interaction?	Potential for Likely Significant Effects?
Marine Licence - Marine Farm - Sconser, Isle of Skye – 00009482 (MOWI Scotland Ltd)	Licence	Fish (including shellfish) farm	Granted 13.05.22	Licence Renewal of Existing Site - No direct or indirect impact relative to the qualifying interests of the relevant designated sites. Remote from the proposed seaweed farm as located c. 32km to the South East.	No 'in combination' adverse effects with Natura Interests.

7 Stage 5: Can It Be Ascertained That The Proposal Will Not Adversely Affect The Integrity Of The Site?

7.1.1 In the light of the appraisal, this seaweed proposal will not adversely affect the integrity of Natura Sites assessed or the qualifying interests.

Table 8 – Conclusion

Natura Site	Conclusion
Inner Hebrides and the Minches SAC	The proposal will not adversely affect the integrity of the site

7.1.2 Mitigation is not required due to nature and scale of the proposals, however, Best Practice will be applied based on the following:

- Use of local, low-noise vessels to reduce disturbance to marine life and local communities.
- No in-water lighting or use of non-biodegradable materials, preventing pollution and minimizing attraction or harm to wildlife.
- Weekly inspections for entanglement risks, ensuring prompt detection and response to any issues affecting marine species.
- Soft-start protocols for vessel approach, minimizing sudden disturbances to sensitive species such as seals and porpoises.
- Emergency contact with British Divers Marine Life Rescue (BDMLR) in the event of wildlife entanglement, ensuring rapid and expert intervention

Table 9 – Best Practice Measures

Best Practice Measures	Reason
Scale and location	This site has been surveyed and is suitable in terms of scale and location for a seaweed aquaculture installation without conflict with other fishing activity or recreational users. The site is marked by required navigational marker buoys and lights. The seaweed farm is located c. 135m to Mean Low Water Spring (MLWH) at closest point and approximately 200m from Mean High Water Spring (MHWS) at its closest point. The seabed in the seaweed farm is a mix of Sand / mud and pebbles
Timing of the construction and operational works	Following deployment (20 days each for Phases 1) the seeding and harvesting periods are also limited in duration (two and four weeks respectively) with weekly visual check throughout the year by small local vessel which minimises disturbance to Harbour seal, Harbour porpoise and other EPS including otter. Overall timing of farming activity, October-May, avoids periods of harbour seal sensitivity and the main reporting period for local porpoise.
Precautionary best practice seal haulout	Although no significant adverse impacts are predicted, boat approach speeds will be kept to minimum and a soft start up

Best Practice Measures	Reason
disturbance avoidance measures	procedure will be followed during construction and on arrival for each operational visit.
Emergency Response	Whilst entanglement risk for marine species is extremely unlikely, the seaweed farm will be inspected regularly (from shore and via weekly boat based inspections) and SEA partners (Scottish Entanglement Alliance - 07746 634757) and British Divers Marine Life Rescue (BDMLR) would be called to assist with a release (https://bdmlr.org.uk/ Hotline 01825 765546)

Appendices

Ecological Desk Study

Loch Snizort

Ecological Desk Study

Prepared for Kaly



Project No: 62216

Date:

Revision: Draft v.1.0

111 McDonald Road
Edinburgh, EH7 4NW
T: 0131 550 6500
F: 0131 557 6723
mail@ironsidefarrar.com
www.ironsidefarrar.com
Edinburgh, Manchester, Glasgow

Loch Snizort

Ecological Desk Study

Prepared for Kaly

Preparation & Authorisation

Prepared by	Ironside Farrar Ltd
Project No. / Name	62216
Author(s)	S Abernethy

Version History & Status

Date	Version	Status	Comments by	Incorporated by
14/07/2025	v. 1.0	Draft for client comment		

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1. INTRODUCTION

1.1 Background

1.2 Scope of the Report

1.3 Evidence of Technical Competence and Experience

1.3.1 The field survey and reporting were carried out by Associate Ecologist Stuart Abernethy MCIEEM. He holds NatureScot licenses for the disturbance and survey of bats, otter (*Lutra lutra*), and great crested newts (*Triturus cristatus*). The review process was undertaken by Kim McLaren CEnv who has over 18 years industry experience reviewing and editing ecological reporting for use in built environment planning applications.

2. RELEVANT LEGISLATION AND POLICY

2.1 National Legislation and Policy and Local Biodiversity Action Plan

2.1.1 Relevant National Legislation and Policy text are provided in Appendix B. Information regarding local legislation and policy considerations are set out below.

2.2 Priority Habitats

Broad Habitat	Skye LBAP
Sea and Coast	Coastal salt marsh, Coastal vegetated shingle, Lowland heathland (maritime heath), Machair, Maerl beds, Maritime cliffs/slopes, <i>Modiolus modiolus</i> beds (horse mussel), Mud habitats in deep water, Mudflats, Saline lagoons, Seagrass beds, Sheltered muddy gravels, Sublittoral sands/gravels, Tidal rapids, Open seas, Kelp forest, Subtidal brittlestar beds, Sea pens and burrowing megafauna, Eel grass beds, Intertidal areas, Headlands, Cliffs, Skerries, Obbs and estuaries, Rocky shores, Saltmarsh, Beaches, Raised beaches, Coastal woodlands
Freshwater	Eutrophic standing waters, Fens, Mesotrophic lakes, Reedbeds, Lochs/Lochans, Dubh lochans, Arctic char lochs, Temporary ponds, Migratory fish routes, Freshwater mussel habitats, Rivers, Upland streams
In-bye Croft & Farmland	Cereal field margins, Lowland calcareous grassland, Lowland hay meadows, Lowland wood-pasture and parkland, Upland hay meadows, Hay meadows, Silage meadows, Cultivated land, Rough/wet/dry/acid pasture, Field margins and boundaries

Broad Habitat	Skye LBAP
Woodland	Native pine woodlands, Upland birchwoods, Upland mixed ashwoods, Upland oakwood, Wet woodland, Upland woods, Semi-native woods, Coastal woods, Riparian woodland, Scrub
Mountain & Moorland	Blanket bog, Limestone pavements, Upland calcareous grassland, Upland heathland, Heath, Boulder fields/scree, Limestone habitats, Alpine habitats
Built Environment	Old buildings, Gardens, Lawns, Verges

2.3 Priority Species

Group	Species	Habitats
Algae	Unattached egg wrack (<i>Ascophyllum nodosum ecad mackii</i>)	Marine
Ants	Scottish wood ant (<i>Formica aquilonia</i>)	Woodland
Birds	Reed bunting (<i>Emberiza schoeniclus</i>), Skylark (<i>Alauda arvensis</i>), Linnet (<i>Linaria cannabina</i>), Corncrake (<i>Crex crex</i>), Spotted flycatcher (<i>Muscicapa striata</i>), Bullfinch (<i>Pyrrhula pyrrhula</i>), Song thrush (<i>Turdus philomelos</i>)	Farmland, Woodland
	White-tailed eagle (<i>Haliaeetus albicilla</i>), Arctic tern (<i>Sterna paradisaea</i>), Black guillemot (<i>Cephus grille</i>), Common gull (<i>Larus canus</i>), Dunlin (<i>Calidris alpina</i>), Eider (<i>Somateria mollissima</i>), Fulmar (<i>Fulmarus glacialis</i>), Gannet (<i>Morus bassanus</i>), Great northern diver (<i>Gavia immer</i>), Guillemot (<i>Uria aalge</i>), Herring gull (<i>Larus argentatus</i>), Kittiwake (<i>Rissa tridactyla</i>), Manx shearwater (<i>Puffinus puffinus</i>), Peregrine (<i>Falco peregrinus</i>), Puffin (<i>Fratercula arctica</i>), Razorbill (<i>Alca torda</i>), Red-throated diver (<i>Gavia stellata</i>), Shag (<i>Gulosus aristotelis</i>), Shelduck (<i>Tadorna tadorna</i>), Slavonian grebe (<i>Podiceps auritus</i>), Common tern (<i>Sterna Hirundo</i>), Heron (<i>Ardea cinerea</i>), Black-throated diver (<i>Gavia arctica</i>), Grey wagtail (<i>Motacilla cinerea</i>), Sand martin (<i>Riparia riparia</i>), Snipe (<i>Gallinago Gallinago</i>), Spotted crane (<i>Porzana porzana</i>), Red-breasted merganser (<i>Mergus serrator</i>)	Sea & Coast, Freshwater

Group	Species	Habitats
Butterflies & Moths	Pearl-bordered fritillary (<i>Boloria Euphrosyne</i>), Argent and sable (<i>Rheumaptera hastata</i>), Narrow-bordered bee hawk-moth (<i>Hemaris Tityus</i>), Barred tooth-striped (<i>Trichopteryx polycommata</i>)	Woodland, Moorland
Fish	Basking shark (<i>Cetorhinus maximus</i>), Herring (<i>Clupea harengus</i>), Cod (<i>Gadus morhua</i>), Whiting (<i>Merlangius merlangus</i>), Hake (<i>Merluccius merluccius</i>), Plaice (<i>Pleuronectes platessa</i>), Saithe (<i>Pollachius virens</i>), Common skate (<i>Dipturus batis</i>), Mackerel (<i>Scomber scombrus</i>), Sole (<i>Solea solea</i>), Horse mackerel (<i>Trachurus trachurus</i>)	Marine
Flies	A stiletto fly (<i>Spiriverpa lunulata</i>)	Freshwater
Fungi	Earth tongue (<i>Microglossum olivaceum</i>), Pink meadow waxcap (<i>Hygrocybe calyptriformis</i>)	Grassland
Lichens	<i>Arthothelium macounii</i> , <i>Bacidia incompta</i> , <i>Pseudocyphellaria norvegica</i>	Woodland
Mammals	Northern right whale (<i>Eubalaena glacialis</i>), Minke whale (<i>Balaenoptera acutorostrata</i>), Common dolphin (<i>Delphinus delphis</i>), Risso's dolphin (<i>Grampus griseus</i>), Atlantic white-sided dolphin (<i>Lagenorhynchus acutus</i>), White-beaked dolphin (<i>Lagenorhynchus albirostris</i>), Humpback whale (<i>Megaptera novaeangliae</i>), Killer whale (<i>Orcinus orca</i>), Harbour porpoise (<i>Phocoena Phocoena</i>), Striped dolphin (<i>Stenella coeruleoalba</i>), Bottlenosed dolphin (<i>Tursiops truncatus</i>), Northern bottlenose whale (<i>Hyperoodon ampullatus</i>), European otter (<i>Lutra lutra</i>), Water vole (<i>Arvicola amphibius</i>), Brown hare (<i>Lepus europaeus</i>), Red squirrel (<i>Sciurus vulgaris</i>), Pipistrelle bat (<i>Pipistrellus pipistrellus</i>)	Marine, Freshwater, Woodland, Built Environment
Molluscs	Native oyster (<i>Ostrea edulis</i>), Freshwater pearl mussel (<i>Margaritifera margaritifera</i>)	Marine, Freshwater
Mosses & Liverworts	Wilson's pouchwort (<i>Acrobolbus wilsonii</i>), Atlantic lejeunea (<i>Lejeunea mandonii</i>), Stabler's rustwort (<i>Marsupella stableri</i>), Scottish beard moss (<i>Bryoerythro-phyllum caledonicum</i>), Silky swan-neck moss (<i>Campylopus setifolius</i>), Skye bog moss (<i>Sphagnum skyense</i>)	Woodland, Mountain, Moorland

Group	Species	Habitats
Reptiles	Leatherback turtle (<i>Dermochelys coriacea</i>)	Marine
Vascular plants	Wilson’s filmy fern (<i>Hymenophyllum wilsonii</i>), Small cow-wheat (<i>Melampyrum sylvaticum</i>), Juniper (<i>Juniperus communis</i>), Marsh clubmoss (<i>Lycopodiella inundata</i>)	Woodland, Moorland

2.4 Good Practice Ecological Guidance

2.4.1 In producing the baseline report, cognisance has been taken of the Chartered Institute of Ecology and Environmental Management (CIEEM) good practice guidelines and survey methods, notably the standard methods developed for Preliminary Ecological Appraisals¹.

¹ CIEEM (2017). Guidelines for Preliminary Ecological Appraisal: <https://cieem.net/resource/guidance-on-preliminary-ecological-appraisal-gpea/>

3. METHODOLOGY

3.1 Desk Study

- 3.1.1 A desk study was carried out to identify statutorily designated sites within 5 km of the Site which are designated for their nature conservation interest including Ramsar wetlands, Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Local Nature Reserves (LNRs).
- 3.1.2 Any non-statutory designated sites and ancient woodland within 2 km of the Site were also identified. These have been reviewed to identify those with ecological interest.
- 3.1.3 Potential ecological constraints have been identified through a desk-based review of relevant online resources, as summarised in Table 3-1.

Table 3-1 Sources of Information

Source	Baseline Information Provided
NatureScot Sitelink web-based application ² and spatial data ³	Statutory designated nature conservation sites within 5 km of the Site. Non-statutory nature conservation designations and ancient woodland within 2 km of the Site.
The National Biodiversity Network (NBN)	Records of protected and notable species and non-statutory sites within 2 km of the Site
Aerial imagery (ArcGIS Pro)	Habitats and features of nature conservation interest both within and surrounding the Site.

3.2 Limitations

- 3.2.1 Desk study data provided by the local records centre is unlikely to be exhaustive, especially in respect of species, and is intended mainly to set a context for the study. It is therefore possible that important habitats or protected species not identified through desk study information may in fact occur within the vicinity of the site. However, by carrying out a field survey to gather baseline information on habitats and protected species presence within the site, this limitation has been minimised.

4. RESULTS

4.1 Desk Study

Statutory Designated Sites

- 4.1.1 The desk study identified two sites holding both international and national designations, The inner Hebrides and the Minches designated for harbour porpoise *Phocoena Phocoena*. Those designated areas found are shown on Figure 1 and descriptions detailed in Tables 4-1 below.

² <https://sitelink.nature.scot/map>

³ <https://opendata.nature.scot/search?groupIds=9828d34c7aee46919f28ccc859e76108>

4.2 Non - Statutory Designated Sites

4.2.1 There are no non-statutory designated sites located within 2 km of the Site.

Ancient Woodland Inventory

4.2.2 There are no areas of ancient woodland located within 2km of the Site.

Table 4-1 Statutory Designated Nature Conservation Sites with 5km

Site Name	Designation	Qualifying/Notified Features	Approximate Distance and Direction from the Site Boundary (m)
Inner Hebrides and the Minches	SAC	<p>The Inner Hebrides and the Minches Special Area of Conservation (SAC) is designated primarily to protect harbour porpoise on the west coast of Scotland. This area represents the second largest Marine Protected Area (MPA) for harbour porpoise in Europe and is the only such site in Scotland, safeguarding about 32% of the west coast Scottish harbour porpoise population. The SAC supports the highest density of harbour porpoise in Scotland and is a crucial part of the Scottish, UK, and OSPAR MPA networks, contributing to the achievement of favourable conservation status for harbour porpoise as required by national and international policy.</p> <p>The SAC provides significant conservation and wider benefits. Beyond protecting harbour porpoise, it supports a rich variety of marine life, including other cetaceans such as minke whales and Risso’s dolphins, as well as seabirds and important fish stocks. The area is valued for its ecosystem services, supporting fisheries, tourism, recreation, and scientific study. Its unique seascape and biodiversity also contribute to the health, wellbeing, and cultural heritage of local communities and visitors.</p> <p>Management of the SAC is guided by statutory advice from NatureScot, which aims to ensure that activities within or affecting the SAC do not harm its protected features or undermine conservation objectives. The main conservation objectives are to maintain harbour porpoise at favourable conservation status, avoid significant risk of injury or killing, prevent significant disturbance, and maintain the availability of prey and supporting habitats. Activities such as aquaculture, fishing, coastal development, military exercises, and renewable energy projects are subject to risk-based management advice to minimise pressures like underwater noise, disturbance, bycatch, and habitat degradation.</p> <p>The SAC is managed through a combination of regulatory measures, best practice guidelines, and ongoing research. Public authorities are responsible for ensuring that activities they regulate do not risk the achievement of conservation objectives. Stakeholders, including local communities, can provide valuable knowledge to support management. Research priorities include improving understanding of noise</p>	Within site

Site Name	Designation	Qualifying/Notified Features	Approximate Distance and Direction from the Site Boundary (m)
		impacts, habitat condition, and prey availability, as well as developing effective monitoring plans to assess the conservation status of harbour porpoise and other marine life within the site.	

4.3 Protected, Notable and Invasive Species

4.3.1 Wildlife data is broad-scale and can indicate potential interest to be targeted during surveys. Publicly available data records are provided in Table 4-2.

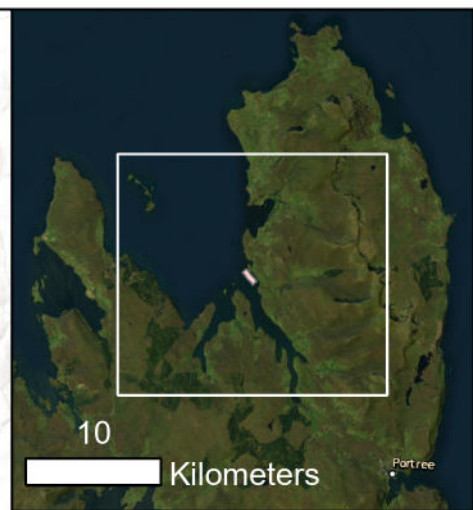
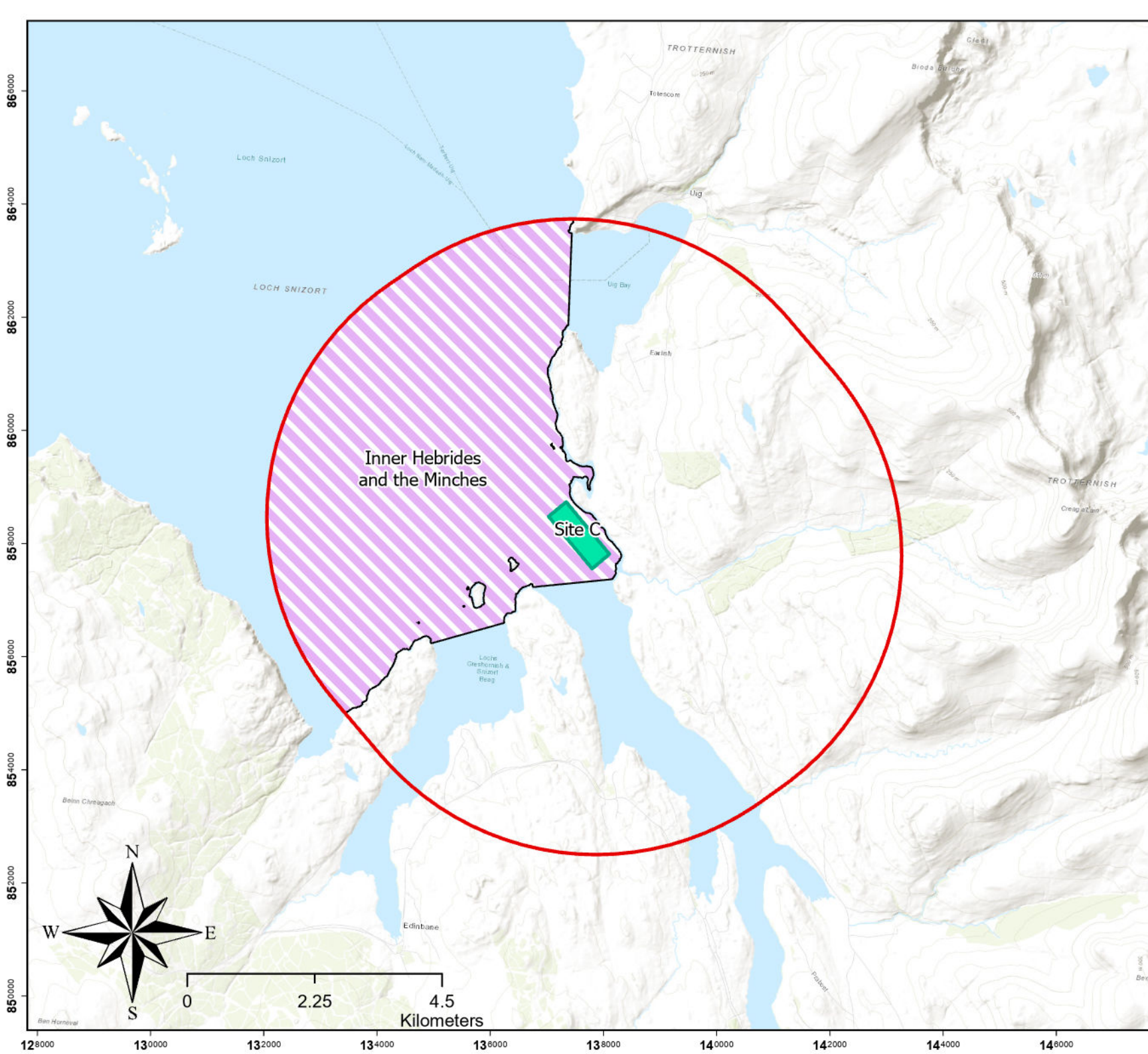
Table 4-2 Summary of Publicly Available NBN Atlas data for European and UK Protected Species 2km from Site within 15 years

Species	Number of records	Most Recent Recording	Legal/Conservation Status
Otter <i>Lutra lutra</i>	2	2021	Wildlife and Countryside Act 1981 (as amended) Conservation of Habitats and Species Regulations 2010/2017 Bern Convention (Appendix II), the EC Habitats Directive (Annex II and IV), and CITES (Appendix I)
Common seal <i>Phoca vitulina</i>	2	2017	Conservation of Seals Act 1970 Wildlife and Countryside Act 1981
Grey seal <i>Halichoerus grypus</i>	1	2017	Conservation of Habitats and Species Regulations 2017 Conservation of Offshore Marine Habitats and Species Regulations 2017 Marine (Scotland) Act 2010

4.3.2 Schedule 1 raptor species are known to be present across the Isle of Skye, with established Golden Eagle and White-tailed Eagle activity within the North West of the island. To assess impact on these species, Kaly have commissioned Stephen Bentall, a qualified ornithologist, to assess Schedule 1 raptor species activity within the site surrounds. Ornithology surveys have confirmed no constraints to development in this area. A confidential survey report will be submitted to Marine Directorate and NatureScot separately to the main application to confirm and share findings.

FIGURES

APPENDICES



Legend

- Proposed Seaweed Farm
- 5km Buffer
- Special Area of Conservation

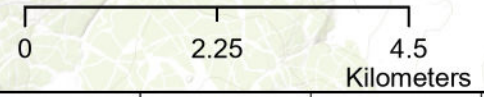
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Statutory Nature Conservation Designations

Figure 1	Drawing No. 001
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Ironsides **Farrar**



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Appendix A – Site Location Plan

Appendix B – Relevant Legislation and Local Policy

Conservation (Natural Habitats, &c.) Regulations 1994

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) (the Habitats Regulations) transposed Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into law in the devolved countries within the UK. In Scotland the Habitats Directive is transposed through a combination of the Habitats Regulations 2010 (in relation to reserved matters) and the 1994 Regulations. The regulations make it an offence to deliberately capture, kill or disturb wild animals listed under Schedule 2 of the Regulations. It is also an offence to damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time).

Regulation 61 of the Conservation of Habitats and Species Regulations 2010, requires a competent authority to make an appropriate assessment of the implications for European sites in view of a site's conservation objectives, before deciding to undertake, or give consent, permission or other authorisation for, a plan or project which:

a) is likely to have a significant effect on a European site, either alone or in combination with other plans and projects; and

b) is not directly connected with or necessary to the management of that site.

Wildlife & Countryside Act 1981

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CROW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting;

Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act;

intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act;

intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection;

Pick or uproot any wild plant listed under Schedule 8 of the Act; or

Plant or cause to grow in the wild any plant species listed under Schedule 9 of the Act.

The Nature Conservation (Scotland) Act 2004 places duties on public bodies in relation to the conservation of biodiversity, increases protection for Sites of Special Scientific Interest (SSSI), amends legislation on Nature Conservation Orders, provides for Land Management Orders for SSSIs and associated land and strengthens wildlife enforcement legislation among other duties. It also amends the legislation for protected species, introducing new conditions to the 'incidental results of a lawful operation' defence for all wild birds and certain species of animal (including all UK bat species) and plant.

The Act places a duty on every public body to further the conservation of biodiversity consistent with the proper exercise of their functions.

It also requires Scottish Ministers to designate one or more strategies for the conservation of biodiversity as the Scottish Biodiversity Strategy, and to publish lists of species of flora and fauna and

habitats of principal importance. The Scottish Biodiversity List is a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland.

The Wildlife and Natural Environment (Scotland) Act 2011

The Wildlife and Natural Environment (WANE) (Scotland) Act 2011 (as amended) makes changes to existing legislation covering specific wild fauna (e.g. birds, rabbits, hare etc), deer management, game management/licensing, species licensing, snaring, protection of badgers, muirburn, invasive non-native species, protected areas and enforcement/liability in relation to certain offences. In relation to bats, the WANE Act:

Introduces the offence of 'knowingly causing or permitting' certain 'acts' within Sections 6, 7 and 15A as 'offences' under the W&C Act 1981;

Permits derogation of disturbance and/or destruction of bat roosts by the appropriate authority for development purposes, subject to specific requirements of licensing; and furthermore

Wildlife crime now requires to be documented in an annual report, as a result of Section 20 of the WANE Act, which inserted a new Section 26B into the W&C Act 1981. It prescribes that Ministers must lay a report every calendar year on offences which relate to wildlife, to include information on incidences and prosecutions during the year and on research and advice relevant to those offences.