To allow Scottish Ministers to provide a comprehensive scoping opinion, we ask that you review the scoping report and advise on the scope of the environmental impact assessment for this proposal. It would also be appreciated if consultees could answer the questions asked in the Scoping Report. Please advise if there are any further matters you would like Ministers to highlight for consideration and inclusion in the assessment, particularly site-specific information.

I would be grateful for your comments by **19th December 2022**. Please note that reminders will not be issued, therefore if we have not received any comments from you, nor a request for an extension to this date, we will assume that you have no comments to make.

Please send your response (in PDF format if possible) to Nicola.Kennedy@gov.scot.

Scoping Survey

Looking at the SNH Guidance in regard to Buffer Zones at Para 2 it highlights the following point – "**Therefore, the upper limit of the disturbance buffer should be used unless it can be demonstrated that a lower buffer is sufficient".** Looking at the scoping submission, species of concern from the ornithological survey work carried out at Breakish include the following:-

Species	**Buffer Zone** (metres).	**Sensitivity to Disturbance**
Black-throated Diver	Breeding 500-750. Non- Breeding 1000	High sensitivity
Red-throated Diver.	Breeding 500-750. Non-Breeding 1000	High Sensitivity
Goshawk	Breeding 300-500.	Medium
Hen Harrier	Breeding & Non-Breeding 300-750	Medium
Merlin	Breeding 300-500.	Medium
Golden Plover	Breeding 200-500.	Medium
Greenshank	Breeding 300-500.	Medium/High Sensitivity

The following references to figures are drawn from the Scoping Survey:-

Figure 7.4.6. Mar-August VP Surveys
Hen Harrier. This shows 7 separate Hen Harrier flight lines. As all of these are concentrated it would suggest there is a breeding pair nearby. Birds have bred in the area previously though not recently so the nearby forestry was an established site. The reference to buffer zones for non-breeding Hen Harriers is probably important.
Merlin. I am surprised there is only a single observation as breeding pairs have been present previously especially in Glen Arroch.

Figure 7.4.7. Breeding Season VP results
Black-throated and Red-throated Diver. Flight activity for both species recorded round T5 and wonder whether observer(s) properly confirmed ID? Black-throated Diver is a very rare breeder on Skye. Red-throat flights noted in vicinity of T10 and T16.
Greenshank – very few flights recorded but seen around T4.

Figure 7.4.8. Breeding Survey
Greenshank. I would have expected there to be that number of territories in the area from previous observations, and excluding the Black Lochs. However, 5 territories is a significant breeding density in such a small area and given the Buffer Zones suggested above will pose the developer significant challenges as there is clearly conflict with a number of turbine locations including T10, T19, T9, T16, T3. This does not take into account feeding flights and display flights. When young birds hatch, young are often escorted some distance away from the nest site so during the pre-fledging period these territories will expand as birds disperse. This may call for specialist advice from NatureScot.
Red-throated Diver. Only a single site is shown when we know there are two. Why was the 2nd site not included?
Black-throated Diver. This observation is interesting and though it is at the Black Lochs, if it was breeding, the Buffer Zone would need to kick in.

It is encouraging that the ornithological surveys look reasonably professional. I think they are missing on Merlin and probably Hen Harrier. As you know Greenshank are very noisy during the breeding season and the same can be said for Diver sp. With such a number of Greenshank territories, and their sensitivity to disturbance, this may have opened up a potential obstacle as they are present throughout the site, and difficult to mitigate.

Bob
29.11.22