

Proposed scope of the Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010 (as amended) of the proposed Carnedd Wen wind-farm with regard to the Berwyn Special Protection Area (SPA)

The proposal is not directly connected with or necessary to the management of the European site and in our view it is likely to have a significant effect alone or in-combination on the Berwyn Special Protection Area (SPA) and therefore requires an appropriate assessment.

1. Classified features of the Berwyn SPA

The Berwyn SPA is classified for the following features:

- Hen Harrier *Circus cyaneus*, 14 pairs representing at least 2.8% of the breeding population in Great Britain (5 year mean, 1991-1995)
- Merlin *Falco columbarius*, 14 pairs representing at least 1.1% of the breeding population in Great Britain (5 year mean, 1991-1995)
- Peregrine *Falco peregrinus*, 18 pairs representing at least 1.5% of the breeding population in Great Britain (5 year mean, 1991-1995)
- Red Kite *Milvus milvus*, 2 pairs representing at least 1.2% of the GB breeding population in Great Britain (5 year mean, 1991-1995)

The above species are the legal list of qualifying species for which the Berwyn SPA has been selected. A review of the UK network of SPAs was undertaken in the late 1990s and is published as the SPA Review (2001). This revised the qualifying features of the Berwyn SPA to hen harrier, merlin and peregrine. The legal changes to the classified features of the SPA as a result of this review have not yet occurred and at the current time red kite remains as a legally classified feature of the SPA.

NRW consider that the appropriate assessment should include the following:

2. Description of the proposed Carnedd Wen project

Description of the forestry felling, pre-construction, construction, operational and decommissioning stages of the project.

Description of all infrastructure on the site including necessary associated project infrastructure which is necessary for its function such as power lines (both within and outwith the site) and transport access routes.

The proposed Habitat Management Plan and the nature of the habitats pre- and post- felling and construction.

3. Information on the features of the SPA

Conservation objectives for the SPA. These are contained in the Berwyn Management Plan (CCW 2008) although you should note that this is currently under review. A copy is available at:

<http://www.ccw.gov.uk/landscape--wildlife/protecting-our-landscape/special-sites-project/berwyn-spa.aspx>

Population and distribution of the SPA features within and outside the SPA over the last 10-20 years including any evidence regarding trends. Verified data is available for the last 12 years but you should note that additional data on the SPA features is available for an additional 10-15 years.

Existing management proposals and their effect on distribution and abundance of the SPA breeding bird populations.

4. Information that is required on the populations of hen harrier, peregrine, merlin and red kite at Carnedd Wen and consideration of the connectivity between the development site and the populations of the Berwyn SPA

An assessment is required of the adequacy of survey data contained in the Environmental Statement and Supplementary Environmental Information with regard to:

- The location, size and breeding success of populations of peregrine, hen harrier, merlin and red kite at the Carnedd Wen development site, including buffer area;
- The connectivity between the Berwyn SPA and the development site.

With regard to these survey data, and any other available information, a description of the breeding populations of hen harrier, merlin, peregrine and red kite on the Carnedd Wen site, and an assessment of the population connectivity between the SPA and the Carnedd Wen site should be provided. This should include both the breeding and non-breeding population.

5. Impacts

If the assessment of the population connectivity between the two sites cannot demonstrate that there is no connectivity then the Appropriate Assessment will need to demonstrate that the project will not have an adverse impact on the integrity of the Berwyn SPA features.

Potential impacts on breeding and non-breeding birds, including impacts on their foraging, to be assessed are:

- Impact of collision with turbines, power lines, anemometers and any other relevant infrastructure.

- Impact of disturbance from felling, construction, operational and decommissioning phases of the wind-farm and habitat management plan.
- Impact of displacement from Carnedd Wen and vicinity as a result of the proposed wind-farm and habitat management plan.

5. Assessment of any potential in-combination impacts

Inclusion of other plans and projects with the potential to give rise to in-combination impacts. This needs to include ancillary development including grid lines, other windfarms in Strategic Search Area (SSA) B and other forestry projects. The allocation of other land in SSA B for windfarm development should also be considered.

6. Counteracting measures

Inclusion of any potential avoidance and minimisation measures. This should include consideration of the effectiveness of those measures which are inherent within the project and any additional measures which will be applied as conditions, restriction or measures within the habitat management plan. The assessment should also specify how these conditions and restrictions will be implemented and enforced.

References

CCW (2008) *Core Management Plan for the Berwyn and South Clwyd Mountains SAC and Berwyn SPA*. CCW, Bangor.

SPA Review (2001) Stroud, D.A., Chambers, D., Cook, S., Buxton, N., Fraser, B., Clement, P., Lewis, P., McLean, I., Baker, H. & Whitehead, S. (eds) *The UK SPA Network: Its Scope and Content*, JNCC, Peterborough.