



Scottish
Forestry
Coilltearachd
na h-Alba

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Our Reference – 030902379

26 April 2021

Dear [redacted]

The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017

I refer to your application at Eisd Brachaidh Estate, by Ullapool for, 250 hectares of afforestation.

We are required to provide a Screening Opinion under the above Regulations as to whether the work you are proposing is an EIA project and will require EIA consent.

I can confirm that the work you propose **will** require EIA consent.

Description of Forestry Project and Location

Although the maps provide a broad indication of where natural-regeneration is anticipated, it is not clear from these or from the supporting information how each area relates to non-woodland protected habitats and how they have been assessed as being suitable for woodland creation.

The supporting information does not clearly demonstrate the requirement to enclose the entire Eisd Brachaidh Estate, non-woodland habitats have been assessed as being in favourable maintained or unfavourable recovering condition.

The role of the Section 7 agreement and Coigach – South Assynt sub area Deer Management Plan in delivering designated features into favourable condition is not discussed. Consequently it is not clear the extent to which these management agreements are being successful or failing to meet their objectives.

The description of relevant aspects of the current state of the environment are incomplete. The mammal survey is an 'interim report' largely based on earlier surveys and by its own declaration fieldwork is "by no means complete". A recent bird survey has not been undertaken, instead the supporting information includes a summary based on personal accounts that are not supported by data.

The screening request concludes "Fencing the estate will avoid any negative impact on surrounding owner's deer stalking activity", though the evidence to support this statement has not been provided. To set this proposal in context we would expect an assessment of how the proposal relates to the management objectives of all neighbouring landholdings.

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation

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There remains uncertainty as to whether the project can successfully achieve its objective of woodland regeneration in the presence of livestock and wild deer, as no method to control their abundance or distribution in areas identified for natural regeneration is proposed.

The screening request does not consider the potential cumulative impacts with other existing, consented or planned deer fencing that may be relevant to this proposal.

Description and Mitigation of Likely Significant Effects

The supporting information does not provide the level of detail required to determine the significance of impacts on SSSI and SAC features, both within and out with the proposed enclosure. Appendix 2 provides brief notes of an expected outcome within the enclosure, though it is unclear what methodology was used to arrive at these conclusions.

There remains uncertainty over the likely impacts on deer welfare and behaviour over time and therefore the efficacy of the mitigation strategy in minimising impacts to an acceptable level, both within the enclosure and over the whole range. Appendix 3 confirms "Deer movements in the area are difficult to predict with any certainty. The area may be one of the through routes for deer into and through Inverpollly Estate." The capacity to disperse is an essential part of the lifecycle of wild deer, identifying the likely significant effects and subsequent mitigation on deer is reliant on a predictive approach that requires detailed knowledge of likely deer movement patterns.

The screening request concludes the proposal will not inhibit public access, but does not provide the rationale for this assumption. Favoured routes have not been identified on the access map and local and other relevant stakeholders views have yet to be invited on the location of access gates.

Although a competent piece of work, the visual appraisal does not include mention or assessment of any infrastructure that may be required to both construct, maintain and in future dismantle and remove the enclosure, and any short, medium and long term visual effects of those stages of construction and dismantling. Additionally, the potential visual effects created as a consequence of the vegetation within the enclosure having the grazing pressures removed has not been considered. From the more elevated and distant viewpoints, this differential vegetation pattern may become visible in the wider landscape, despite the actual enclosure being too far distant or screened from view.

Consultation

The outcome of discussions held with NatureScot, including comments and advice with regards to deer and protected sites are not captured within the screening request. Neither are the opinions and issues raised by those who do not support the proposal.

Changes to deer management on one landholding can have significant effects on others. The extent of these effects are unclear, as the views of the tenant farmer, Deer Management Group, all neighbouring properties and local community regarding this project are not fully captured within the screening request and supporting information.

Conclusion

In reaching our decision we have taken into account the information you have provided with the request for a screening opinion and other existing environmental information for the area.

We considered the size and design of the forestry project could have complex, long-term, or irreversible impacts on the environmental sensitivity of the area, with particular regard to its biodiversity and landscape. We have therefore concluded that expert and detailed analysis of those impacts would be relevant to whether or not the proposal should be allowed.

Although the visual appraisal makes a valuable contribution to our understanding of how the proposed deer fence may be seen in the landscape, as Eisd Brachaidh estate is within a National Scenic Area and in part within and adjacent to a Wild Land Area, we are of the opinion the potential effects of the deer fence proposals on the landscape should also be assessed and a more in-depth [Landscape and Visual Impact Assessment](#) is required.

Although a useful tool in managing wild deer, fencing is rarely appropriate as a long-term fix particularly on a landscape scale. We need to be certain that this project is an effective means of deer management that both safeguards the designated site woodland features and the sustainable management of wild deer. The screening request and supporting information does not clearly demonstrate this.

The screening request considered alternative solutions were shown to be unviable, but did not provide detail on alternate designs or explain why they were shown to be unworkable. The EIA process will provide further opportunity for an analysis of all reasonable alternatives taking into account the environmental effects.

Next Steps

It is recommended that you now contact us to request a Scoping Opinion, which will provide the information that is to be included in your EIA Report.

We must consult statutory consultees during the scoping process, so we recommend you arrange an online Scoping Meeting and invite Scottish Forestry and all of the necessary organisations and individuals that can contribute information or that may be affected by your EIA forestry project.

We advise this includes:

- NatureScot
- Highland Council
- Scottish Environment Protection Agency
- Historic Environment Scotland
- West Sutherland Deer Management Group
- Assynt Foundation
- Inver and Kirkaig Fishings estate
- Inverpolly estate
- Scottish Wildlife Trust
- Assynt Community Council
- Coigach Community Council
- Ramblers Scotland
- Mountaineering Scotland
- Scottish Canoe Association
- RSPB Scotland

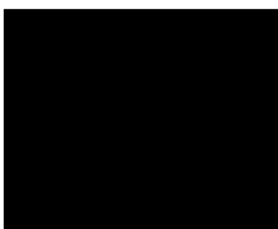
If you do not hold a Scoping Meeting we will still require the following information to consult independently:

- A description of the location of your forestry project
- A map identifying the land
- A description of the nature and purpose of your forestry project and its likely effects on the environment
- Any other information that you wish to provide, e.g. any avoidance, off-setting or mitigation measures.

Guidance on EIA for forestry projects can be found at:

<https://forestry.gov.scot/support-regulations/environmental-impact-assessment>

Yours sincerely



For Conservator