

Scottish Forestry Coilltearachd na h-Alba

Environmental Impact Assessment for Forestry Projects (2021)

Application guidance



Scottish Government Riaghaltas na h-Alba gov.scot

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation. Is e Coilltearachd na h-Alba na bhuidheann Riaghaltas na h-Alba le uallach airson poileasaidh, taic agus riaghladh coilltearachd.

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Pre-application recommendations

1. Introduction to Environmental Impact Assessment

Environmental Impact Assessment (EIA) is the process of identifying the environmental effects, either positive or negative, of the proposed project on the environment with the aim of avoiding, reducing or offsetting any adverse impacts.

This guidance describes how the Forestry EIA Regulations 2017 are applied to forestry projects, namely afforestation, deforestation, roads and quarries. If Scottish Forestry (SF), the competent authority, decides that a proposal for one of these projects is **likely to have a significant effect on the environment** then under EIA Regulations you, the applicant, must obtain our consent for the work. As a result, you will be required to submit an EIA report as part of your application for consent.

This guidance outlines the general EIA process; further guidance is available on the detail of the scoping meeting and requirements of the EIA report.

1.1 EIA Legislation

The current Regulations are <u>The Forestry</u> (Environmental Impact Assessment) (Scotland) Regulations 2017, which came into force on 16th May 2017, and were first amended for minor changes and corrections by <u>The</u> Environment Impact Assessment (Miscellaneous Amendments) (Scotland) Regulations 2017.

The EIA Regulations, formerly from 1999, were amended to reflect changes to the EIA Directive 2011. The EIA Directive requires an assessment of the effects of EIA forestry projects on the environment before consent can be granted for their development.

These Regulations were further amended by <u>The</u> Forestry and Land Management (Scotland) Act 2018 (Consequential, Saving and Transitional Provisions) Regulations 2021 to reflect the full devolution of forestry administration arrangements in Scotland.

1.2 EIA Process

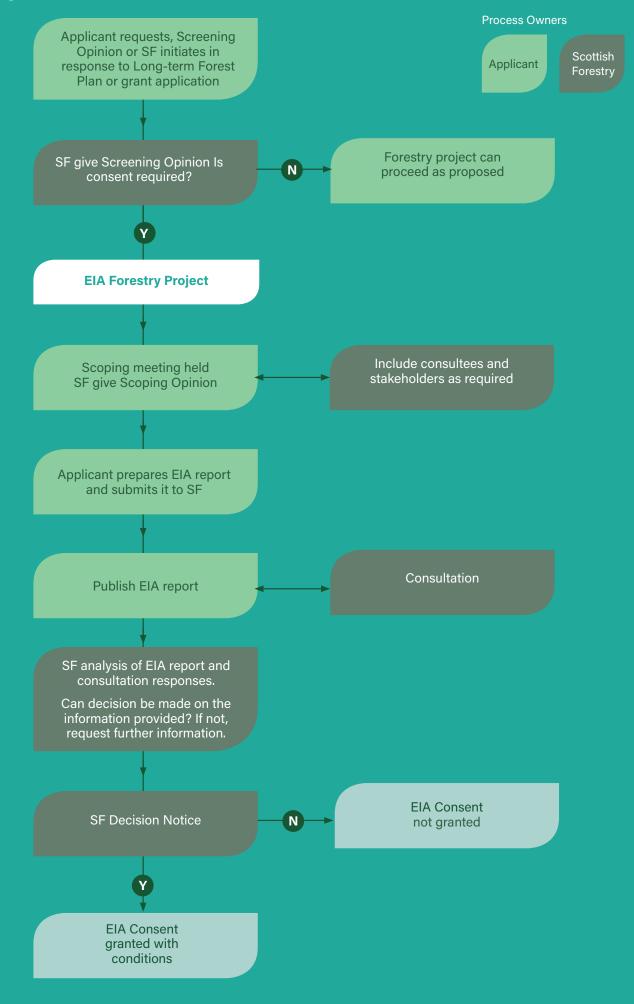
The EIA process can be simplified into several key steps. Depending on the site sensitivities and chosen mitigation, changes to the design of your forestry project may occur throughout this iterative process. This guidance is designed to limit this by recommending early engagement with stakeholders and consultees. This early engagement can help in identifying negative impacts as well as mitigating actions that could be taken to improve your proposed design.

The simplified EIA process is laid out in Diagram 1.

You can find definitions on the terms used in this guidance in Appendix 1.



Diagram 1 - EIA Process



2. The Screening Process

SF will assess whether:

- Your application is in one or more of the following categories afforestation, deforestation, forest road works or forest quarry works;
- The area is above the relevant threshold (includes accumulated area);
- The project is likely to have a significant effect on the environment and acceptable avoidance, off-setting or mitigation has not been proposed.

Our consent will be required to carry out the work if the project meets all of these requirements.

2.1 Definition of forestry projects

Under the Regulations, proposals are considered to be forestry projects if they include any of the following activities:

a) Afforestation – the creation of new woodlands and forests by planting trees (to convert the land to another type of land use). This category includes using direct seeding or natural regeneration, planting Christmas trees and short rotation coppice;

 b) Deforestation – the removal of woodland to convert the land to another type of land use (e.g. heathland);

c) Forest road works – the construction, alteration or maintenance of roads on land used or to be used for the purposes of forestry (this includes upgrades or extensions to existing forest roads);

d) **Forest quarries** – the quarrying to obtain material (rock, sand and gravel) for the formation, alteration or maintenance of forest roads.

If there is any doubt as to whether your project is or is not a forestry project you should contact your <u>local Conservancy office</u>. An EIA forestry project is a forestry project where the work proposed is **likely to have a significant effect on the environment.**

If work is carried out on a forestry project that would have required our consent, but it is not sought, we may serve an Enforcement Notice (see the Breaches of Regulations section for more information).

Situations may arise where a forestry project forms part of a wider development project, such as a windfarm. In these circumstances, any necessary EIA will not normally be dealt with under the Forestry EIA Regulations but instead will be under the Town and Country Planning EIA Regulations or the Electricity Works EIA Regulations.

We will engage with the relevant authority and will comment on whether the proposals are in line with Scottish Government policy. For example, projects that propose deforestation for development will be expected to have compensatory planting, unless there are exceptional circumstances as outlined in the Scottish Government's Policy on Control of Woodland Removal. Compensatory planting may require separate EIA consent under the Forestry EIA Regulations.

2.2 Thresholds and sensitive areas

Table 1 shows the area thresholds for each category of forestry project. If the area of the work proposed falls below these thresholds then it is not likely to be an EIA forestry project and our consent under the EIA Regulations will not normally be required. Forestry projects below the thresholds may still require felling permission or other approvals. If you are unsure, discuss this with your <u>local Conservancy office</u>.

| Project | Threshold where any part of the land is in a sensitive area | Threshold where no part of the land is in a sensitive area |
|-----------------|---|--|
| Afforestation | 2 hectares in a National Scenic Area (NSA) No threshold in other sensitive areas | 20 hectares |
| Deforestation | 0.5 hectare in a NSA No threshold in other sensitive areas | 1 hectare |
| Forest Roads | No threshold | 1 hectare |
| Forest Quarries | No threshold | 1 hectare |

Sensitive areas are any of the following:

- Site of Special Scientific Interest (SSSI)
- National Nature Reserve (NNR)
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)
- World Heritage Site (WHS)
- Scheduled Monument (SM)
- National Scenic Area (NSA)
- National Park
- Deep peat soil¹

If your forestry project is **equal to or above** these area thresholds your forestry project must be screened to determine whether consent will be required. We will assess the environmental impact of the work proposed in the application and will advise you, with a screening opinion, whether or not you need to apply for EIA consent.

In exceptional circumstances, forestry projects under the thresholds that are likely to have a significant effect on the environment may still require EIA consent. You should seek advice if you have any concerns that your project may fall into this category, for example proposed deforestation of ancient woodland.

2.3 Accumulated area

Your forestry project area can be affected by the accumulated area of past projects when being assessed against the thresholds. Where a forestry project of the same type has been completed within the last five years on adjacent land (including on land under different ownerships) that extends it beyond the thresholds, it may need our consent. This means that you should request our opinion if your forestry project is taken over the threshold limit by a similar neighbouring project.



1. Deep peat soil is defined as organic soil which contains more than 60 per cent of organic matter and exceeds 50cm in thickness.

2.4 Preparing your proposal pre-application

Before applying to us for a screening opinion it is important that you have a clear idea of the proposed project and any potentially significant effects it will have on the environment; this should include any avoidance or mitigation proposed.

Enough detail must be included in the proposal for us to give an accurate opinion. We will not be able to give you a screening opinion if there is not enough information to base the decision on. Any mitigation proposed should be issue specific and not a general reference to the UK Forestry Standard (UKFS).

It is recommended that for all projects an Issues Log (Appendix 2) is used to record any potential environmental impacts and the associated mitigation and avoidance measures, in particular with regards to:

- population .
- human health
- biodiversity (e.g. protected species and habitats)
- land (e.g. land take)
- soil (e.g. organic matter, erosion, compaction, carbon)
- water (e.g. hydromorphological changes, quantity and quality)
- air
- climate (e.g. greenhouse gas emissions, impacts relevant to adaptation)
- material assets
- cultural heritage including architectural and archaeological aspects
- landscape

Further resources for pre-application assessments and information gathering are detailed in Appendix 3.

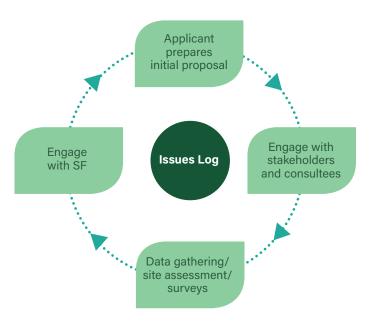


Diagram 2: Pre-application process

Diagram 2 demonstrates the recommended process for ensuring that your application contains all of the relevant information. The size or sensitivity of your project will influence the level of detail needed when deciding if further surveys or more information is required.

It is your responsibility to engage with stakeholders and consultees and ensure that all the potential issues are identified and raised in the screening request.

Where you are preparing an afforestation forestry project you should use the Woodland Creation Application guidance and the accompanying Supporting Information document, which are available on our website. As outlined in the woodland creation guidance, EIA screening opinions should be sought at the appropriate time; following due diligence.

2.5 Getting a screening opinion

You can apply for a screening opinion formally, by completing a Screening Opinion Request Form, or informally by submitting a grant application. Grant applications that include forestry projects will automatically be screened if they have not been received previously. For projects associated with Long-term Forest Plan (LTFP) approval please submit the Screening Opinion Request Form with the plan to ensure that the correct information is included. Forestry projects will be screened once we have received all of the relevant information.

The Screening Opinion Request Form is available on our <u>website</u>.

2.6 Information required for a screening opinion request

When deciding whether your forestry project is an EIA forestry project that requires our consent, we must consider the details and location of the forestry project and determine if it is likely to have significant effects on the environment. Depending on the sensitivities of the site, we may recommend that you seek advice from specific consultees if you have not already done so.

Screening decisions will be based on the information you provide. Information provided here should be proportionate to the size, location and sensitivity of the proposed forestry project.

Information obtained during your pre-application assessment (Appendix 3) together with your Issues Log, will assist you in providing the following information:

- a) Details of your forestry project including;
 - i. The size and extent of the proposal.
 - ii. The general design of the proposal with details on the site constraints, soils, topography, and broad species composition.
- b) Details on the existing land use and the environmental sensitivity of the area that is likely to be affected, this should include;
 - i. Soil capability and the presence of deep peat (>50cms).

- ii. The location of surface and ground water, and public/private water supplies.
- iii. The presence of historic environment sites or areas that have a high potential for such sites.
- iv. The landscape context.
- v. The existing land use and local agricultural context, if applicable.
- vi. A general description of the habitat/woodland types, especially any priority habitats or the location of Schedule 4² plants.
- vii. The presence of any protected species and designations.

viii. Access and use of the site by people.

- c) Details of any likely significant effects that the forestry project will have on the environment in relation to information supplied above, including;
 - i. The information that was available to assist with this assessment, including contact with stakeholders or consultees (Issues Log).
 - ii. The nature, extent and magnitude of the impacts.
 - iii. The intensity and probability of the impact.
 - iv. The expected onset, duration and frequency of the impact.
 - v. The cumulation of the impact with other existing and/or approved forestry projects in the locale.
- A map showing the boundary of the proposed work and other known details, including any designations or constraints highlighted above. This must include any information on sensitive areas³.
- e) It would often be helpful to also provide any details of the opportunities taken to benefit the environment, or opportunities taken to avoid or mitigate any effects on the environment. Include how impacts may be reversed, reduced, or avoided.

If we feel that you have not provided sufficient information for us to adopt a screening opinion, we will ask you in writing for further information.

If it is found that information was withheld, or that information provided for the screening opinion was false or misleading, we can prosecute. Please see the Breaches and Enforcement section for more details.

^{2.} See Appendix 3 for where to find this information



2.7 Timescale for giving a screening opinion

We will give our screening opinion, in writing, within 28 days of receiving all of the necessary information however this can be extended to 90 days, if required, and agreed with you in writing.

If we consider the nature, complexity, location or size of the forestry project exceptional, and that it will not be practicable to provide a screening opinion within the 90 day period, we may extend the period by written notice to you.



2.8 Publishing our screening opinion

If EIA <u>consent is not required</u> you can proceed with your forestry project in line with the proposals given to us and any mitigation proposed (all permissions must be in place prior to work starting e.g. felling permission), or apply for grant funding to proceed. If <u>consent is</u> <u>required</u> you will need to prepare an EIA report and submit it as part of your application for EIA consent.

Our screening opinion will be accompanied by a written statement giving the main reasons for the conclusion. Once we have told you our opinion in writing we will publish it on our <u>EIA</u> <u>Register</u>. Information pertaining to this, such as the request for the opinion and our reasoned conclusion can be obtained by contacting your <u>local Conservancy office</u>.

3. The Scoping Process and Getting Consent

If we decide that your project requires consent under the Forestry EIA Regulations you must submit a formal application for consent to carry out the work. This formal application takes the form of an EIA report. The purpose of the scoping process is to agree the direct and indirect significant effects of your EIA forestry project, that should identified, described and assessed through the Environmental Impact Assessment process.

The following sections explain the scoping and consent process. Detailed information on what is required within an EIA report is available on our <u>website</u>.

3.1 Getting a scoping opinion

A scoping opinion outlines the effects on the environment that will be required to be assessed within the EIA report. Therefore, before starting to prepare the EIA report, you must discuss the significant environmental issues that will be covered within the report with us and the relevant consultation bodies.

SF **must** consult statutory consultees during the scoping process and so we would advise that you hold a scoping meeting with stakeholders, including the statutory consultees to help determine the significant issues that must be covered in the EIA report. They will also be able to provide you with any information they may have that is relevant to your forestry project. If you do not hold a scoping meeting we will require the information as stated in section 3.2 and will consult independently.

3.2 Scoping meeting

With our input, we recommend that you arrange the scoping meeting and invite all of the necessary organisations and individuals that may have an interest in your EIA forestry project. We advise this includes statutory consultees, neighbours, the local community council, other NGOs, and any other parties who can contribute information or may be affected by your proposals. You should provide the following information if requesting a scoping opinion, or to those invited to the scoping meeting:

- 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.

Scoping meetings must focus on the likely significant effects that may occur as a result of your proposed EIA forestry project.

Issues raised that are not likely to cause a significant effect on the environment can be addressed in the design of the forestry project in line with the UK Forestry Standard, and relevant information can then be annexed to the EIA report, if required.

In some cases, depending on the scale, location or sensitivity of the forestry project, you may decide to request a scoping opinion at the same time as a screening opinion. This may lead to an early scoping meeting, and following the meeting we would issue a screening and scoping opinion at the same time.

3.3 Scoping Report

Once the meeting has been concluded you should prepare an agreed Scoping Report that records the outcome of the discussions that took place. This should include a record of the attendees, and all of the issues discussed in the meeting and by whom. This report will identify the environmental effects that will be assessed and included in the EIA report and those issues that were not considered significant, and the reasons for this. The Scoping Report might also record:

- Alternatives which should be considered
- Baseline surveys and investigations which should be carried out and the methodologies
- Methods and criteria to be used for prediction and evaluation of potential effects
- Mitigation measures which should be considered
- The structure and content of the EIA report
- Issues which have been scoped out or where the proposed mitigation has been deemed acceptable.

Following the meeting, you must circulate the Scoping Report and have it agreed by all participants. We will refer to this report when writing the reasoned conclusion for the scoping opinion.

3.4 Timescale for giving a scoping opinion

Once we have received the relevant information we will give our scoping opinion, in writing, within 35 days. This can be extended if required and will be agreed with you in writing. If you apply for a screening and scoping opinion at the same time we have 35 days from giving our screening opinion to give you our written scoping opinion.

3.5 Publishing our scoping opinion

Our scoping opinion will be accompanied by a written statement giving the main reasons for the conclusion. Once we have told you our opinion, in writing, we will publish this on our <u>EIA Register</u>. Information pertaining to this, such as the Scoping Report and our reasoned conclusion can be obtained by contacting your <u>local</u> <u>Conservancy office</u>.

3.6 Preparing the EIA report

An EIA report must include, at least:

- A description and map(s) of your EIA forestry project comprising information on the site, design, size and other relevant features of the project
- A description of the likely significant effects of your EIA forestry project on the environment
- A description of the features of your EIA forestry project and any measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment
- A description of the reasonable alternatives studied by you, which are relevant to your EIA forestry project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the impacts of your EIA forestry project on the environment
- A Non-Technical Summary of the information referred in the points above
- Any other information specified in Schedule 3 of the Regulations relevant to the specific characteristics of the EIA forestry project or of the type of EIA forestry project in question and to the environmental features likely to be affected.

We recommend including an annex showing all of the issues you have considered and those that were scoped out of the report with accepted mitigation. A copy of the Issues Log may well fill this purpose.

The EIA report must be prepared by competent experts and must be accompanied by a statement outlining the relevant expertise or qualifications of those experts. As already stated, it must focus on the likely significant effects as outlined in the Scoping Report and our scoping opinion.

You can get more advice about preparing an EIA report on our <u>website</u>.

If you have not covered or addressed all of the relevant issues in your EIA report we may need more information to help us decide on your application. Under the Regulations you are required to supply this additional information, known as 'supplementary information.' This supplementary information must be presented in a way that relates directly to the EIA report.

3.7 Co-ordinating assessments

Where there is the requirement to carry out a habitats regulation appraisal in relation to your EIA forestry project we will, where appropriate, ensure that the habitats regulation appraisal and the environmental impact assessment are coordinated.

3.8 EIA report consultation and publicity

Once the EIA report is prepared, and deemed competent by us, a notice must be published on our website, in the <u>Edinburgh Gazette</u>, and in a local newspaper. We will agree the text and publication location with you, but you will have to organise the publication and cover any costs associated with it. The notice must:

- a) Describe the application and your EIA forestry project
- b) State that the EIA forestry project is subject to an Environmental Impact Assessment
- c) State where and when the report is available for viewing free of charge and how copies can be obtained, including the charge that may be made for copies
- d) State how and by what date comments about your EIA forestry project must be made (within 30 days of the date of the notice)
- e) Provide details on the public consultation including how further additional information will be shared, and how comments on that information can be made
- f) State that SF may decide either to grant consent subject to the mandatory conditions required by the Forestry EIA Regulations or subject to such further conditions as they see fit, or refuse consent.

We will also make the EIA report available on our <u>website</u> and will keep a copy for inspection at the <u>local Conservancy office.</u>

During this time we will also give details of the application to the appropriate statutory consultees. Statutory consultees, and anyone else wishing to comment, are required to give us comments within 30 days.

We will consider all comments received and any supplementary information that we have requested which is directly relevant to reaching our decision. If the comments result in significant changes to the EIA forestry project we will need to make the changes, or any additional information provided, available to consultees and the public again for consultation.

3.9 EIA consent decision

We will give you our decision in writing once the 30 day period for comments has expired and we have considered the environmental information, any representations and any other material considerations.

Our decision will include:

- A description of your forestry project;
- The main reasons and consideration on which our decision is based, which will include details of the mitigation that was proposed on issues that were screened out of the EIA report;
- Information on the consultation and a summary of the results of the consultation;
- A summary of the environmental information;
- Information regarding your right to challenge our decision and how to do so.

If the decision is to grant EIA consent we will also include:

- A statement of the mandatory conditions;
- A statement of any further conditions, which may include monitoring measures, and any mitigation measures that will be required.

We will notify the applicant, statutory consultees, and anyone from whom we have received representations in relation to your application, of our decision. We will also notify the public of our decision by providing the details of our decision at the <u>local Conservancy office</u> and on our <u>website</u>. It will also be published in the same newspapers in which the initial notice about your application appeared.

3.10 Conditions

When granting consent, we will specify the date by which you must start and finish the work. The start date will be no later than five years from the date of the consent and the finish date will be no later than ten years from the date of the consent.

We may also apply other conditions to the consent that we deem necessary to ensure that the environment is protected from the impact of the project, or to ensure that monitoring measures are carried out if appropriate.

3.11 Right to challenge the validity of the decision

Scottish Forestry's decision is final, subject to the right of any aggrieved person⁴ to apply to the Court of Session for judicial review. This must be done within six weeks from the publication of our decision.

Judicial review is the mechanism by which the Court of Session supervises the exercise of administrative functions, including how the Scottish Ministers exercise their statutory function to determine applications for consent. The rules relating to the judicial review process can be found on the <u>website</u> of the Scottish Courts.

Your local Citizens' Advice Bureau or your solicitor will be able to advise you about the applicable procedures.



4. Breaches of Regulations

In certain circumstances we have the power to enter land, serve enforcement notices or pursue convictions for false information. The following sections provide information on these.

4.1 Enforcement Notice

If we discover that you have carried out work that would have required EIA consent, or have breached the conditions of consent, we can enter your land to verify this and we may serve you with an Enforcement Notice. This will require you to do one or more of the following:

- a) Stop the work
- b) Apply for consent
- c) Restore the land to its condition before the work was started
- d) Carry out work to secure compliance with the condition of the consent
- e) Remove or alleviate any damage to the environment that has been caused by the work.

Where we think your forestry project is an EIA forestry project and have decided to issue an Enforcement Notice we will also serve you with a written statement of our reasons for considering that the forestry project is an EIA forest project. Our Enforcement Notice will give you a specific time in which to comply with the actions outlined in it.

The right to challenge the validity of our decision (section 3.11) can also be used regarding the issuing of an Enforcement Notice.

4.2 Offences

It is an offence to not comply with an Enforcement Notice or to continue work on an EIA forestry project if we have asked you to stop.

It is an offence to knowingly provide false or misleading information, or to withhold information, with the intent to deceive and influence the outcome of a particular decision on an EIA application.

If you are convicted of an offence you will be liable to a fine not exceeding the statutory maximum.

This applies to individuals, corporate bodies, partnerships or unincorporated associations.



Appendix 1 – Definitions used in the Regulations

You will find below some of the terms used in the EIA Regulations:

Consultation bodies – the local authority (or local authorities) for the area where the forestry project is situated, Scottish Environment Protection Agency (SEPA), NatureScot (previously Scottish Natural Heritage), Historic Environment Scotland (HES), and any other body designated by any enactment as having specific environmental responsibilities.

Forestry projects – the types of project work that SF must assess under these Regulations are afforestation, deforestation (conversion to another land use), forestry roads and forestry quarries.

EIA forestry project – a forestry project that is likely to have a significant effect on the environment by virtue of factors such as its nature, size and location, and as such requires consent.

Mitigation measures – any measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment. **Monitoring measures** – measures requiring the monitoring of any significant adverse effects on the environment of the EIA forestry project.

Opinion – our consideration of the proposals from which we will decide whether or not the project is an EIA forestry project that will require consent. If it is, the applicant must apply for consent and provide an EIA report.

Screening – the process by which the SF decides whether a project "is likely to have significant effects on the environment by virtue, inter alia, of its nature, size or location".

Scoping – a process, involving consultees and other interested parties, to discuss and agree the direct and indirect significant effects of your EIA forestry project that must be addressed by the EIA report. This process is a distinct one from screening as it must include consultation and can be captured in a Scoping Report.



Appendix 2 – Issues Log

| Issue (include date and raised by) | Applicant's Response | SF Comments | Agreed Mitigation | Status (Open, Closed) | Significance of Impact (High, Medium, Low) |
|---|---|--|--|-----------------------------|---|
| e.g. Archaeology – Scheduled Monument at NS123456. HES, 23/10/16. | e.g. Scheme design includes OG to buffer Scheduled Monument as per UKFS John Smith, 25/10/16 | e.g. Applicant has taken on board HES feedback and designed the scheme in accordance with best practice. Susan Jones, 27/10/17. | e.g. 20 metre OG buffer around scheduled monument (SM). | e.g. Closed | e.g. Low |
| Population & Human Health | | | | | |
| Biodiversity | | | | | |
| Land | | | | | |
| Soil | | | | | |
| Water | | | | | |
| Air | | | | | |
| Climate | | | | | |
| Material Assets | | | | | |
| Cultural Heritage | | | | | |
| Landscape | | | | | |

Appendix 3 – Pre-application recommendations

In order to provide adequate information for a screening opinion it is recommended that you conduct a desk-based assessment of your forestry project area and then ground truth any information you find.

The desk-based assessment should be used to identify and map the location, extent and distribution of features on the site. Depending on the size, location, and sensitivity of your proposed forestry project, you may need to undertake further survey work at an appropriate time of year. Early engagement with SF and consultees will aid your decision on this requirement.

The table below is a guide to some of the many existing sources of freely available information that could provide evidence and information on the forestry project area.

The first source to check is whether the land is partly or wholly identified as protected under International or National designations. Schemes that may affect land designated as <u>Special Areas</u> of <u>Conservation</u> (SACs) or <u>Special Protection</u> <u>Areas</u> (SPAs) may require specialist surveys to be undertaken.

You can search for all protected areas in Scotland using Sitelink's interactive map.

The second source should be Scottish Forestry's Land Information Search (LIS): LIS allows you to search your area of interest for a range of environmental features and land designations.

Where you are preparing an afforestation forestry project you should use the Woodland Creation Application guidance and the accompanying Supporting Information document, which are available on our <u>website</u>.



| Main risks to assess | Data or information type | Source of information (links) | Additional guidance |
|--------------------------------------|---|--|---|
| Population and Human Health | Public water supply Public access | https://www.scottishwater. co.uk/SLM Core paths | Local Access Forums |
| Biodiversity (habitats, species) | Location of <u>Priority Habitats</u> as identified by Article 1 of the Habitats Directive; Location of plants named on Schedule 4 of Habitat Regulations 1994 (as amended in Scotland) (Habitats Regulations 1994) Presence of Protected Species: those named in the Wildlife and Countryside Act 1981 on Schedule 1, 1A or A1 (Birds), Schedule 5 (Animals) or Schedule 8 (Plants); <u>Badgers;</u> <u>European Protected Species.</u> (Protected species in Scotland list). | Atlas of Living Scotland (NBN Scotland), Local record centre, Local Vice County recorders, specialist species groups (e.g. Plantlife floral guardians), Habitat Map of Scotland Native Woodland Survey of Scotland Local record centre | European Protected Habitats and Plant Species Annex I habitats and Annex II species occurring in the UK. Planning guidance on protected species. Scottish Raptor Monitoring Scheme BTO RSPB NatureScot |
| Land | Local agricultural context | <u>Guidance</u> about woodland creation on agricultural land | Advice from RPID |
| Soil – and geology, geomorphology | Suitability of soils for planting. If there is deep peat on site. Location of nationally and internationally important geological and geomorphological features outside SSSIs Local Geodiversity Sites (LGS) | Forests and Scotland's soils GCR sites not designated as SSSI Geological Conservation Review Sites data layer | Deep peat (This shows where peat is likely to be found, but not its depth: the applicant will need to undertake a survey to establish the extent of deep peat). Lists of registered LGS are held by the relevant local authority. |
| Water | Is the site is next to a flood defence. If the site is in an acidified catchment. | Digital maps showing catchments vulnerable to acidification Flood maps | Managing forests in acid sensitive water catchments |
| Cultural Heritage | Presence of known historic environment sites and features, and / or areas identified as having high potential for identifying and recording new sites and features. | Historic Environment Resource Guide | Historic Environment Scotland should be consulted on Scheduled Monuments and Inventory Battlefield and Gardens & Designed Landscapes. The relevant Local Authority should be consulted on non-scheduled historic environment features. |
| Landscape | National Scenic Areas Local Landscape Areas Wild Land Areas | NatureScot National Scenic Areas Special Qualities Local Authority landscape designations and associated planning policies Wild Land https://www.nature. scot/professional-advice/ landscape/landscape-policy- and-guidance/landscape- policy-wild-land | NatureScot Assessing Impacts on Wild Land Areas - Technical Guidance https://www.nature.scot/ assessing-impacts-wild-land- areas-technical-guidance |

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

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