

**SCOTTISH
NATURAL
HERITAGE**



**North Rona
Special Area of Conservation**

Advice under Regulation 33(2)
of The Conservation (Natural Habitats, &c.) Regulations 1994
(as amended)

30 March 2006

About this Package:

Section 1 of this document provides a general introduction and Sections 2 and 3 fulfil Scottish Natural Heritage's duties under Regulation 33(2) of The Conservation (Natural Habitats, &c.) Regulations 1994 (Habitats Regulations) (as amended by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004). This requires that SNH advises other relevant authorities as to the conservation objectives of the site (see Section 2) and any operations which may cause deterioration of natural habitats or the habitats of species, or disturbance of species, in so far as such disturbance could be significant, for which the site has been designated (see Section 3).

Annexes A and B provide supplementary, non-statutory information. Annex A gives information on the sensitivity and vulnerability of the marine qualifying interests: 'Grey seals *Halichoerus grypus*', 'Reefs' and 'Submerged or partially submerged sea caves'. Annex B gives some indication as to the extent, distribution, structure, function and processes that affect the qualifying interests. It should be noted that this is indicative and not definitive, and as more site information is gathered these sections may be updated.

North Rona was designated by Scottish Ministers as a Special Area of Conservation (SAC) on 17th March 2005. This site is also referred to as a 'European site' (Regulation 10(1)). A 'European marine site' is a 'European site' which is wholly or in part marine (Regulation 2(1)) and is hereafter referred to as a marine SAC.

Although the following statutory information is for the benefit of relevant authorities (see below for explanation of their role), it can also be used by other competent authorities when assessing plans or projects.

1 Introduction

1.1 Background

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004), commonly referred to as the Habitats Regulations, transpose the EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive) into domestic legislation. Regulation 33(2) gives Scottish Natural Heritage a statutory responsibility to advise other relevant authorities as to the conservation objectives for marine SACs in Scotland, and any operations which may cause deterioration of natural habitats or the habitats of species, or disturbance of species for which the site has been designated.

This document presents the Regulation 33 advice, plus supporting information, for the North Rona SAC to assist relevant and competent authorities, local interest groups and individuals in considering management of the site. This advice, plus supporting information, will also help to determine the scope and nature of any “appropriate assessment”, which the Habitats Directive requires to be undertaken for proposed plans and projects that are not connected to the conservation management of the site and are considered likely to have a significant effect. Where necessary Scottish Natural Heritage will also provide more detailed advice to relevant, and other competent, authorities to inform assessment of the implications of any such plans or projects.

1.2 Relevant and competent authorities

Within the context of a marine SAC, a relevant authority is a body or authority that has a function in relation to land or waters within or adjacent to the site (Regulation 5) and include: a nature conservation body; a local authority; water undertakers; a navigation authority; a harbour authority; a lighthouse authority; a river purification board (SEPA); a district salmon fishery board; and a local fisheries committee. All *relevant authorities* are *competent authorities*.

A competent authority is defined in Regulation 6 as “any Minister, government department, public or statutory undertaker, public body of any description or person holding a public office”. In the context of a plan or project, the *competent authority* is the authority with the power or duty to determine whether or not the proposal can proceed.

1.3 The role of relevant authorities

The Habitats Regulations require relevant authorities to exercise their functions so as to secure compliance with the Habitats Directive. A management scheme may be drawn up for each marine SAC by the relevant authorities as described under Regulation 34. For marine SACs with overlapping interests, a single management scheme may be developed.

Where a management scheme is in place the relevant authorities must ensure that all plans for the area integrate with it. Such plans may include shoreline

management plans, Sites of Special Scientific Interest (SSSI) management plans, local Biodiversity Action Plans (BAPs) and sustainable development strategies for estuaries. This must occur to ensure that only a single management scheme is produced through which all relevant authorities exercise their duties under the Habitats Regulations.

1.4 Responsibilities under other conservation designations

Other designations within or adjacent to the North Rona marine SAC are: Rona and Sula Sgeir National Nature Reserve; North Rona and Sula Sgeir Special Protection Area; North Rona and Sula Sgeir SSSI. The obligations of relevant, and other competent authorities and organisations under such designations and legislation are not affected by the advice contained in this document.

1.5 Conservation objectives

Section 2 of this document contains the conservation objectives for the marine components of the North Rona SAC, a site which consists of both marine and terrestrial qualifying interests. The conservation objectives have been developed to ensure that the obligations of the Habitats Directive are met.

1.6 Advice as to operations

The operations, set out in Section 3, are those which SNH advise may cause deterioration of natural habitats or the habitats of species, or disturbance of species, for which the site has been designated. This does not necessarily mean that the operations are *presently* ongoing or, if they are, that they are at levels incompatible with the conservation objectives.

1.7 Plans and projects

The Habitats Regulations require that, where an authority concludes that a development proposal is unconnected with the nature conservation management of a Natura site and is likely to have a significant effect on that site, it must undertake an appropriate assessment of the implications for the qualifying interest for which the area has been designated.

1.8 Review of Consents

Competent authorities are required by the Habitats Regulations to undertake a review of all consents and permissions for activities affecting the site as soon as reasonably practicable after it becomes a European site. This will have implications for discharge and other consents, which will need to be reviewed in the light of the conservation objectives.

2 Statutory advice given by SNH under Regulation 33(2) Conservation Objectives

2.1 Introduction

This section provides conservation objectives, which have been developed by SNH in agreement with the Scottish Executive and are to be provided to the relevant authorities in fulfilment of the requirements under Regulation 33(2) of The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004).

The conservation objectives ensure that the obligations of the Habitats Directive are met; that is, there should not be deterioration or significant disturbance of the qualifying interest. This will also ensure that the integrity of the site is maintained and that it makes a full contribution to achieving favourable conservation status for its qualifying interests.

The North Rona marine SAC has been designated for the species 'Grey seal *Halichoerus grypus*', which is listed on Annex II of the Habitats Directive, as well as for the Annex I habitats 'Reefs' and 'Submerged or partially submerged sea caves'.

North Rona SAC also consists of a marine terrestrial qualifying interest, which is listed below the conservation objectives (see the SNH website www.snh.org.uk for more information).

The conservation objectives for the marine qualifying interests of the North Rona SAC are as follows:

To avoid deterioration of the habitats of qualifying species (Grey seal <i>Halichoerus grypus</i>) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for the qualifying interest.
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To ensure for the qualifying species that the following are maintained in the long term:
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| <ul style="list-style-type: none"> • Population of the species as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species |
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To avoid deterioration of the qualifying habitats (Reefs and Submerged or partially submerged sea caves) thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying interests.

To ensure for the qualifying habitats that the following are maintained in the long term:

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| <ul style="list-style-type: none"> • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat |
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The terrestrial qualifying interest of the North Rona SAC is as follows:

- Vegetated sea cliffs

3 Statutory advice given by SNH under Regulation 33(2) Operations

The following advice as to operations to be considered by relevant authorities is provided by SNH with respect to the North Rona marine SAC in fulfilment of the requirements under Regulation 33(2)(b) of The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004). The advice identifies those operations, either on or affecting the SAC, which may cause deterioration of the marine natural habitats or the habitats of species, or disturbance of species, for which the site has been designated. These include operations that may not be currently affecting the North Rona marine SAC.

Operations (in alphabetical order)

Coastal Development

Civil engineering

Lighthouse maintenance

Fishing

Mobile gear: Dredging

Mobile gear: Trawling

Static gear: Creel / Pot fishing

Marine Development

Oil exploration, operations and maintenance

Marine Traffic

Commercial vessels

Recreational Activities

Boat anchorages

Other recreational activities

Scuba diving

Scientific Research

Scientific research

Annex A

Non-statutory advice given by SNH

Sensitivity and Vulnerability of the North Rona SAC 'Grey seal *Halichoerus grypus*', 'Reefs' and 'Submerged or partially submerged sea caves' to activities listed in Section 3

The comments below are general and should not be considered to be definitive. They are made without prejudice to any comments SNH may provide or any assessment that may be required for specific proposals to be considered by a relevant authority. The level of any impact will depend on the location and intensity of the relevant activity. This advice is provided to assist and focus the relevant authorities in their consideration of the management of these operations.

NB. References to deterioration in the comments section below should be taken to mean *deterioration of all the qualifying interests*. If specific qualifying interests are particularly at risk they may be referred to individually where relevant.

Operations	Comments
Coastal Development	
Civil engineering	<p>Habitats: The construction and maintenance of structures, both within and adjacent to the sea have the potential to cause direct loss of qualifying habitat (particularly reefs) and deterioration of adjacent reef habitats and communities as tidal currents and therefore coastal processes are affected. For example coastal structures such as linear coastal defences or erosion control measures (e.g. gabions) can affect local sediment suspension and deposition patterns and therefore have the potential to cause deterioration of qualifying habitats through smothering. Installation, replacement and maintenance of undersea cables have the potential to cause direct loss of qualifying habitats as well as local deterioration of associated habitats and communities.</p> <p>Grey seal: The construction and maintenance of structures, both within and adjacent to the sea, have the potential to cause disturbance during the breeding and pupping (late September to late December) and moulting (Jan / Feb) seasons. This activity also has the potential to cause loss or deterioration of the habitats upon which the seals depend during the same critical periods.</p>
Lighthouse maintenance	<p>Grey seal: The use of helicopter for the servicing of the lighthouse has the potential to cause disturbance to seals, particularly during the breeding, pupping and moulting seasons.</p>
Fishing	
Mobile gear: Dredging	<p>Habitats: Benthic dredging has the potential to cause deterioration of qualifying habitats and communities (particularly reefs) through direct contact with dredge gear, and sedimentation when dredging occurs close to the qualifying interests.</p>
Mobile gear: Trawling	<p>Habitats: Benthic trawling has the potential to cause deterioration of qualifying habitats and communities (particularly reefs) through direct contact with trawling gear, and sedimentation when trawling occurs close to the qualifying interests.</p>

Fishing contd.	
Static gear: Creel / Pot fishing	<p>Habitats: The use of creels and / or pots in a localised area has the potential to cause deterioration of qualifying habitats and communities (particularly reefs, and sessile and encrusting species within caves) through direct contact, particularly during their deployment and / or recovery.</p> <p>Grey seal: Creel / pot fishing has the potential to impact seals as they have been known to attempt to rob creels of their bait, consequently become entangled and subsequently drown.</p>
Marine Development	
Oil exploration, operations and maintenance	<p>Habitats: The laying and maintenance of oil pipelines have the potential to cause deterioration of seabed qualifying habitats and communities through direct loss and localised impact. This activity may also affect hydrographic patterns of erosion and deposition. Sub-surface ROV inspection of pipelines has the potential to cause deterioration of qualifying interests through local redistribution of sediments.</p> <p>Oil spills and clean-up techniques (e.g. the use of dispersants, mechanical clean-up) have the potential to cause deterioration of qualifying interests through direct impact, or toxic chemicals causing lethal or sublethal effects on marine biota, which would cause subsequent changes in community structure.</p> <p>Local authority emergency plans and oil spill contingency plans, including testing of emergency response fire-fighting equipment, should take into account specific qualifying interests and recognise the importance of marine SACs should such incidents occur.</p> <p>Grey seal: Offshore and onshore oil related development and activities have the potential to cause disturbance to seals (particularly during the breeding, pupping and moulting seasons) and deterioration of their associated habitats through the increased risk of pollution, vessel movements and direct loss. This would include all operational aspects e.g. seismic surveys, exploration, installation or routine inspection and maintenance of any associated infra-structure.</p> <p>Accidental or deliberate discharge of oil by any type of operation has the potential to cause deterioration to seal haul outs. Seals generally leave an area in which oil is spilled but a small number of individuals may suffer from respiratory problems and die as a result of the spillage of a large amount of oil.</p> <p>Local authority and harbour oil spill contingency plans should take into account the qualifying interests of North Rona and the importance of the marine SAC, particularly during the seal's breeding, pupping and moulting seasons, should such incidents occur.</p>
Marine Traffic	
Commercial vessels	<p>Habitats: The pumping of bilges, discharge of ballast, accidental grounding, or accidental oil (or other chemical) spillage from commercial vessels could occur within or close to this SAC. Such incidents have the potential to cause deterioration of reef habitats and communities through direct and / or indirect impacts. Local authority emergency plans and oil spill contingency plans should take into account specific qualifying interests and recognise the importance of marine SACs should such incidents occur.</p>

	<p>Grey seal: Oil spills have the potential to cause damage to seal haul outs. Seals generally leave an area in which oil is spilled but a small number of individuals may suffer from respiratory problems and die as a result of the spillage of a large amount of oil. Oil tankers do not generally pass through the coastal waters of North Rona but there is always a risk that a fishing boat or container ship may run aground in the area spilling diesel and fuel oil. Local authority oil spill contingency plans should take into account the qualifying interests of North Rona and the importance of the marine SAC, particularly during the seal's breeding, pupping and moulting seasons, should such incidents occur.</p>
Recreational Activities	
Boat anchorages	<p>Habitats: Anchors and continual scouring by riser chains have the potential to cause deterioration of reef habitats and communities through direct contact with the qualifying interest.</p>
Other recreational activities	<p>Grey seal: Wildlife watching has the potential to cause disturbance to seals if undertaken during the breeding, pupping and moulting seasons and close to haul out areas. This disturbance would be caused by prolonged human presence.</p>
Scuba diving	<p>Habitats: Recreational diving in specific areas has the potential to cause deterioration of qualifying habitats and communities, in particular to erect and fragile reef species.</p>
Scientific Research	
Scientific research	<p>Habitats: Research activities have the potential to cause deterioration of qualifying habitats and communities through direct alteration, removal or manipulation of these qualifying interests and their associated species.</p> <p>Grey seal: Research activities have the potential to cause disturbance to seals, particularly during the breeding, pupping and moulting seasons.</p>

Annex B

Non-statutory Advice given by SNH Site account

Site description

The remote, very exposed, rocky island of North Rona supports one of the most important grey seal breeding groups in the UK and the EU. The island, which lies some 65 km north of the Outer Hebrides, provides the best example in this biogeographic region (Northern Scotland and Orkney) of exposed reef communities characteristic of offshore conditions. The region has clear, high salinity waters. The communities are boreal with the influence of the North Atlantic Drift apparent in the presence of many southern species, but colder sub-arctic water accounts for northern elements of the fauna and flora.

The island's coastline is entirely rocky, being fringed by sheer cliffs, ledges and lower lying reefs intersected by gullies and boulder slopes. These provide a variety of very exposed littoral reef habitats that continue into the sublittoral to depths of greater than 50m in places. Gullies are floored by submerged coarse, clean sand. These reefs and submerged sandbanks support communities typical of very exposed, offshore conditions. Kelp forests extend as deep as 35m and areas of open rock support rich marine communities of sponges, anemones, soft corals and ascidians. Both are important feeding grounds for the seals. Partially submerged caves on North Rona shelter seals and add to the marine habitat interest and diversity of the site.

Qualifying marine interests

Annex I Habitats:

Reefs

North Rona's rocky coastline provides a variety of littoral reef habitats, supporting rich marine communities characteristic of very exposed, offshore conditions. The reefs support animal and algal species found in offshore sites, which are highly influenced by wave exposure and water quality. The influence of the North Atlantic Drift is apparent in the presence of many southern species, but colder sub-arctic water accounts for the northern elements of the fauna and flora. Whilst North Rona has many offshore species which also occur further south, there is a marked northern element in its marine biota.

Submerged or partially submerged sea caves

Submerged or partially submerged sea caves occur occasionally around all the rocky coasts of Europe, but the UK has the most varied and extensive sea caves on this Atlantic coast. The well developed sea caves found throughout North Rona contain species characteristic of those found in northern latitudes, and associated communities that are representative of a range of exposures to wave action.

Annex II Species: Grey seal *Halichoerus grypus*

North Rona SAC has been primarily selected for the large breeding group of grey seals *Halichoerus grypus* that it supports. These haul out mainly on the low-lying rocky peninsula of Fianus although they are also found over much of the rest of the island. Approximately 1,600 pups are produced annually, although pup production has declined markedly in recent years, with a total population size of about 5,600 animals, making this the third largest breeding group in the British Isles. The seals of North Rona have a long history of study and were at one time the largest group on any individual island. With depopulation of several offshore islands during the 20th century, the population has been overtaken in size by the Monach Islands and the more scattered breeding group of the northern Orkney Islands. Nonetheless, this site is of international importance for this species. It should be emphasised that North Rona is a breeding site and that the distribution of seals outside the breeding season may be different.

The data above were used for site evaluation purposes. Since then the Seal Mammal Research Unit (SMRU) has carried out further surveys which indicate that the population has declined further but may now be stable.

The attributes of the grey seals habitat on the island are the availability of suitable and undisturbed breeding, moulting and haul-out sites on the shore, and the easy access to rookery locations (i.e. Fianus peninsula) which is known to attract numbers of seals. Although grey seals can travel considerable distances to feed, the near shore waters with shallow reef and sediment habitats may be essential for successful feeding and breeding of the grey seal group. The availability of undisturbed shores and adjacent areas of sea around the islands, which facilitates adult social interactions, mating and acts as a nursery area are also important attributes of the grey seals habitat of the North Rona SAC.