

**SCOTTISH
NATURAL
HERITAGE**



**St Kilda
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: '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.

St Kilda 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 St Kilda SAC to assist relevant and competent authorities, local interest groups and individuals in considering management (including any management scheme) 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 St Kilda marine SAC are: St Kilda Biosphere Reserve; St Kilda National Nature Reserve; St Kilda Special Protection Area; St Kilda SSSI; St Kilda World Heritage Site. 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 St Kilda 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 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 St Kilda marine SAC has been designated for the habitats 'Reefs' and 'Submerged or partially submerged sea caves', which are listed on Annex I of the Habitats Directive.

St Kilda SAC also consists of a 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 St Kilda SAC are as follows:

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.
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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 St Kilda 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 St Kilda 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 St Kilda marine SAC.

Operations (in alphabetical order)

Coastal Development

Civil engineering

Discharges / Waste Disposal

Discharge of commercial effluent

Discharge of sewage

Fishing

Fish processing activities

Mobile gear: Trawling

Static gear: Creel / Pot fishing

Marine Development

Offshore renewable energy developments

Marine Traffic

Commercial vessels

Military Activity

Military exercises

Recreational Activities

Boat anchorages

Charter / recreational vessels

Scuba diving

Scientific Research

Scientific research

Annex A

Non-statutory advice given by SNH Sensitivity and Vulnerability of the St Kilda SAC '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	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.
Discharges / Waste Disposal	
Discharge of commercial effluent	Commercial effluent has the potential to cause deterioration of qualifying habitats and communities. This would be through the effects of pollution and / or nutrient enrichment, which may cause subsequent changes in community structure.
Discharge of sewage	Sewage effluent (whether treated or untreated) has the potential to cause deterioration of qualifying habitats and communities. This would be through the effects of pollution and / or nutrient enrichment, which may cause subsequent changes in community structure.
Fishing	
Fish processing activities	The disposal of fish processing bi-products have the potential to cause deterioration of qualifying habitats and communities through changes in water quality and smothering from waste material.
Mobile gear: Trawling	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.
Static gear: Creel / Pot fishing	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.

Marine Development	
Offshore renewable energy developments	Offshore renewable energy developments e.g. wave energy, both within and adjacent to the SAC have the potential to cause direct loss and / or deterioration of qualifying habitats and communities as tidal currents, and therefore coastal processes, may be affected.
Marine Traffic	
Commercial vessels	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.
Military Activity	
Military exercises	Military exercises (including missile-fire testing, which is monitored from St. Kilda), has the potential to cause deterioration of the qualifying interests through dispersal of marine litter and debris from missiles exploding over the sea. The use of military vessels have the potential to cause deterioration of qualifying habitats and communities through physical damage.
Recreational Activities	
Boat anchorages	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.
Charter / recreational vessels	Boats have the potential to cause deterioration of reef habitats and communities through accidental grounding, and accidental fuel spillages.
Scuba diving	Recreational diving in specific areas has the potential to cause deterioration of qualifying habitats and communities, in particular to erect and fragile reef species.
Scientific Research	
Scientific research	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.

Annex B

Non-statutory Advice given by SNH Site account

Site description

The shore, coastal waters and deep-water reefs of the St Kilda archipelago comprise a highly wave-exposed marine area of international importance. Its littoral, sublittoral and circalittoral reef habitats, the numerous littoral and submerged caves and tunnels, and the rich and prolific marine communities supported by these habitats form the best and most extensive example of their kind in the UK. Due to its location the archipelago is influenced more by the North Atlantic Drift than inshore areas of the UK, resulting in a presence of many species with a predominantly southern and western distribution, some of which are not commonly found elsewhere in the UK. The site is of national and international importance for eight species of breeding seabirds. The sites considerable overall importance is further acknowledged in the archipelago's status as a World Heritage Site, one of only two in the UK with dual cultural and natural heritage declarations.

Qualifying marine interests

Annex I Habitats:

Reefs

The St Kilda SAC contains extremely wave-exposed reefs consisting of hard, igneous rock, forming steep and vertical reefs around the entire island group with few low-lying areas. Rock faces extend to over 300 m above sea level, and sublittorally reach depths of between 60 - 80 m on a subtidal plateau that encircles the island group. Typical intertidal reef communities extend several metres above mean high water into the littoral zone because of wave exposure. These reefs support characteristic populations of the exposed shore fucoids *Fucus distichus* and *Fucus spiralis* var. *nana*. Littoral communities of interest span a height range of 6 to 8 m or more, with supralittoral green algae extending for tens of metres up the cliffs.

The clarity of the Atlantic sea water is high and sublittoral fringe communities dominated by *Alaria esculenta* reach depths of at least 15 m. Below this zone, dense kelp forests of *Laminaria hyperborea* with a rich associated flora and fauna occur as deep as 35 m; *Laminaria saccharina* replaces the *L. hyperborea* at a depth of 25 m in some locations and *L. digitata* can reach depths of 50 m in sparse kelp park. Circalittoral rock below 35 m is dominated by diverse communities including large and colourful expanses of anemones, sponges and soft corals with hydroids and bryozoans characteristic of conditions in surge gullies. The invertebrates within this zone are primarily encrusting or low-growing species such as the jewel anemone *Corynactis viridis*, the dwarf form of the plumose anemone *Metridium senile*, the daisy anemone *Sagartia elegans*, polyclinid ascidians, sponges such as *Myxilla incrustans* and *Halichondria panicea* and numerous thin encrusting species. Effectively the circalittoral zone found in this site is deeper than that found in any other of the suite of marine SACs and the type of community found in this

area is characterised by erect sponges such as *Axinella* spp. and *Phakellia* spp., as well as bryozoans, including *Porella* spp, along with associated encrusting sponges. Occasionally, at depths of 70 m, there are patches of pink encrusting algae, which emphasise the uniqueness of this community, as littoral algal species are not usually found at these depths. There are also brittlestars *Ophiocomina nigra* and squat lobsters *Munida* spp. amongst the boulders on the bedrock plane. The rarely found, erect coral-like Cyclostome bryozoan *Coronapora truncata* was found on this deep underwater plane. Overall these reefs provide some of the richest and most extensive examples of very exposed rock habitats in the EU.

Submerged or partially submerged sea caves

Basalt and dolerite dykes throughout the island group have eroded to form caves and tunnels above and below the water which are a major feature of the islands and are the most extensive of such systems in the UK. They support diverse communities that reflect the degree of surge to which they are exposed.

In shallow water, within areas most effected by surge, little can survive other than the encrusting sponge *Myxilla incrustans*, which blankets the cave walls. With a reduction in surge, anemones such as the northern anemone *Phellia gausapata*, jewel anemone *Corynactis viridis* and *Sagartia elegans* are abundant along with thin encrusting sponges and bryozoans. Hydroids such as *Tubularia indivisa* dominate some of the larger systems; in all cases, there is a diverse fauna and flora associated with these characteristic dominant species. Microhabitats in the deeper caves show a wave exposure gradient with species usually found in more sheltered conditions, such as the fan worm *Sabella pavonina* and the burrowing anemone *Cerianthus lloydii*, present in the inner regions. Rarely recorded nocturnal species have also been found in the inner caves, most notably the crab *Bathynectes longipes* and the anemone *Arachnanthus sarsi*. The cave floors are typically lined with rounded boulders.

The deeper caves show a wave exposure gradient with microhabitats comprising species typically found in more sheltered conditions present in the inner regions. The cave floors support communities dominated by the Devonshire cup-coral *Caryophyllia smithii*, calcareous tube worms and the urchin *Echinus esculentus*, with the squat lobsters *Galathea strigosa* and *Galathea nexa* living between the boulders.