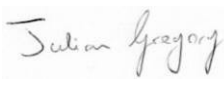


2024

**DJP Abertafol
(CERDS)
Preliminary Ecological Appraisal**





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1 TECHNICAL SUMMARY

1.1.1 The summary below is based on the current understanding of the remedial works remit. Any changes to the scope of works following the commencement of works, should be discussed with the project ecologist to ensure changes are measured against known constraints and to ensure any further actions (e.g. additional ecological support or additional surveys) are arranged.

1.1.2 Please refer to Section 5 for legislative context and more detailed description of recommendations.

Table 1: Technical Summary Table

Feature or Species	PEA Recommendations Summary
Amphibian and Reptiles	Common species should be assumed to be present within proximity to the works, however provided that the access route is confined to the open space connected to the main road then encounter is less likely. Although species such as Frog and Toad may be present within the grazed field following precipitation events.
Bat Species	Inspection of masonry defects required prior to remedial works, but a licensed bat ecologist.
Terrestrial Mammals	<i>Eurasian Otter</i> Best practice mitigative measures to be outlined within HRA document as part of formal Band 2 Marine License.
Permitting	The works context and location require the submission of a Band 2 Marine License, with supporting Habitat Regulation Assessment (HRA) and Water Framework Directive (WFD) documentation.
Invasive Species	Control of Marine INNS to be outlined within Biosecurity Plant as part of Band 2 application.



2 INTRODUCTION

2.1 PROJECT BACKGROUND

- 2.1.1 EcoVigour was instructed by Dyer & Butler Rail Ltd to undertake a Preliminary Ecological Appraisal (PEA) of a tidal pass below the DJP rail line, along the northern shore of the Afon Dyfi. The study was required to inform Dyer & Butler Rail Ltd of the ecological constraints present, ahead of the proposed remedial measures to shore up a stress fracture within the arch masonry.
- 2.1.2 The objectives for the survey were:
- ◆ To undertake an ecological assessment of the site;
 - ◆ To identify ecological features within the site that could pose a constraint to the proposed works;
 - ◆ To identify opportunities for incorporating biodiversity enhancements into the development proposals;
 - ◆ To assess the site's potential to support protected species and make recommendations for further survey, where required to clarify potential ecological constraints;
 - ◆ To make recommendations for any valuable habitats to be considered, through retention or enhancement, or if this is not possible, by habitat mitigation or compensation;
 - ◆ To identify the presence of any invasive non-native species on site.
- 2.1.3 The ecological report has been prepared in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) guidance document 'Guidelines for Preliminary Ecological Appraisal - Second Edition' (CIEEM, 2017). The objective of the report is to provide a preliminary ecological assessment of the site based on the currently anticipated design.
- 2.1.4 An initial ecological overview of the site is provided and potential ecological constraints and impacts of the current proposals are assessed. Recommendations for further surveys are provided where necessary.



2.2 SURVEY AREA DESCRIPTION

- 2.2.1 Network Rail engineers have identified a stress fracture opening at the central spine of the underbridge that requires timely remedial measures to ensure the defect does not progress into a more significant failure.
- 2.2.2 The survey area focused on the access route to the structure, the structure and area around the working footprint and estuary edge, below the rail sea defence wall. No survey was undertaken within the rail corridor itself, however given the context of the site and works, this is not considered a limiting factor.
- 2.2.3 The approximate survey area is illustrated below.



Figure 1 - Survey area.

2.3 WORKS REQUIRED

- 2.3.1 Engineers require plant machine access to the Afon Dyfi undertake removal of heavy timber material prior to remedial measures agreed within the FRAP, this process broadly involves:
- ◆ Setup of temporary compound/welfare (This may be a groundhog unit or welfare van)
 - ◆ Foot access and material access agreed from the roadside to the structure via agricultural field.
 - ◆ Repair upper stress fracture during low-tide daytime conditions.
 - ◆ Reinstatement of access routes if damaged.
 - ◆ Demobilise from site.



3 METHODOLOGY

3.1 DESK STUDY

- 3.1.1 A desk study was conducted to assist with the overall site assessment. In terms of in-situ features, Statutory Designated Sites within 2km, non-statutory designated sites within 1km, Ancient Semi Natural Woodland (ASNW) within 500m and recorded species within 1km of the project boundary was requested. Broad habitat boundaries and types were identified from online aerial imagery.
- 3.1.2 The relevance of the reasons for designation of the protected sites within 2km of the site boundary has been considered during subsequent assessment of whether the proposed works will have any impact upon the biological integrity of such sites.

The desk study also included the following sources:

- ◆ Defra's Multi-Agency Geographic Information for the Countryside (MAGIC) website;
 - ◆ Online aerial imagery resources;
 - ◆ Joint Nature Conservation Committee (JNCC) and
 - ◆ A review of OS mapping for waterbodies within 250-500 metres of the site.
 - ◆ Data Search – (Cofnod) Ref: E13258
- 3.1.3 **Note:** Records outlined below are not for the public domain and should not be forwarded to unauthorised third parties. The records below are intended for project purposes only.

3.2 WALKOVER SURVEY

- 3.2.1 The walkover was conducted by Owain Waters (Ecologist at EcoVigour Ltd).. The survey was conducted using methods outlined in the Joint Nature Conservation Committee (JNCC)'s 'Handbook for Phase 1 Habitat Survey – A Technique for Environmental Audit' (JNCC, 2010). The survey consisted of a visual survey of the site, identifying the broad habitat types present, identifying the suitability of the site to support protected and priority species.
- 3.2.1 Incidental observations of protected and/or priority species and the potential for such species to occur on site (and in the surrounding landscape where relevant) were also noted, however no specific protected/priority species surveys were undertaken as part of this preliminary ecological assessment.
- 3.2.2 A search for plant species as included in Schedule 9 of the Wildlife and Countryside Act (1981) as amended, was made during the survey. Under the Act it is an offence to spread, or cause the spread of, these species.

3.3 LIMITATIONS

- 3.3.1 Third party biological records do not represent a full species list for the area. The absence of records does not necessarily indicate absence of a species or habitat but rather that these have not been recorded or are perhaps under-recorded within the search area. The results of the survey and assessment undertaken by EcoVigour Ltd are representative at the time of survey.
- 3.3.2 This document does not contain a comprehensive list of botanical species on site with only plant species characteristic of each habitat and any incidental observations of notable plant species recorded. In addition, many plant species are only evident at certain times of the year; therefore, some plant species may have been undetected.



4 RESULTS

4.1 DESIGNATED SITES

4.1.1 The figures and table below summarise and outline the Statutory and Non-Statutory sites within 1km to 2km of the project area. The specifics of these sites, if within an impact radius will be discussed in section 5.

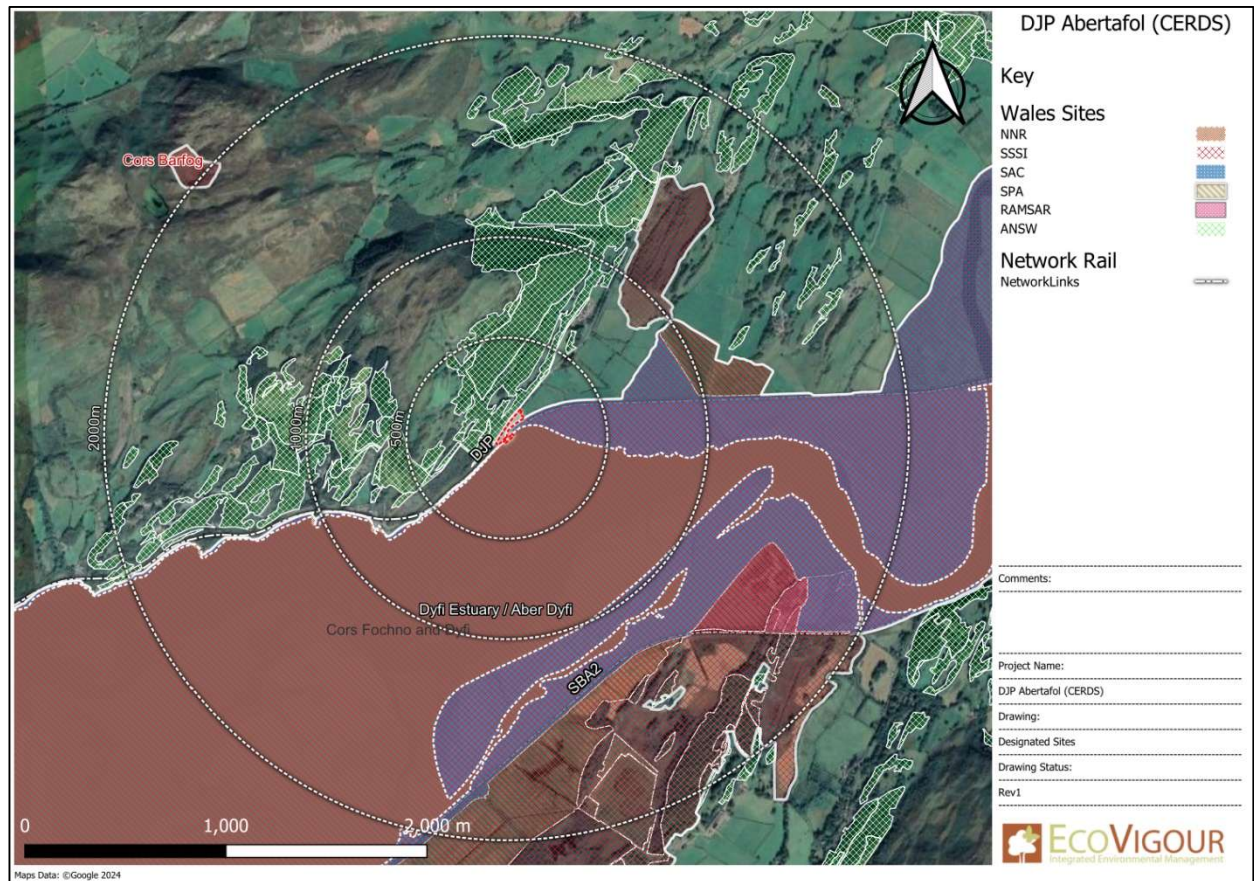


Figure 2: Designated Sites within 2km of project.

Table 2: Summary of designated sites.

Distance	Site Type	Site Name
0	SSSI	Dyfi
0	SAC	Pen Llyn a'r Sarnau / Llyn Peninsula and the Sarnau
0	SPA	Dyfi Estuary / Aber Dyfi
0	RAMSAR	Cors Fochno and Dyfi
10	NNR	Dyfi
943	RSPB Reserve	Ynys-Hir

Key: Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR, Natural Nature Reserve (NNR).

4.1.2 The estuary facing portion of the structure and survey area is directly within the Dyfi SSSI, SAC, SPA and RAMSAR.



4.2 ANCIENT WOODLAND

- 4.2.1 There are several ancient woodland blocks within 500m of the site. However the route of access and specific works area are not within an impacted radius of these priority woodland blocks.

4.3 WATERBODIES

- 4.3.1 The main watercourse of concern is the Afon Dyfi, which flows directly into the works footprint during high tide. During low-tide (dependent on time of year), the base of the structure is exposed and dry.
- 4.3.2 There are no mapped static waterbodies within 500m of the works footprint.



Figure 3 - Watercourses within 500m of project.



4.4 SURVEY FIGURES

4.4.1 The figures below provide a visual summary of the walkover. This is not an extensive collection of the images collected from the survey. Additional images are available upon request.



Figure 4: Estuary side of underbridge.

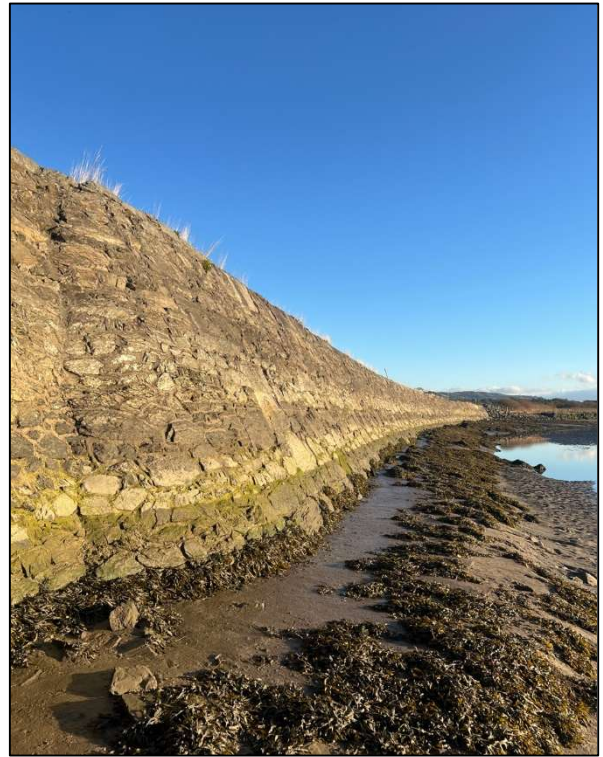


Figure 5: Sea Defence Wall of DJP Rail Line.



Figure 6: Masonry Arch of underbridge, with stress fracture observed.



Figure 7: Visible strandline on the landward side of the survey area.

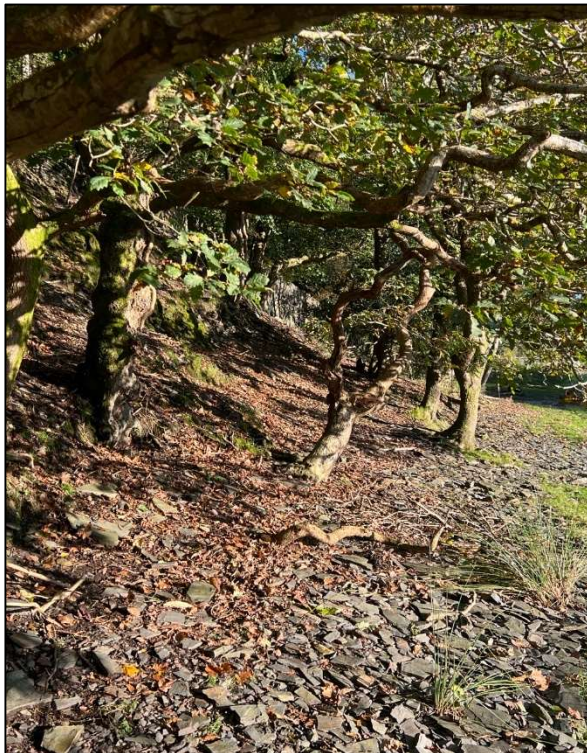


Figure 8: Woodland interface with strand intertidal extents.

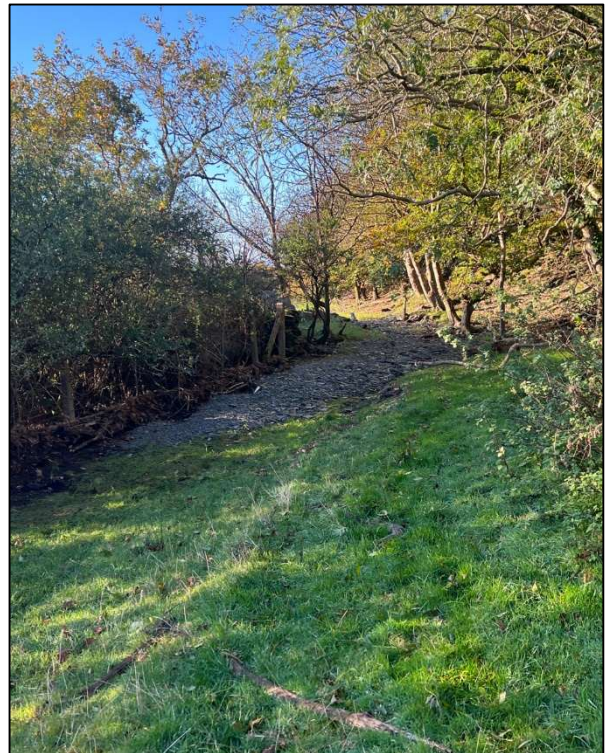


Figure 9: Edge of field to area influenced by tides.

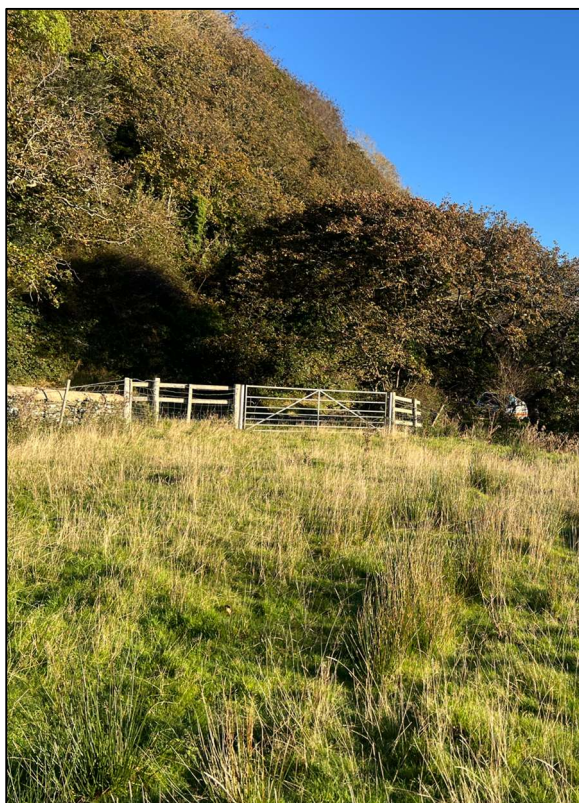


Figure 10: Gate allowing access to field and structure.



Figure 11: Mammal and wader prints within exposed mud at low tide.



4.5 COMBINED FIELD SURVEY AND DATA SUMMARY

Habitat:

4.5.1 Broadly the habitat consists of established liner coastal/estuarine deciduous woodland along the steep base of the valley, below the A493 road, which is retained above the survey area. The semi-improved grassland to the northeast of the structure, appears occasionally grazed, but not intensely. The intertidal strand line is clearly visible within 30m of the structure. The estuary facing section of the survey area is dominated by the intertidal mud and sand habitats below the sea defence wall up and down stream of the underbridge structure.

Species Locations:

4.5.2 A summary of notable species locations are indicated below, please note, birds are not summarised due to their highly transient nature, however a species summary is provided in Appendix A. In addition, some species note are beyond the frame of this drawing (beyond 2km) from the sites central point. However, these species are noted and their approximate distances from the site, within the sub-section below.

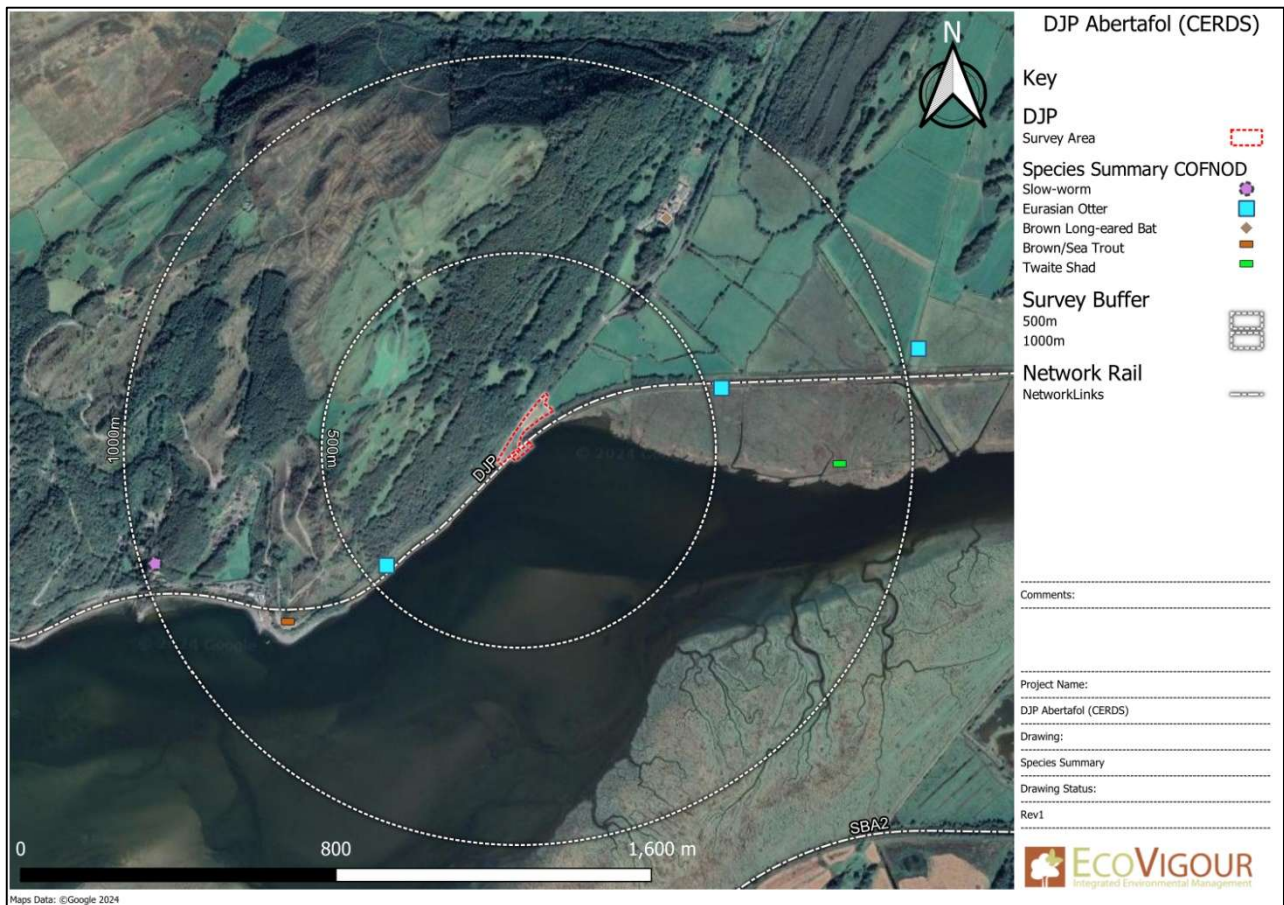


Figure 12: Species Location Summary.



Bird species:

4.5.3 The survey was undertaken outside of the traditional bird nesting season. Common species such as black bird, robin, wood pigeon during the survey. No active nesting was found within proximity the survey area, but given the context of the site, over wintering wading bird foraging within proximity to works should be assumed. The available data search contains a number of recorded species within 2km of the works location. A full list of these species is available in Appendix A.

Bat species:

4.5.4 A very limited number bat species were recorded within the dataset, with only Brown Long Eared, being return within the dataset.

Table 3: List Bat Species Recorded within dataset.

Distance	Scientific Name	English Name	Species Group
695	Plecotus auritus	Brown Long-eared Bat	Terrestrial Mammal

4.5.5 Potential Roosting Features (PRF's) were noted within cavities of the wingwall masonry (see figure). Given the sites proximity to larger woodlands, containing ancient components, and proximity to linier natural and artificial features. A local and more diverse bat population can be reasonable assumed to be present.



Figure 13: Cavity feature within northeast wingwall.

Terrestrial Mammal Species:

4.5.1 A very limited amount of terrestrial mammal data was returned within the 1-2km COFNOD data search, limited to only Eurasian Otter (*lutra lutra*).

4.5.2 No definitive features pertaining to Otters were observed within the survey area, however the habitat is still suitable for this species and the Afon Dyfi is known to support Otter populations. Potential hind prints of Otters was observed within the assemblage of prints (see figure 11), below the structure.

Table 4: List of terrestrial mammals within dataset.

Distance	Scientific Name	English Name	Species Group
446	Lutra lutra	Otter	Terrestrial Mammal

4.5.3 A wider search was undertaken up and down stream of the structure and inland within the raised woodland location in an effort to identify potential layup or holt feature. However, no such features were identified within the survey area. It possible species such as Otter utilise the underbridge during difficult conditions to travel along the liner corridor between habitats.



- 4.5.4 Eurasian Badger have not been recorded within the data search, however, given the onsite quality of the habitat and connectivity to larger woodland and agricultural land, their presence can be assumed.
- 4.5.5 No records of Hazel Dormice were returned within the dataset. However, the woodland s to the north of the site contain fruit baring plant species such as bramble and hazel, and feature consistent canopy cover. The woodland edges below the A493 at this location and at the structure however are 'negligible' in terms of value for Dormice. Portions of connectivity 'suitable' connective habitats (coppiced hazel linier woodland) are present to the east and west of the site, however these are outside of the remedial works context.

Amphibian and Reptile Species:

- 4.5.6 No definitive evidence of amphibian or reptiles presence was recorded during the survey, however there are opportunities for basking and ample connectivity to other habitat along sections of rail corridor. Only Slow-Worm records were returned within the dataset, situated circa 1km away to the southwest of the structure.

Table 5: List of Amphibian and Reptile records within dataset.

Distance	Scientific Name	English Name	Species Group
964	Anguis fragilis	Slow-worm	Reptile

Aquatic

- 4.5.7 A small variety of species has been recorded, summarised within the table below. The survey area did not include a full estuarine survey, however, as this is outside the current scope of the assessment and proposed works remit.

Distance	Scientific Name	English Name	Species Group
735	Salmo trutta	Brown/Sea Trout	Bony Fish (Actinopterygii)
817	Alosa fallax	Twaite Shad	Bony Fish (Actinopterygii)

Marine Invasives

- 4.5.8 Species such as slipper limpet (*Crepidula fornicata*) and Modest barnacle (*Austrominius modestus*) were not observed upon the structure at the time of survey.



5 ASSESSMENT AND RECOMMENDATIONS

This section provides a broad assessment of the information gathered and scopes out potential ecological vectors before remaining considerations and actions are proposed in the following recommendations and opportunities sections below.

5.1 HABITATS

- 5.1.1 Estuarine habitats and flood risk habitats are highly vulnerable to pollution events. Please review latter sub-sections within additional information of relevant GPP's.

5.2 BIRD SPECIES

- 5.2.1 Works are scheduled to occur outside of the traditional nesting season. However, the legislation below still applies:
- 5.2.2 The Wildlife and Countryside Act 1981 (as amended) is the principal legislation affording protection to UK wild birds. All birds, their nest and eggs are protected by law under this legislation, it is an offence (with certain exceptions), to recklessly or intentionally:
- ◆ Intentionally kill, injure or take any wild bird.
 - ◆ Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built.
 - ◆ Intentionally take or destroy the egg of any wild bird.
 - ◆ Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.
- 5.2.3 **Note:** Nesting birds found outside of nesting season are protected by the same level of protection as that within the standard nesting period.
- 5.2.4 If nests are present, then a minimum 5m exclusion zone should be established around the nest(s) and no de-vegetation or other heavy machinery work should be carried out within the exclusion zone(s) until it is confirmed that the nest(s) is completed and that the young have fledged.
- 5.2.5 If nests are present, then a minimum 5m exclusion zone should be established around the nest(s) and no de-vegetation or other heavy machinery work should be carried out within the exclusion zone(s) until it is confirmed that the nest(s) is completed and that the young (if present) have fledged.

5.3 BAT SPECIES

- 5.3.1 All British bats and any place used for shelter or protection or breeding site or resting place (their roosts) are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 5.3.2 Together these protect bats from:
- ◆ Selling, offering for sale, possessing or transporting for the purpose of the sale or publishing advertisements to buy or sell a protected species.
 - ◆ Deliberate, intentional or reckless killing, injury or taking of bats.
 - ◆ Damage to or destruction of or, obstruction of access to any place of shelter, breeding (roost) or rest.
 - ◆ Disturbance of an animal occupying a structure or place.
 - ◆ The deliberate disturbance of any bat species in such a way as to be significantly likely to affect;
 - their ability to survive, hibernate, migrate, breed, or rear or nurture their young; or
 - the local distribution or abundance of that species.



- 5.3.3 No features or trees within the initial scope of clearance yielded higher than negligible potential for bat roosting. However, the defects within the structure noted in the previous section should be inspected prior to remedial works as a precautionary measure, by a licensed bat ecologist.

5.4 REPTILES & AMPHIBIANS

- 5.4.1 The presence of reptiles and amphibians was not visually confirmed during the ecological assessment (presence or absence surveys have not been undertaken). Best practice measures will be implemented inline with the descriptions below.

Common Species

- 5.4.2 All commonly occurring reptile species (common lizard, slow worm, grass snake and adder) are protected by UK law, making it an offence to injure or kill them. Care must be taken to avoid killing or injuring reptiles & amphibians. All commonly occurring reptile species (common lizard, slow worm, grass snake and adder) are protected by UK law, making it an offence to injure or kill them. Care must be taken to avoid killing or injuring reptiles & amphibians. All reptile species are partially protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This legislation protects reptiles from:

- ◆ Reckless or intentional killing and injury.
- ◆ Selling, offering for sale, possessing or transporting for the purpose of the sale or publishing advertisements to buy or sell a protected species.

- 5.4.3 Where these animals are confirmed as present on land that is to be affected by development, guidance recommends that:

- ◆ The animals should be protected from injury or killing during construction operations;
- ◆ Mitigation should be provided to maintain the conservation status of the species locally.

- 5.4.4 Precautionary methods to avoid injury or death of reptiles potentially present on site may include:

- ◆ Staged cutting of vegetation. Any vegetation being removed will be cut using hand tools to a **height of no less than 150mm and left for 48 hours** so that any animals within can disperse, with no vegetation will be removed below 150mm;
- ◆ Vegetation removal must be undertaken in a **slow, systematic manner** to allow any animals present to disperse safely away from the site and adjacent suitable habitat;
- ◆ Dismantling of refugia/hibernacula by hand or carefully by machine and scraping through ballast with a toothed bucket;
- ◆ If, during the works, a reptile is found, **works will stop (this is a legal requirement)** and the project ecologist will be contacted. To aid accurate species identification, a photograph of the animal should be taken and sent to the project ecologist. The animal (if unharmed) should be allowed to disperse of its own accord;
- ◆ Works should be undertaken within the reptile active period (March to early October), on warm days, when reptile species are more active and can readily escape any disturbance. If this is not possible due to project timescales, an ecologist on site will dismantle by hand any hibernation features. Any reptiles discovered in this period should be covered over and remain in situ where possible or moved to a safe place outside of the works area with hibernacula used to shelter them.
- ◆ If any injured reptiles are found during the works on site, these will be carefully placed into a clean bucket containing some vegetation and covered over in a quiet place away from the works and an ecologist or local wildlife hospital must be contacted immediately.

- 5.4.5 If any non-protected amphibian species are found during the works, then these will be moved to safety by the supervising ecologist.



5.5 TERRESTRIAL MAMMAL SPECIES

Eurasian Otter (*Lutra lutra*)

- 5.5.1 The watercourse and inland survey element did not yield priority features pertaining to Otters, however, as Otter are confirmed to be moving up and down stream of this estuarine section. The below legislation and guidelines apply.
- 5.5.2 Given the SAC's proximity to the structure and that Otters are a notable, although not Annex II feature of the site, the below legislation and best practices will be relevant to the remedial works, and will be incorporated into a supporting HRA.
- 5.5.3 Otters are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.
- 5.5.4 It is an offence to:
 - ◆ deliberately kill, injure, disturb or capture them.
 - ◆ damage or destroy their breeding sites and resting places - even if otters are not present.
 - ◆ possess, control or transport them (alive or dead)
- 5.5.5 It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:
 - ◆ disturb otters while they occupy a structure or place used for shelter or protection.
 - ◆ obstruct access to a place of shelter or protection.
- 5.5.6 As an initial form of best practice to add to the working methodology (pre additional surveys), where possible, works should be carried out during daylight hours (up to 30 minutes after sunrise and 30 minutes before sunset) where possible, to avoid disturbance to commuting or foraging otters.
- 5.5.7 Any sightings of otter will be reported to the project environmental coordinator. The principal contractor must ensure that equipment stored near the scour well secured and not in a fashion that could ensnare or trap otter (or any other animal).
- 5.5.8 Toolbox talks must be provided to the project team ahead of the works near the watercourse and an environmental check by an ecologist prior to works is recommended.

5.6 INVASIVE SPECIES

- 5.6.1 Schedule 9 invasive species (Japanese Knotweed) of the Wildlife and Countryside Act in England and Wales has been confirmed to be present further downstream of the project. It is an offence to plant or otherwise cause to grow these species in the wild.
- 5.6.2 No INNS have been observed to date, however a formal INNS plan will be features as part of the Biosecurity Risk Assessment which will accompany a formal Marine License Application.



5.7 POLLUTION CONTROL AND DRAINAGE

Pollution Control

5.7.1 All works near any watercourse will be conducted in line with industry standard best practice, *Guidance for Pollution Prevention (GPPs)*. This will avoid the risk of polluting the watercourse through chemical contamination or substrate run off. This includes:

- ◆ All work on the proposed development site will be undertaken in accordance with relevant NRW / Environment Agency guidance on working in proximity to a watercourse / ditch / water source;
- ◆ The free flow of water along watercourses / ditches will be ensured at all times during the construction phase. Should this not be possible, an appropriate method statement and methodology for an alternative will be proposed and approved prior to any construction commencing;
- ◆ There will be no direct lighting of watercourses / ditches, following construction and development;
- ◆ There will be no night working within 5m of the reeve;
- ◆ Sediment trapping device (e.g. silt fencing) will be provided and used to prevent sediment runoff during the construction phase of the development;
- ◆ The use of flocculent should be considered as part of the design process so that the relevant permits may be applied for in advance of work commencing if required;
- ◆ Designated areas will be provided for parking, washing facilities, refuelling, storage of fuels, oils, lubricants and materials e.g. cement, concrete, bentonite clay;
- ◆ Drip trays to be placed under all stationary, parked plant, machinery and vehicles during the construction period;
- ◆ Storage of fuels and other liquids will only be in bunded (to 110%) containers;
- ◆ All plant, machinery and vehicles to be inspected for leaks and malfunctions on a daily basis;
- ◆ All plant and machinery to be washed down after leaving the previous contract site and before entering the compound / work site for the first time;
- ◆ Cessation of work during high rainfall periods to ensure mitigation measures are not overwhelmed;
- ◆ Spill kits and other pollution restricting measures (and appropriate training for personnel) will be provided and kept available on site during the construction period;
- ◆ All construction activities will be subject to the use of activity specific permits linked to risk assessments and a risk register wherever necessary; and
- ◆ Water quality in all watercourses will be monitored daily to check for discolouration, sediment, turbidity and fuels, oils and lubricants as well as any other chemicals for which COSHH sheets are required which could feasibly enter any such watercourse.

5.7.2 Toolbox talks can be used to inform personnel undertaking works on the correct site protocol with regards to refuelling and general site behaviour (**i.e. No refuelling on site, all equipment stored on spill nappies, no night works and no materials to be left on site**)

5.8 PROTECTED SITES AND PERMITTING

5.8.1 The works context and location require the submission of a Band 2 Marine License, with supporting Habitat Regulation Assessment (HRA) and Water Framework Directive (WFD) documentation.



6 REFERENCES

CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal – Second Edition*.

Collins (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). The Bat Conservation Trust, London.

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7 APPENDIX A – SPECIES RECORDS (BIRDS)

Scientific Name	English Name	Welsh Name
<i>Numenius arquata</i>	Curlew	Gylfinir
<i>Calidris pugnax</i>	Ruff	Pibydd Torchog
<i>Cuculus canorus</i>	Cuckoo	Cog
<i>Limosa limosa</i>	Black-tailed Godwit	Rhostog Gynffonddu
<i>Tringa nebularia</i>	Greenshank	Pibydd Coeswyrdd
<i>Vanellus vanellus</i>	Lapwing	Cornchwiglen
<i>Charadrius hiaticula</i>	Ringed Plover	Cwtiad Torchog
<i>Chroicocephalus ridibundus</i>	Black-headed Gull	Gwylan Benddu
<i>Larus argentatus</i>	Herring Gull	Gwylan y Penwaig
<i>Muscicapa striata</i>	Spotted Flycatcher	Gwybedog Mannog
<i>Falco peregrinus</i>	Peregrine	Hebog Tramor
<i>Anthus trivialis</i>	Tree Pipit	Corhedydd y Coed
<i>Ficedula hypoleuca</i>	Pied Flycatcher	Gwybedog Brith
<i>Ichthyaeetus melanocephalus</i>	Mediterranean Gull	Gwylan Môr y Canoldir
<i>Passer domesticus</i>	House Sparrow	Aderyn y To
<i>Phylloscopus sibilatrix</i>	Wood Warbler	Telwr y Coed
<i>Prunella modularis</i>	Dunnock	Llwyd y Gwrych
<i>Turdus philomelos</i>	Song Thrush	Bronfraith
<i>Pandion haliaetus</i>	Osprey	Gwalch y Pysgod
<i>Circus aeruginosus</i>	Marsh Harrier	Boda'r Gwerni
<i>Circus cyaneus</i>	Hen Harrier	Boda Tinwyn
<i>Clangula hyemalis</i>	Long-tailed Duck	Hwyaden Gynffon-Hir
<i>Dryobates minor</i>	Lesser Spotted Woodpecker	Cnocell Fraith Leiaf
<i>Emberiza citrinella</i>	Yellowhammer	Bras Melyn
<i>Falco tinnunculus</i>	Kestrel	Cudyll Coch
<i>Limosa lapponica</i>	Bar-tailed Godwit	Rhostog Gynffonfraith
<i>Milvus milvus</i>	Red Kite	Barcud
<i>Tyto alba</i>	Barn Owl	Tylluan Wen
<i>Bucephala clangula</i>	Goldeneye	Hwyaden Lygad-Aur
<i>Calidris canutus</i>	Knot	Pibydd yr Aber
<i>Haematopus ostralegus</i>	Oystercatcher	Pioden Fôr
<i>Mergus serrator</i>	Red-breasted Merganser	Hwyaden Frongoch
<i>Phylloscopus trochilus</i>	Willow Warbler	Telwr yr Helyg
<i>Tadorna tadorna</i>	Shelduck	Hwyaden yr Eithin
<i>Tringa totanus</i>	Redshank	Pibydd Coesgoch
<i>Calidris alba</i>	Sanderling	Pibydd y Tywod
<i>Calidris alpina</i>	Dunlin	Pibydd y Mawn
<i>Gulosus aristotelis</i>	Shag	Mulfran Werdd
<i>Hirundo rustica</i>	Swallow	Gwennol
<i>Larus canus</i>	Common Gull	Gwylan y Gweunydd
<i>Larus fuscus</i>	Lesser Black-backed Gull	Gwylan Gefnddu Leiaf
<i>Gallinago gallinago</i>	Snipe	Giach Cyffredin
<i>Anas platyrhynchos</i>	Mallard	Hwyaden Wylt
<i>Motacilla cinerea</i>	Grey Wagtail	Siglen Iwyd
<i>Regulus regulus</i>	Goldcrest	Dryw Eurben
<i>Troglodytes troglodytes</i>	Wren	Dryw
<i>Aegithalos caudatus</i>	Long-tailed Tit	Titw Cynffon-Hir
<i>Anas acuta</i>	Pintail	Hwyaden Lostfain
<i>Anthus pratensis</i>	Meadow Pipit	Corhedydd y Waun
<i>Chloris chloris</i>	Greenfinch	Llinos Werdd
<i>Columba palumbus</i>	Woodpigeon	Ysguthan



<i>Corvus frugilegus</i>	Rook	Ydfran
<i>Periparus ater</i>	Coal Tit	Titw Penddu
<i>Phoenicurus phoenicurus</i>	Redstart	Tingoch
<i>Sylvia borin</i>	Garden Warbler	Telor yr Ardd
<i>Turdus viscivorus</i>	Mistle Thrush	Brych y Coed
<i>Actitis hypoleucos</i>	Common Sandpiper	Pibydd y Dorlan
<i>Ardea alba</i>	Great White Egret	Crêyr Mawr Gwyn
<i>Ardea cinerea</i>	Grey Heron	Crêyr Glas
<i>Branta leucopsis</i>	Barnacle Goose	Gwydd Wyran
<i>Oenanthe oenanthe</i>	Wheatear	Tinwen y Garn
<i>Phalacrocorax carbo</i>	Cormorant	Mulfran



APPENDIX B – ADDITIONAL LEGISLATION

INTERNATIONAL

Prior to the 31st January 2020, European Union legislation required that member states designate sites for the protection of habitats and species included in the annexes of both Council Directive 92/43/EC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive) and Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). This legislation was implemented in the UK by the Conservation of Habitats and Species Regulations 2017 (“the Habitat Regulations”). This results in sites being designated as Special Areas of Conservation (SACs) and Special Protection Areas respectively (SPAs).

Following the UK’s exit from the European Union on 31st January 2020, the law responsible for continuing to implement this legislation through the transition period is The Conservation of Habitats and Species (Amendment) (EU EXIT) Regulations 2019. All legislation within the Conservation of Habitats and Species Regulation 2017 still apply within the UK under the amendment to the 2017 regulations until otherwise notified.

Working in protected sites or disturbing protected species is possible as long as consent has been issued by Natural Resources Wales (NRW).

It is possible to undertake damaging activities under the auspices of a Protected Species Licence issued by NRW which provides a derogation from the Regulations, meaning that an otherwise illegal operation carried out under licence is lawful.

NATIONAL (UK)

The Wildlife and Countryside Act 1981 (as amended) allows sites to be designated as Sites of Special Scientific Interest (SSSI) for one or all of the following categories:

- ◆ Flora;
- ◆ Fauna;
- ◆ Habitat; and
- ◆ Geological importance.

European designated sites are automatically designated as SSSIs prior to their designation.

The relevant legislation includes:

- ◆ The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended);
- ◆ The Conservation of Habitats and Species Regulations 2010 (as amended);
- ◆ The Wildlife and Countryside Act 1981 (as amended);
- ◆ Countryside and Rights of Way Act 2000;
- ◆ Wild Mammals (Protection) Act 1996;
- ◆ The Protection of Badgers Act 1992; and
- ◆ The Hedgerow Regulations 1997.

Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) requires all public bodies to have regard wherever possible to conserving biodiversity. Section 42 of the Act requires that a list of habitats and species of Principle Importance for the Conservation of Biological Diversity be produced.