Conservation and Management Advice

FARAY AND HOLM OF FARAY

APRIL 2025

This document provides advice to Public Authorities and stakeholders about the activities that may affect the protected features of Faray and Holm of Faray Special Area of Conservation (SAC). It provides advice from Scottish Natural Heritage (SNH) (operating under the name of and hereinafter referred to as NatureScot) under Regulation 33(2) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland) to other relevant authorities about any activities/operations which may cause deterioration of the habitats or species, or disturbance of species protected in the SAC, and the Conservation Objectives for the site. It covers a range of different activities and developments but is not exhaustive. It focuses on where there is a risk to achieving the Conservation Objectives. The paper does not attempt to cover all possible future activities or eventualities (e.g. as a result of accidents), and does not consider cumulative effects.

Further information on marine protected areas and management is available at -

https://www.gov.scot/policies/marine-environment/marine-protected-areas/

For the full range of MPA site documents and more on the fascinating range of marine life to be found in Scotland's seas, please visit -

www.nature.scot/mpas or https://jncc.gov.uk/advice/marine-protected-areas/

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1 Overview of document

This document provides details of the Conservation and Management Advice for Faray and Holm of Faray Special Area of Conservation (SAC) and it is divided into eight main sections. The introduction in section 2 gives an overview of Faray and Holm of Faray SAC and its contribution in terms of conservation and wider benefits. Section 3 provides an overview of the roles of the various bodies involved with advising, regulating and managing the Marine Protected Area. Section 4 describes the protected features and their condition, and section 5 introduces the Conservation Objectives for the site. Section 6 describes the threats and pressures to which the protected features are sensitive, and section 7 provides the management advice for these activities. Section 8 identifies what further research and surveys may be required to increase our understanding of how the protected features utilise the site for which they are designated.

Throughout this document the term Special Area of Conservation (SAC) is used in relation to the site name, e.g. Faray and Holm of Faray SAC or in discussion of the specific legislation relating to the site. Otherwise, the term Marine Protected Area (MPA) is used when discussing the site or the MPA network generally. The term qualifying features is used in the Conservation Objectives (Annex 1) to refer to habitats and species that the Faray and Holm of Faray SAC has specifically been designated to protect. Within the wider document text, the term protected features is used to refer both to these specific site features and more generally to species or habitats protected through MPA designations.

2 Introduction

2.1 Purpose statement

Faray and Holm of Faray SAC has been designated for grey seals. By doing so, it contributes to the Scottish, UK and OSPAR MPA networks, the conservation of the wider marine environment around Scotland, and progress towards Good Environmental Status within the UK. The main purpose of the Faray and Holm of Faray SAC is to contribute to the favourable condition status of grey seals in the UK.

2.2 Conservation benefits

Faray and Holm of Faray SAC provides conservation benefits by affording protection to grey seals. In summary, the conservation benefits of this designation are:

- Protection of the large breeding population of grey seals. The SAC makes up around 10% of the North Coast and Orkney seal management unit's production (SCOS, 2022).

2.3 Wider benefits

Grey seals at Faray and Holm of Faray SAC contribute to ecosystem services locally and across the wider marine ecosystem. We describe these ecosystem services in terms of their functions (the support or provision of something to the wider ecosystem e.g. habitat, nutrient cycling) and natural resources (e.g. wildlife), which in turn lead to benefits for people.

Figure 1 illustrates how the grey seals at Faray and Holm of Faray SAC contribute to benefits for people.

Grey seals, especially when taken within the context of the whole site and/or local ecosystem, contribute to certain functions more than others, e.g. biomass production, and are fundamental to the continued supply of natural resources and benefits associated with this MPA.

The MPA consists of the coast and surrounding seas of two islands – Faray and Holm of Faray - lying between Westray and Eday in the Orkney Islands. The surrounding marine environments support a variety of natural resources including fish, shellfish (including juveniles), mammal and bird species, in particular high densities of grey seal. There appear to be several locations that are preferred by grey seals for hauling out (Ware Geo and Scammalin Bay on the southeast of Faray, Geo of Lackguoy and Sheepright Geo on the west coast of Faray, and the whole of the Holm of Faray).

The rich and varied natural resources present around the islands give rise to a wide range of benefits to people. The complexity of the shoreline, the turbid waters around the islands and the dramatic views in all directions create a unique seascape and a sense of place. Fisheries and supporting businesses from local communities within and around the islands utilise and benefit from the wildlife and the area's fish and shellfish resources. The islands are socially valued by local communities, as people have worked the islands for many generations – including grazing. Further benefits relating to health and well-being, food and nutrition also arise from the site's natural resources.

The benefits that arise from the functions and natural resources of the MPA are typically small in the context of the whole of Scotland, but some are of greater importance for this MPA and the people that use it. There is potential for these benefits to be enhanced. This may be achieved through promoting more recreational enjoyment or study of the site, compatible with the Conservation Objectives.

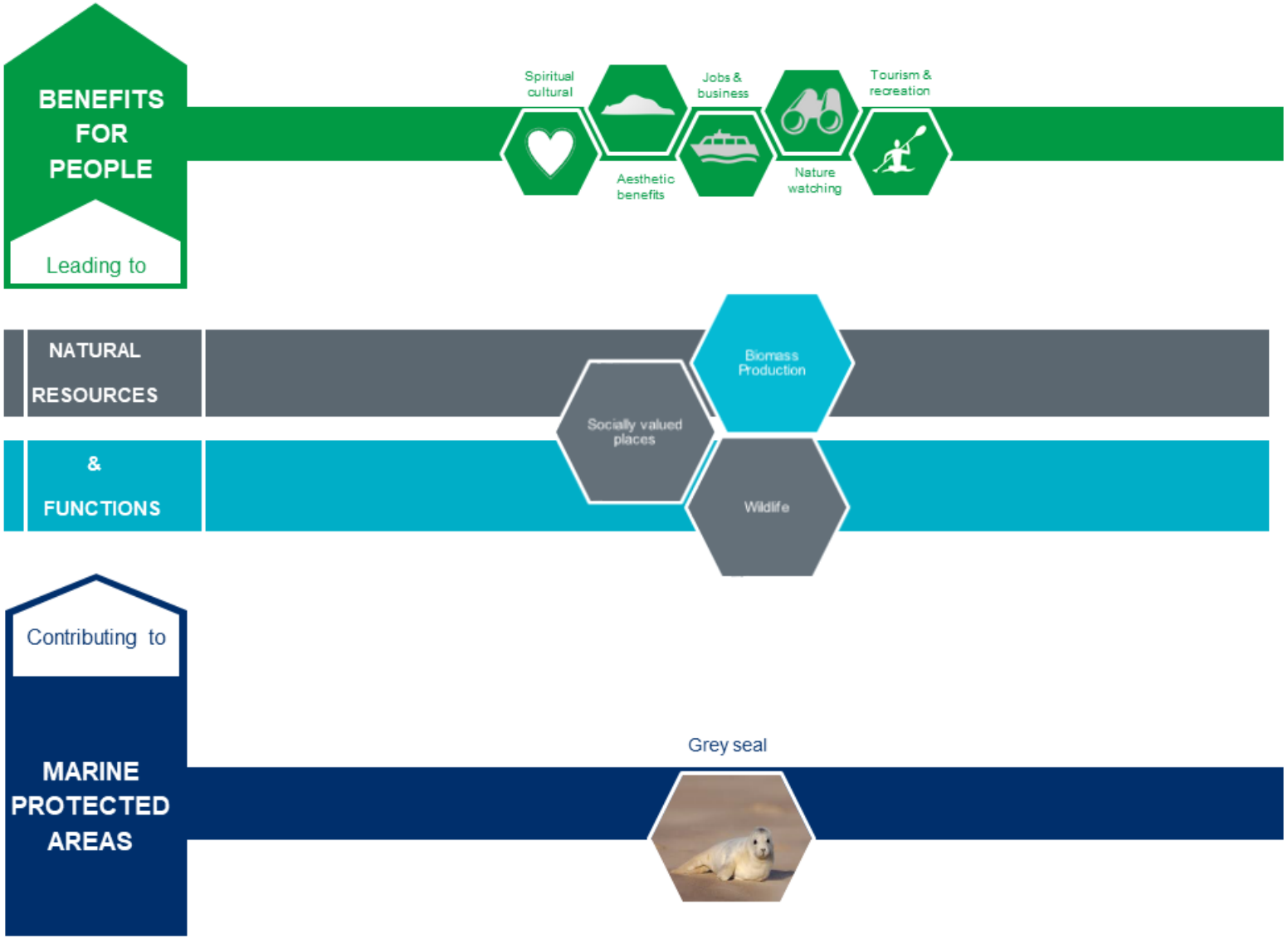

Figure 1 *Benefits to people associated with protected feature of the Faray and Holm of Faray SAC.*

2.5 Contribution to policy commitments

Managing Faray and Holm of Faray SAC to restore the grey seal population to favourable condition, will ensure the continued provision of the benefits above as well as the site's contribution to:

- An ecologically coherent network of MPAs which are well managed under the OSPAR convention and national legislation.
- Achieving Favourable Conservation Status for grey seal in the UK.
- Progress towards achieving Good Environmental Status particularly in relation to seals.
- Making a significant contribution to the protection, enhancement and health of the marine area under the National Marine Plan.
- Restoring marine and coastal ecosystems and increasing the environmental status of our seas under the Scottish Biodiversity Strategy.

3 Roles

This document provides advice for Faray and Holm of Faray SAC in relation to activities that may affect the protected feature. More detailed advice can be provided to public authorities to inform their decision making as required. In doing this, our aim is to ensure the Conservation Objectives for the SAC are met.

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland) (hereafter referred to as the Habitats Regulations) transpose the EC Habitats Directive into domestic legislation. Regulation 33(2) gives Scottish Natural Heritage (now referred to as NatureScot) a statutory responsibility to advise other relevant authorities about any activities/operations which may cause deterioration of the protected features, or disturbance of species protected in a European site (SAC or Special Protection Area), and the Conservation Objectives of the site.

It is the role of the relevant and competent authorities[1] to ensure that the activities they regulate, permit or license do not risk the achievement of the Conservation Objectives of the Faray and Holm of Faray SAC. The management advice in this document is provided to assist authorities in managing the activities outlined in Table 2 and undertaking Habitats Regulations Appraisals of plans and projects.

Stakeholders can provide additional evidence to support the development of management including local knowledge of the environment and of activities. This will contribute to the development of well-designed and effective management decisions and measures.

[1] Relevant authorities are defined in Regulation 5 of the Habitats Regulations and encompass those authorities that have functions in relation to land/water within or adjacent to a European Marine Site (includes marine SACs). They are nature conservation bodies, local authorities, water undertakers, navigation authorities, harbour authorities, lighthouse authorities, SEPA, district salmon fishery board and, National Park Authorities and local fisheries committees. Competent authorities include any Minister, government department, public body, or person holding public office.

4 Protected features and status

The Faray and Holm of Faray SAC has been selected to become part of Scotland's MPA network which in turn has been established to help conserve and recover a range of Scotland's important marine habitats, wildlife, geology and landforms.

Table 1 provides a summary of the protected feature within the MPA, its condition within the site based on the latest NatureScot Site Condition Monitoring assessment, and the broader conservation status of grey seal.

The location of the Faray and Holm of Faray SAC is shown in Figure 2. Grey seal distribution is not shown as the species is found throughout the site. Information on seal breeding areas and haul-outs is also available to view on Marine Scotland's seal webpages and the National Marine Plan Interactive.

Table 1. Condition status of grey seal at Faray and Holm of Faray SAC.
Feature condition refers to the condition of grey seal assessed at a site level. Broader conservation status is the overall condition of the feature throughout its range.

Protected Feature	Feature condition	Assessment date	Broader conservation status*
Grey seal (*Halichoerus grypus*)	Unfavourable - declining	2024	UK: Favourable European region: Favourable

* This is the conservation status of the protected feature within the UK as reported in the Habitats Directive, Article 17 Report 2019 and the Marine Atlantic Biogeographic Region in Europe as reported in Article 17 Report 2013.

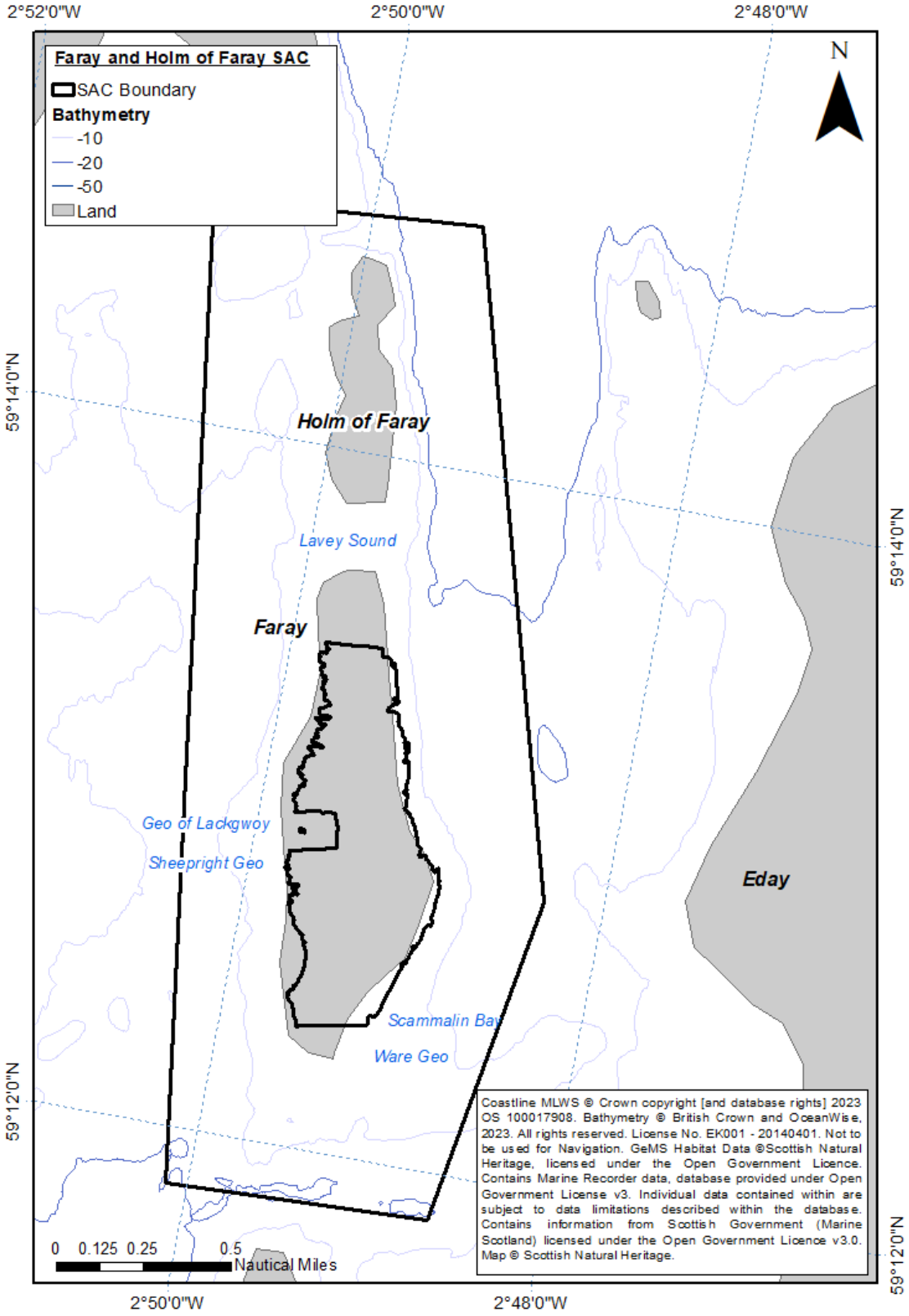

Figure 2. *Location of the Faray and Holm of Faray SAC. * Note the grey seal protected feature is not shown on the map as they will be distributed throughout the SAC.*

5 Setting Conservation Objectives

5.1 Background

Under Regulation 33(2) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland) (hereafter referred to as the Habitats Regulations), NatureScot have responsibility for providing the Conservation Objectives for the SAC. These site-level Conservation Objectives seek to define the contribution that each site should make to the attainment of Favourable Conservation Status for the qualifying features. They provide the framework for the setting of site conservation measures (management) and for the Habitats Regulations Appraisal of projects and plans.

The Conservation Objectives for Faray and Holm of Faray SAC are provided in Annex 1.

5.2 Relationship between feature condition and Conservation Objectives

The Conservation Objectives seek to *maintain* the protected feature where evidence exists that it is in favourable condition in the site, or where there is uncertainty concerning the assessed condition of a feature (see section 4) but no reason to suspect deterioration in condition since designation. Where evidence exists that a feature is declining and/or damaged and therefore not in a favourable condition in the site, the Conservation Objectives will seek to *restore* the protected feature.

Grey seal is in unfavourable condition at Faray and Holm of Faray SAC and therefore the Conservation Objectives seek to *restore* this condition. The paragraphs below describe the reasoning behind this.

The unfavourable condition of grey seal at Faray and Holm of Faray SAC corresponds to a 43% decline in pup production in 2019 since the late 1990s with the SAC now accounting for 10% of the Seal Management Unit (SMU) production (SCOS, 2022). The decrease in pup production does not reflect the trend of the North Coast and Orkney SMU with both grey seal population and pup production remaining stable (SCOS, 2022).

As the SMU pup production is stable, the decline in pup production at Faray and Holm of Faray SAC appears to be due to changes in movement of pup activities to other locations within the SMA. The accessibility of the site to grey seals for pupping has not changed, with no loss in extent or distribution of habitat suitable for use by breeding and moulting seals observed. Disturbance is minimal during the breeding season when the seals are most concentrated in the site and most sensitive. This means there are no direct conservation measures that can be taken at a site level to address the causes of the unfavourable condition of grey seal. Therefore, the focus of the Conservation Objectives for grey seal are ensuring that the conditions on site are suitable to support a recovery.

5.3 Overlapping Protected Areas boundaries

The following protected areas (PAs) overlap with Faray and Holm of Faray SAC:

- Faray and Holm of Faray SSSI

There are no apparent management conflicts between the protected features of these MPAs.

Site information for the PAs overlapping Faray and Holm of Faray SAC, including the Conservation Objectives for Faray and Holm of Faray SSSI are available on SiteLink.

6 Grey seal sensitivity

Grey seals are sensitive to human disturbance when they are hauled out. They are particularly sensitive during the breeding (September and late-November in Scotland, August to mid-December across the UK) and moulting (December to April periods) when they spend more time hauled out than usual. Female grey seals give birth to a single white coated pup, which they nurse for up to 23 days. After weaning, the pup remains on the breeding colony for two to three weeks before going to sea. People entering the breeding haul-out sites on foot or accessing the coastal waters by boat, passing close to the haul-out sites can cause disturbance and elicit head-up behaviour followed by a stampede into the water. This disturbance reduces the time grey seals are able to spend resting and can change their haul-out patterns. During the breeding season, disturbance from people can be particularly detrimental, interrupting lactation or causing the separation of mother and pup. Dogs that are not on a lead or under close control can be a particular source of disturbance.

In the marine environment, grey seals are also sensitive to underwater noise, entanglement and bio-accumulating toxins, notably persistent organochlorine compounds, PCBs and heavy metals.

Grey seals can habituate to some levels of disturbance (for example the same boat passing by the haul-out every day) over time. However, novel and/or prolonged events have the potential to affect the survival of pups, distribution within the SAC and abandonment of the haul-outs altogether.

Grey seals (particularly pups) are also vulnerable to exposure to oil and may be sensitive to any chemicals used to disperse an oil spill.

7 Management

7.1 Conservation Measures

The following conservation measures are currently in place or have been agreed for Faray and Holm of Faray SAC:

- The Habitats Regulations require all plans or projects that may cause an effect on the protected features of an SAC to be assessed against the Conservation Objectives for that site. This process is known as a Habitats Regulations Appraisal (HRA). An HRA is a rigorous statutory procedure that ensures the integrity of the site is maintained. It also provides an opportunity to consider appropriate mitigation that can reduce impacts, avoid adverse effects and permit plans or projects to proceed having taken full account of the protected features of an SAC.
- Marine (Scotland) Act 2010, Part 6 Conservation of seals (as amended): makes it an offence to kill, injure or take seals without a licence and makes it illegal to harass a seal (intentionally or recklessly) at a haul-out site. Licenses for the taking or killing of seals may be granted by Scottish Ministers for limited purposes.
- The Protection of Seals (Designation of Haul-Out Sites) (Scotland) Order 2014: introduced additional protection for seals at designated haul-outs. Haul-outs are locations on land where seals come ashore to rest, moult or breed. Harassing a seal (intentionally or recklessly) is an offence. Further guidance is available from Marine Scotland.
- The SAC overlaps with a notified Site of Special Scientific Interest (including grey seal) and management changes described on the list of Operations Requiring Consent must have prior consent from NatureScot.

7.2 Advice to support management

Table 2 provides NatureScot's advice on management for activities where we consider this may be necessary to achieve the Conservation Objectives for the protected feature. The advice is focused on the activities that cause an effect (a pressure) that a feature is sensitive to. Pressures can be physical (e.g. abrasion of the seabed), chemical or biological. Different activities may cause the same pressure, e.g. Acoustic Deterrent Devices at fish farms and pile driving which cause underwater noise.

Our advice takes a risk-based approach, i.e. we are focusing on providing advice where we believe there is a risk to achieving the Conservation Objectives. We have identified risks to achieving the Conservation Objectives where there is an overlap between protected features and activities associated with pressures that the features are sensitive to. We have provided management advice to support public authorities and others in managing these risks. Our advice is based on existing data and information on protected features and relevant activities, and our understanding of the relationships between the features and activities. We have identified a range of management advice:

- management to remove or avoid pressures;
- management to reduce or limit pressures; or
- no additional management required.

For our advice on fisheries management we have also stated where we think this should be 'considered.' This term is included to highlight that an issue exists, but circumstances mean that a specific recommendation for action cannot / or need not be made at this point. However, there is sufficient cause to make fishery managers aware of the issue and for them to consider if a fishery management measure may be helpful in achieving Conservation Objectives – particularly where there may be a synergy between the benefits of management actions for the fishery and the Conservation Objectives for the feature. The term 'recommended' highlights that an issue of fishery-feature interaction exists, there is a reasonable evidence base and a specific recommendation can be made/ justified.

New or other activities not identified within the table would need to be considered on a case-by-case basis.

We recognise that stakeholders can provide local environmental knowledge and more detailed information on activities, including in relation to intensity, frequency and methods. This additional information will help public authorities and others develop more specific management, focussed on the interaction between features and activities. If new information becomes available our management advice may be revised. Where management measures are required, the development of these would be undertaken through discussion with the relevant stakeholders.

Activities that are considered not likely to affect the protected features (other than insignificantly) are listed in Table 3. Spatial data relating to the location and extent of the activities listed can be accessed on Marine Scotland's National Marine Plan Interactive[2] (where available).

7.3 Best Practice

In our management advice for activities in Table 2 we refer to the development, adoption or use of 'best practice' as a way of managing interactions between activities and the features. Best practice is taken to mean approaches or procedures that are developed and accepted

[2] https://marinescotland.atkinsgeospatial.com/nmpi/

by regulators and relevant stakeholders as being an effective way of dealing with an interaction between a habitat or species and the pressures created by an activity. Much of this best practice is already being implemented by sectors and regulators, e.g. pre-application discussions between developers and regulators, the Scottish Marine Wildlife Watching Code (SMWWC)[3] and Technical Standards for Scottish Finfish Aquaculture[4].

[3] https://www.nature.scot/professional-advice/land-and-sea-management/managing-coasts-and-seas/scottish-marine-wildlife-watching-code
[4] https://www.gov.scot/publications/technical-standard-scottish-finfish-aquaculture/

Table 2. NatureScot's advice to support management for Faray and Holm of Faray SAC for activities which are considered capable of affecting grey seals.

The text under the 'Advice to support management' columns provides NatureScot's management advice for grey seals in relation to the activities (further details about the terminology used are provided in section 7.2). Where a cell is coloured grey this indicates that management is already in place, this includes where there are existing regulatory requirements for new proposals. Cells are also coloured grey where it is considered there is no additional management required to achieve the Conservation Objectives. An * has been used to highlight those activities to which the advice under '*Boat use associated with both commercial and recreational activities'* also applies. For some activities, the pressures associated with new proposals are considered unlikely to affect the feature either because these activities do not occur in the same locations as the feature or the pressure is unlikely to be at levels that can affect the feature (see Table 3). In these cases, we have not provided further advice however, where regulated; this does not exempt new plans or projects related to these activities undergoing a Habitats Regulations Appraisal (HRA).

Activities considered capable of affecting the protected features	**Advice to support management**
	Grey seals
Aquaculture*	**Remove or avoid pressures** (mortality, injury and disturbance) associated with new fish farms and significant modifications to existing fish farms including entanglement, the lethal control of predators, and the use of acoustic deterrent systems that increase in underwater noise and therefore disturbance within the SAC.
Boat use associated with both commercial and recreational activities	**No additional management** (disturbance) for boat use associated with existing commercial and recreational activities providing the Scottish Marine Wildlife Watching Code (SMWWC) is followed by waterborne recreational users. More information on the Code can be found at www.marinecode.org. **Reduce or limit pressures** associated with new boat use activities that result in significant increased vessel traffic for defined periods. This may include seasonal restrictions to avoid sensitive time periods for grey seals and/or; production of vessel management plans as part of the consenting/licensing process which may include agreed routes and potential speed restrictions.
Cables and pipelines*	**Reduce or limit pressures** (disturbance) associated with installation of new cable and pipeline infrastructure.
Coastal development – other*	**Reduce or limit pressures** where the activity could cause disturbance and/or loss of haul-out habitat.

Activities considered capable of affecting the protected features	Advice to support management Grey seals
Fishing - demersal mobile/active gear*	**See netting**
Fishing – static gear*	**See netting**
Grazing – domestic stock	**Remove or avoid pressures** during pupping season.
Netting* Bottom-set gill nets – including tangle and trammel nets. Drift nets – gill nets set in water column Purse seine and ring net Fyke nets	**Reduce or limit pressures** (entanglement) associated with the use of nets **is recommended.**
Renewable energy*	**Remove or avoid pressures** associated with new onshore developments during pupping season.
Scientific survey/research*	**Reduce or limit pressures** Survey work that is targeted on seals should abide by the SMWWC to reduce or limit the risks of collision and disturbance.
Seaweed harvesting*	**No additional management** for existing seaweed hand-harvesting activities. **Reduce or limit pressures** (disturbance) associated with new seaweed harvesting developments, especially during the breeding (September and late-November) and moulting (December - April) periods.
Seismic survey*	**Reduce or limit pressures** Minimise the impact of seismic or other acoustic surveys, which may cause injury or disturbance to through following the JNCC Guidelines for minimising the risk of injury to marine mammals from seismic surveys.

Activities considered capable of affecting the protected features	Advice to support management
	Grey seals
Tourism & recreation*	**No additional management** for existing recreational activities (includes diving, yachting, motor boats, angling and paddle sports such as kayaking) providing the Scottish Marine Wildlife Watching Code (SMWWC) is followed by water-borne recreational users. Coastal and island camping should follow the code too. The SMWWC highlights why seals are sensitive to disturbance and offers practical advice on how to avoid disturbance. **Reduce or limit pressures** where an increase by water-borne and coastal recreational activities demonstrates there is evidence of impacts at particular locations and/or if there is major increase in intensity of these pursuits within the SAC.
Wildlife tour operators*	**No additional management** for existing wildlife tour operators providing the SMWWC is followed. The SMWWC highlights why seals are sensitive to disturbance and offers practical advice on how to avoid disturbance. **Reduce or limit pressures** (disturbance) where an increase by wildlife tour operators demonstrates there is evidence of impacts at particular locations and/or if there is major increase in intensity of these pursuits within the SAC.

Table 3. Activities that are considered not likely to affect grey seals (other than insignificantly)[5]

Activity	Comments
Anchorage and moorings	Whilst anchorages and moorings are present in the SAC, the activity is unlikely to significantly affect grey seals.
Fishing – diver collection of bivalves	Whilst diver collection of bivalves occurs within the SAC, the activity is unlikely to significantly affect grey seals.
Fishing – pelagic	Whilst pelagic fishing is a risk to grey seals, the activity is unlikely within this SAC.
Fishing – static gear – creels	Creels (including lobster, crabs and *Nephrops*). Fishing using creels is widespread throughout the MPA. Whilst there is the potential for entanglement, the occurrence is rare and therefore we consider this method poses a low risk to grey seals at Faray and Holm of Faray SAC.

8 Research and survey requirements

We recognise that there are still important gaps in our understanding and knowledge of grey seal at this site. We will identify research and survey projects to inform our understanding of these aspects. The requirements identified below are not a commitment to undertake this work. However, by highlighting these gaps we hope to inform future discussions with parties interested in undertaking research in this site and/or on grey seal, to help direct research and aid monitoring priorities.

- Evaluate short and long-term effects on grey seal populations from exposure to underwater noise.
- Continue to monitor the grey seal pup production to assess status, and relative importance of the site for grey seals.
- Improve understanding and implications of contaminants burden on grey seals.
- Improve understanding of foraging areas used by grey seals from Faray and Holm of Faray SAC.
- Diet studies of grey seals to inform understanding of prey preferences in the region.

[5] Only the specific examples of activities listed in the table have been excluded, rather than the broad activity types. New plans or projects will still need to be considered by the relevant competent authority (see Annex 1 for further details).

Annex 1. Faray and Holm of Faray SAC Conservation Objectives

The box below provides the high-level Conservation Objective statements for Faray and Holm of Faray SAC. The full Conservation Objectives, which includes site-specific advice and information on the qualifying feature for this SAC, are provided in the tables that follow.

The site-specific advice and information provides more detail in relation to each of the high level Conservation Objective statements for grey seal, e.g. what the supporting features are for a species.

Information is also provided below on how minor changes should be considered and the influence of environmental change on grey seal, particularly in relation to climate change. Temporary impacts on grey seals resulting from plans or projects can only be permitted where there is certainty that grey seals will be able to quickly recover. Further details on the potential for grey seals to recover are described in more detail in Annex 2 '*Factors determining the potential of features to recover'*.

A definition of the terms used is in the Glossary.

Faray and Holm of Faray SAC
Qualifying feature: grey seal (*Halichoerus grypus*)
1. To ensure that grey seals at Faray and Holm of Faray SAC are in favourable condition and make an appropriate contribution to achieving Favourable Conservation Status. 2. To ensure that the integrity of Faray and Holm of Faray SAC is maintained in the context of environmental changes by meeting objectives 2a, 2b and 2c: 2a. Grey seals are a viable component of the Faray and Holm of Faray SAC. 2b. The distribution of grey seal throughout the site is maintained by avoiding significant disturbance of grey seals. 2c. The supporting habitats and processes relevant to grey seals are maintained.

1. To ensure that grey seals at Faray and Holm of Faray SAC are in favourable condition and make an appropriate contribution to achieving Favourable Conservation Status.
Favourable Conservation Status (FCS) is assessed, and expected to be achieved, across the UK. Grey seal are currently assessed as having an overall conservation status of 'favourable' (as assessed in 2019). When carrying out appraisals of plans and projects against these Conservation Objectives, it is not necessary to understand the status of qualifying features within each individual SAC in the UK. The focus of the appraisal should be at a site level. If the site Conservation Objectives are met then the site's contribution to FCS across the UK will continue to be achieved. Further advice on how these appraisals should be focussed is provided by Conservation Objective 2. Note '*Appropriate'* within this part of the Conservation Objectives is included to indicate that the contribution to FCS varies from site to site, and feature to feature.

2. To ensure that the integrity of Faray and Holm of Faray SAC is maintained in the context of environmental changes by meeting objectives 2a, 2b and 2c for each qualifying feature:
This objective recognises that grey seal are in unfavourable condition at Faray and Holm of Faray SAC and consequently site integrity is compromised. The objective also recognises on-site factors are unlikely to be the key factor(s) causing the continual decline in their numbers and that the population is no longer considered a viable component of the site. For Faray and Holm of Faray SAC when carrying out appraisals of plans or projects, the focus of the appraisal should be to understand the impact of the plan or project on site integrity by ensuring that the plan or project does not prevent or reduce the recovery potential of grey seals. The expectation is not for the plan or project to restore site integrity. Should the plan or project compromise the ability of the site to recover (e.g. result in a further decline, accelerate the rate of decline or reduce extent of supporting habitat), then Faray and Holm of Faray SAC will continue not to make an appropriate contribution to achieving FCS across the UK. Similarly, when determining whether management measures are required to meet the Conservation Objectives, the focus is on ensuring the conditions are appropriate to support species recovery and subsequently, restore site integrity. Further advice on how these appraisals should be focussed in relation to site integrity is provided in 2a, b and c. Temporary impacts on these objectives resulting from plans or projects can only be permitted where there is a high degree of certainty that the feature will be able to quickly recover from the impact and that impacts do not prevent the ability of unfavourable feature to fully recover in the long-term.

Environmental changes

The Conservation Objectives recognise that grey seals are part of a complex, dynamic and multi-dimensional marine environment and that marine habitats and species are exposed to a wide range of drivers of change. 'Environmental changes' for the purpose of this Conservation Objective means any change to grey seals reflecting changes to their natural cycle, and also broader environmental changes, i.e. those related to climate change and environmental variability that are beyond the scope of the site. The impact of human activities on the site that can be managed will not be considered as part of the broader context of environmental change, i.e. where required activities should be managed.

Some site-level changes are natural and are not a direct result of human influences (e.g. population fluctuations/shifts or habitat changes resulting from natural processes). Changes in the distribution and use of the site by grey seals, which are brought about by natural processes, directly or indirectly, are normally considered compatible with the SAC's Conservation Objectives.

There may also be historical human influences that have now ceased but have modified and continue to drive change within the site. It is also recognised that climate change pressures (such as sea level rise and increased storminess) could affect grey seals within the site. These changes cannot be prevented at a site level, so the Conservation Objectives seek to take account of them and where possible, improve the habitats' and species resilience to environmental change when considering future plans or projects. The magnitude of the future impacts will depend on the nature, scale, duration and intensity of the activity and the tolerance and ability of grey seals to recover from such an impact.

Additionally, management of human activities at a wider scale (i.e. regional, Scotland or the area covered by an international agreement such as the OSPAR Convention), may also affect grey seals in this site (either by making a positive contribution or by having a negative impact). Wider scale impacts may affect the ability of the feature to recover from site-level changes, and therefore additional precaution over the impacts of any future human activities may be necessary.

An assessment of whether a change is natural or human-induced, or a combination of both, will need to be looked at on a case-by-case basis.

In relation to Faray and Holm of Faray SAC and grey seal, the following effects of environmental change (climate change) are relevant. These effects should be taken into account when considering plans and projects as additional pressures may reduce grey seals' resilience to climate change, and conversely climate change impacts may start to hinder their ability to recover from the direct impacts of human activities.

- **Grey seals** - Under climate change, sea temperatures are predicted to increase, but grey seals are a widely distributed species and not physically constrained by water temperatures. Several of their prey species are sensitive to water temperature and may move to more suitable areas as sea temperatures increase. Grey seals are generalists and they are able to switch to another prey in these circumstances. However, there is still potential for their distribution to be altered as a result of a change in distribution of their prey and for a reduction in their number if their prey diversity and numbers decrease. Increased storm events are also likely, as a result of

climate change. If these occur during the breeding season (September and late-November in Scotland, August to mid-December across the UK) this could result in reduced nursing time and increased mother - pup separation and therefore increased pup mortality possibly resulting in a decline in seal numbers in the SAC. Sea level rise as a result of climate change has the potential to cover the haul out areas currently used by grey seals for pupping. This could lead to a change in distribution of animals in the site or the site being abandoned altogether if no suitable habitat remains.

2a. Grey seals are a viable component of the Faray and Holm of Faray SAC.

This objective seeks specifically to protect grey seals from ***significant*** mortality or injury that can lead to a long-term decline of the feature within the site. It protects grey seal from significant risk of incidental killing and injury from activities both within and outwith the site. Impacts and effects are considered 'significant' where they could result in a permanent reduction or continued decline in the population such that recovery cannot be expected and consequently, further reduction in the contribution Faray and Holm of Faray SAC makes to the maintenance of grey seal in their natural range in the UK.

At a site level, grey seal numbers are considered to be viable if they can carry out their life cycle functions and if conditions are right to accommodate seals. The long-term viability of grey seals in the SAC is intrinsically linked to their ability to access and use habitat and prey resources both on site and in areas of functionally linked sea outwith the SAC.

Grey seals at Faray and Holm of Faray SAC are in an unfavourable condition due to the decline in numbers. The declines in pup production and August population counts within the Faray and Holm of Faray SAC does not reflect the trend of the North Coast and Orkney Seal Management Unit (SMU) with both grey seal population and pup production remaining stable (SCOS, 2022). This suggests that grey seals may be moving from Faray and the Holm of Faray SAC to other areas within the SMU. The accessibility to the site and disturbance have not changed. For Faray and Holm of Faray SAC, this objective therefore recognises that the reasons for the unfavourable condition appear to lie outwith the SAC and that no direct conservation measures can be taken at a site level to address the causes of the unfavourable condition of grey seal. Therefore, the focus of the Conservation Objectives for grey seal are ensuring that the conditions on site are suitable to support a recovery.

Any assessment of impacts on the trend in grey seal numbers within the SAC should take into account the population trend for the relevant Seal Management Unit. If there is a declining trend within the SAC, then the relationship with the trend for the Seal Management Area requires more detailed consideration. Particular precaution should be exercised when there is a decreasing trend within the SAC but an increasing trend across the Seal Management Unit.

Temporary short-term changes in pup production due to human activity may be considered not to compromise the Conservation Objectives within the site provided if it can be demonstrated with a high degree of certainty that pup production can fully recover. Factors limiting pup

production in grey seals include: the average generation time of grey seal, population growth rates, availability of prey and the timing and duration of the activity around vulnerable stages of their life cycles such as during pupping and nursing.	
Site specific advice	**Site specific information**
Ensure grey seal has the ability to recover.	The number of grey seal pups present during the breeding season has been counted by the Sea Mammal Research Unit (SMRU) since 1990 (pre-designation). Pup production has declined since the late 1990s by 43% (SCOS, 2022). A maximum of pups were recorded in the late 1990s before decreasing since 2000 (SCOS, 2022). Within the SAC, August counts have declined by 52% since 2007 (SCOS, 2022). Accordingly, grey seals are considered to be in unfavourable condition at the Faray and Holm of Faray SAC. The declines in pup production and August counts within the Faray and Holm of Faray SAC does not reflect the trend of the North Coast and Orkney Seal Management Unit (SMU) with both grey seal population and pup production remaining stable since the 2000s (SCOS, 2022). As the SMU pup production is stable, the decline in pup production at Faray and Holm of Faray SAC appears to be due to movement of pupping to other locations within the SMA. The accessibility of the site to grey seals for pupping has not changed, with no loss in extent or distribution of habitat suitable for use by breeding and moulting seals observed. Disturbance is minimal during the breeding season when the seals are most concentrated in the site and most sensitive. This means there are no direct conservation measures that can be taken at a site level to address the causes of the unfavourable condition of grey seal. Therefore, the focus of the Conservation Objectives for grey seal are ensuring that the conditions on site are suitable to support a recovery.
Ensure grey seal can move safely between the site and important areas of functionally linked sea outwith the site.	Grey seals are highly mobile species and the long-term maintenance of the species in the SAC is intrinsically linked to their ability to access and use habitat and prey resources in areas of functionally linked sea outwith the SAC. Grey seals from the Faray and Holm of Faray SAC will generally forage within 100 km from the SAC, although tracking of grey seal individuals has found that they can feed several hundred kilometres offshore (SCOS, 2022). Female grey seals will remain closer to the breeding colony (within 20 km) whilst caring for pups. The abundance of different prey within the site is unlikely to affect seal numbers at the SAC significantly. Sufficient availability of prey resources and access to these foraging areas outwith the SAC is essential to the long-term health of the species in the SAC. Grey seals are highly mobile species and the long-term maintenance of the species in the SAC is intrinsically linked to their ability to access and use habitat and prey resources in areas of functionally linked sea outwith the SAC.

	When assessing the effects of any plan or project consideration should therefore also be given to whether impacts outwith the SAC could affect achievement of this Conservation Objective. This Conservation Objective is considered to be met if the conditions to support all the species' essential behaviours and activities are in place. This includes: • avoiding effects that could prevent or reduce the ability of the grey seal population to recover. • avoiding effects within and outwith the site that could lead to a permanent reduction in the grey seal population through mortality, injury, or impacts caused by disturbance, displacement, barrier effects or reduction in mobile prey resources. • maintaining the species' ability to use all areas of importance within the site (to be considered under conservation objective 2b) • maintaining access to, and availability of, supporting habitats within the site (to be considered under conservation objective 2c). Factors limiting the recovery of grey seal include: availability and quality of prey, competition and predation, and the timing and duration of the activity around vulnerable stages of their life cycles such as during the breeding season.

2b. The distribution of grey seals throughout the site is maintained by avoiding significant disturbance of grey seals.
This objective seeks to ensure that grey seal continue to use and access all areas within the Faray and Holm of Faray SAC used for pupping and nursing. The main grey seal breeding, moulting and haul-out sites are Ware Geo and Scammalin Bay on the south east of Faray, Geo of Lackgwoy and Sheepright Geo on the west coast of Faray, and Lavey sound (West Bight and East Bight) of the Holm of Faray. Grey seals return to their natal breeding sites at Faray and Holm of Faray between August through to December. Adult females spend approximately three weeks ashore or in the shallow waters near the shores where their pups remain until weaned. Adult males may spend anything from a few days to nearly two months on breeding islands attempting to mate. It is important that grey seals continue to have access to shore areas during the breeding period and can continue to move safely between these locations and the sea. Grey seal pups are particularly vulnerable to disturbance as, unlike their mothers when disturbed, they are unlikely to enter the water until they have moulted their white coat. Significant disturbance during the breeding period can lead to pups being separated from their mothers for long periods affecting the energetic health of the nursing pups (a reduction in feeding) and can even lead to pups being abandoned. This can result

in a decrease in the survival of pups and therefore a reduction in the number of seals returning to breed in subsequent years. Significant disturbance can also lead to adults being displaced and abandoning the affected area reducing the ability of the population to recover since those adults and future generations may not return to the site for breeding.

Grey seals can habituate to some levels of disturbance over time (for example the same boat passing by the haul-out every day) but novel and/or prolonged events have the potential to affect distribution within the SAC and abandonment of the breeding site altogether.

Disturbance associated with human activity may take a variety of forms including: presence of people, underwater noise, as well as displacement and barrier effects on grey seals. Responses to disturbance can be physiological and/or behavioural for example adult grey seals will enter the water when they are disturbed.

'Significant disturbance' should be interpreted to mean disturbance that affects the integrity of the SAC through alteration of the distribution of grey seals such that recovery cannot be expected or effects can be considered long term. Significant disturbance should be assessed at the level of the site. It is expected that significant disturbance will lead to more than a transient effect on the distribution of grey seals. It may result in the following types of effect:

- Contributes to the long-term decline in the use of the site by grey seal.
- Changes to the distribution of grey seal on a continuing or sustained basis.
- Changes to grey seal behaviour such that it reduces the ability of the species to survive, breed or rear their young.

Temporary short-term disturbances for example a localised disturbance outwith the breeding season may be considered not to compromise the Conservation Objectives provided it can be demonstrated with a high degree of certainty that the population can fully recover.

Factors limiting the recovery of grey seals include the timing, frequency and duration of the activity around vulnerable stages of their life cycle such as the pupping period.

2c. The supporting habitats relevant to grey seals are maintained.	
Site specific advice	**Site specific information**
Maintain the extent, quality, and distribution of the supporting habitats required by breeding grey seals.	This objective seeks to maintain the shore habitats used by grey seals for hauling out during breeding. Supporting habitat, in this context, means the characteristics of the shore used by grey seals. Grey seals will haul out on a variety of habitats including gently shelving rocky shores, pebbly beaches and grassy slopes close to the sea. The numerous sea inlets and associated shores provide suitable sheltered and undisturbed habitat for pupping.

	Throughout the year and during the breeding period in particular, grey seals also spend a large proportion of their time in waters within the SAC, particularly near the shore, often foraging or resting. Temporary short-term changes in supporting habitats due to human activity may be considered not to compromise the Conservation Objectives within the site provided it can be demonstrated with a high degree of certainty that the population of grey seal can fully recover.

Annex 2. Supporting information

Factors determining the potential for grey seal to recover

Grey seals return to their natal colony to breed. Grey seals pups are born white, they occasionally swim before they moult but generally moult this first coat before they spend a lot of time at sea. Before the moult their mothers are reluctant to leave them on the land but they will enter the water occasionally for foraging and if disturbed. If disturbance is short lived (for example boat passing close to a haul out or a person landing at a haul out) recovery is likely to be swift as nursing mothers will return to the haul out within a few hours. However, if nursing mothers are prevented from returning to the haul out for a significant period the survival of the pups may be threatened and they may not survive to weaning. This could affect the population of grey seals in the SAC since large numbers of pups may not survive to weaning. Females start to breed at around 5 to 8 years of age and recovery from this type of impact could take a couple of generations therefore 15-20 years. If disturbance is significant and long-term the pupping success at the haul out could be reduced every year, effectively reducing the number of seals returning to the haul out and their breeding success year on year until no grey seals return to the haul out. There is scope for seals to move haul out within the SAC since there is no shortage of suitable habitat to haul out in. Whether this is possible depends on the nature and size of the disturbance but it is likely that distribution in the SAC will be affected. Significant long-term disturbance during breeding could cause some or all of the SAC to be abandoned.

Glossary for Conservation Objectives

Conservation Objective term	**Definition**
Favourable condition	This refers to the assessed condition of a feature through Site Condition Monitoring. Features considered to be in favourable condition for the purposes of these Conservation Objectives are those that have an assessed condition of either: • Favourable Maintained - the attribute targets set for the natural features have been met, and the natural feature is likely to be secure on the site under present conditions. • Favourable Recovered - the condition of the natural feature has recovered from a previous unfavourable condition, and attribute targets are now being met. .
Favourable Conservation Status	This is a measure of the condition of habitats and species listed in Annex I or II of the Habitats Directive and is assessed across the UK. It is achieved when a habitat or species throughout the zone is maintained in size and range and the conditions for its long-term existence are in place. Habitats and species within Scottish SACs contribute to achieving favourable conservation status within the UK.
Maintain	Where a qualifying feature of the SAC is assessed as being in favourable condition the Conservation Objective is 'maintain'. This means that the various attributes of the feature should be kept at that favourable level. This can include increasing/improving condition as well, but not a permanent decline.
Restore	Where a qualifying feature of the SAC is assessed as being in unfavourable condition the Conservation Objective is 'restore'. This means that the various attributes of the feature should be returned to the favourable level by increasing/improving condition.
Site integrity	The integrity of a site is defined in general terms as the coherence of its ecological structures and function, across its whole area, which enables it to sustain the habitat, complex of habitats and and/or the levels of populations of the species for which it was designated.
Supporting environment	This includes the following environmental conditions (but is not limited to) which are important for maintaining/restoring the protected features, e.g. hydrography and supporting water currents, chemical water quality parameters, suspended sediment levels.
Unfavourable condition	This refers to the assessed condition of a feature through Site Condition Monitoring. Features considered to be in unfavourable condition for the purposes of these Conservation Objectives are those that have an assessed condition of either: • Favourable declining - The attribute targets set for the natural feature have been met, but evidence suggests that its condition will worsen unless remedial action is taken. • Unfavourable recovering - One or more of the attribute targets have not been met on the site, but management measures are in place to improve the condition. • Unfavourable no change - One or more of the attribute targets have not been met, and recovery is unlikely under the present management and activity on the site.

Conservation Objective term	Definition
	• Unfavourable declining - One or more of the attribute targets have not been met, evidence suggests that condition will worsen unless remedial action is taken.

References

SCOS. 2022. Scientific Advice on Matters Related to the Management of Seal Populations: 2022. *Natural Environment Research Council Special Committee on Seals*. 206 pages.