



Habitats Regulations Assessment for a Project – Updated

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1. Introduction

This document is a record of a Habitats Regulations Assessment for the project described below, undertaken by the Mining Remediation Authority as project proposer in accordance with the provisions of the Conservation of Habitats and Species Regulations 2017.

1.1 Nature of the project.

Project name	Whitehaven Harbour Ground Investigation
Project reference number	N/A
Project consenting context	No relevant permitted development rights have been identified. The local planning authority has been approached to determine if full planning will be required.
Project description	The project comprises the delivery of a ground investigation which will be used to inform design of permanent works to alleviate ongoing ochre deposition from mine water escape into Whitehaven Harbour.
Location	Whitehaven, Cumbria, England.
Grid reference	297274E, 518564N

The likely direct and indirect impacts of the project and their effect on the project's zone of influence (Zoi) are described in table 1-1.

Table 1-1 Nature of the project and factors affecting Zoi

Size and scale	Work is restricted to ground investigation activity which comprises: • Drilling 4 no. cores from the harbour wall, 50mm diameter and 500mm depth using hand tools • 7 no. hand dug pits of dimensions 2m x 2m x 1.2m – progressed by cable percussive drilling rig between 6-15m deep • Potentially, post drilling 4 of the pits may be further extended to a depth of up to 8 metres depending on results of initial borehole cores The total area occupied by the work is anticipated to be less than 5000m², inclusive of any welfare facility present for the duration of the work.
Emissions (e.g. water or effluent discharge, atmospheric pollution, noise)	Drilling rigs and hand tools will generate temporary noise and vibration emissions. Updated contractor drilling rig specifications indicate source noise levels ranging between approximately 100 dB and 115 dB at the rig during individual drilling activities, reducing to approximately 68–75 dB at a distance of 130 metres from the drilling location, depending on rig type and operation. Vehicles and rigs will produce atmospheric emissions during operation. Water flush from drill rigs will produce small spills of sediment laden effluent during drilling activity. No emissions to water are anticipated as spills will be contained and appropriately disposed of. When natural attenuation and mixing are considered the effects of noise and atmospheric emissions are expected to reach background levels at a maximum of 500m from the proposed works and be limited to specific activities during the work programme.
Excavation and ground disturbance (inc. hydrogeology)	All excavation will be contained within the hard standing of the existing harbour wall. No effects are expected beyond the immediate working area.
Transport and access (haul routes and compounds)	Access will be via existing roads and harbour wall.

	Effects of site access will not increase the ZOI beyond the immediate working area, as the numbers of vehicles will not significantly alter traffic volumes on existing roads.
Duration and seasonal timing	The work is planned to take place in September 2026 for a duration of approximately 3/4 weeks and be daytime working only.
Other effects (e.g. fluvial geomorphological change)	None anticipated.

1.2 National Network Sites within the Zone of Influence of the proposed project.

Considering the factors affecting the project's zone of influence (see Table 1-1) there are no effects from the work anticipated at greater than 500m. As a matter of precaution for considering habitat potentially functionally connected to an SPA the search area will be extended to 2km. As the works are not anticipated to be creating any effects at night the search will not be extended to 30km for sites with bats as a designated feature.

In consideration of the project's zone of influence the following National Network site(s) will be screened for any likely significant effects:

- UK9005012 – Solway Firth SPA

2. National Site Network (SAC/SPA)

2.1 Screening Matrix

The screening will consider the key features of each site listed in section 1.2, the current known threats and pressures affecting the site, along with the project's proximity to the site. These are listed in Table 2-1, below.

In Table 2-2, each potential threat or hazard the project may pose to the site is considered against the sites key features and any potential for pathways for an effect to occur.

Table 2-1 Information on potentially affected sites

Site name and ID	Key features of the site	Threats and pressures	Proximity	Other relevant information
UK9005012 – Solway Firth	Non-breeding populations of Annex 1 species: red-throated diver <i>Gavia stellata</i>, whooper swan <i>Cygnus cygnus</i>, barnacle goose <i>Branta leucopsis</i>, golden plover <i>Pluvialis apricaria</i>, and bar-tailed godwit <i>Limosa lapponica</i> The following migratory species: pink-footed goose <i>Anser brachyrhynchus</i>, pintail <i>Anas acuta</i>, scaup <i>Aythya marila</i>, oystercatcher <i>Haematopus ostralegus</i>, knot <i>Calidris canutus</i>, curlew <i>Numenius Arquata</i>, and redshank <i>Tringa tetanus</i> The site also qualifies for the assemblage of waterfowl exceeding 20000 individuals. Including important populations of: shelduck <i>Tadorna tadorna</i>, teal <i>Anas crecca</i>, shoveler <i>Anas clypeata</i>, goldeneye <i>Bucephala clangula</i>, grey plover <i>Pluvialis squatarola</i>, sanderling <i>Calidris alba</i>, dunlin <i>Calidris alpina</i>, turnstone <i>Arenaria interpres</i>, common scoter <i>Melanitta</i>, goosander <i>Mergus merganser</i>, lapwing <i>Vanellus vanellus</i>, cormorant <i>Phalacrocorax carbo</i>, black-headed gull <i>Chroicocephalus ridibundus</i>, common gull <i>Larus canus</i> and herring gull <i>Larus argentatus</i>. The site also supports internationally important populations of ringed plover <i>Charadrius hiaticula</i> during the non-breeding period.	The following threats are identified within the National Network Site data form which are considered relevant to the proposed works: • Pollution of surface waters • Ecosystem modification • Marine construction activity • Marine water pollution • Discharges	Boundary of the SPA is approximately 500m from the working area.	The working area is adjacent to the intertidal zone and is likely used by the assemblage of waterfowl for foraging.

Table 2-2 Test of likely significant effects

Site Solway Firth SPA				
Threats and Hazards	Interest features	Potential effect and pathways	Consideration of project aspects	Conclusion
Marine water pollution and pollution of surface waters	All species and assemblages. Physical conditions underpinning the function of the site.	Accidental spillage during refuelling of plant and/or vehicles and water flushing during drilling are potential sources of pollution to marine and surface water environment. However, the volumes of any potential pollutants on site will be limited due to the small nature of the works. In the event of uncontained spillage the potential effect would be limited to the immediate locality (<1 hectare), affecting less than 1% of the habitat within the SPA and surround habitat supporting the wildfowl assemblage (>137 hectares).	Standard best practise pollution prevention protocols will be in place. This will ensure any accidental spillages are contained and not permitted to enter the water environment.	No likely significant effect.
Marine construction activity	All species and assemblages.	Noise produced by percussive drilling and excavation could be elevated considerably above baseline levels of noise. However, the site is located within an urban area which is an existing source of anthropogenic noise in the surrounding environment to which the local fauna will be acclimated. Percussive drilling is estimated to have a sound power level of 110dB, which will likely exceed the magnitude of usual anthropogenic noise. This could disturb the feeding, resting, and loafing activities of breeding and migratory birds within the SPA. The SPA boundary lies offshore around 450m from the position of the closest borehole. At this range, it is predicted that sound pressure level is reduced to 52.3 dB using a conservative estimate of 70% humidity and 12°C at the time of year (attenuation calculated using ISO9613-2; using a ground factor of 0.6 and no barriers). Therefore due to natural attenuation construction noise would likely will not be considerably elevated above background levels. Considering this, as well as the size of the SPA (88,498.35 ha.), any potential noise disturbance exceeding the modelled levels would not have an impact on 1% or more of the SPA.		No likely significant effect.

Discharges	Physical conditions underpinning the function of the site	Water flushing during drilling will be contained and collected. Therefore no new temporary discharges will be created by the proposed construction activity.		No likely significant effect.
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2.2 Consultation

If the project will exercise Permitted Development rights and an opinion has been sought from the appropriate nature conservation body under regulation 67, include any comments received below:

Not applicable – TCPA permission will be sought

2.3 Consideration of cumulative effects

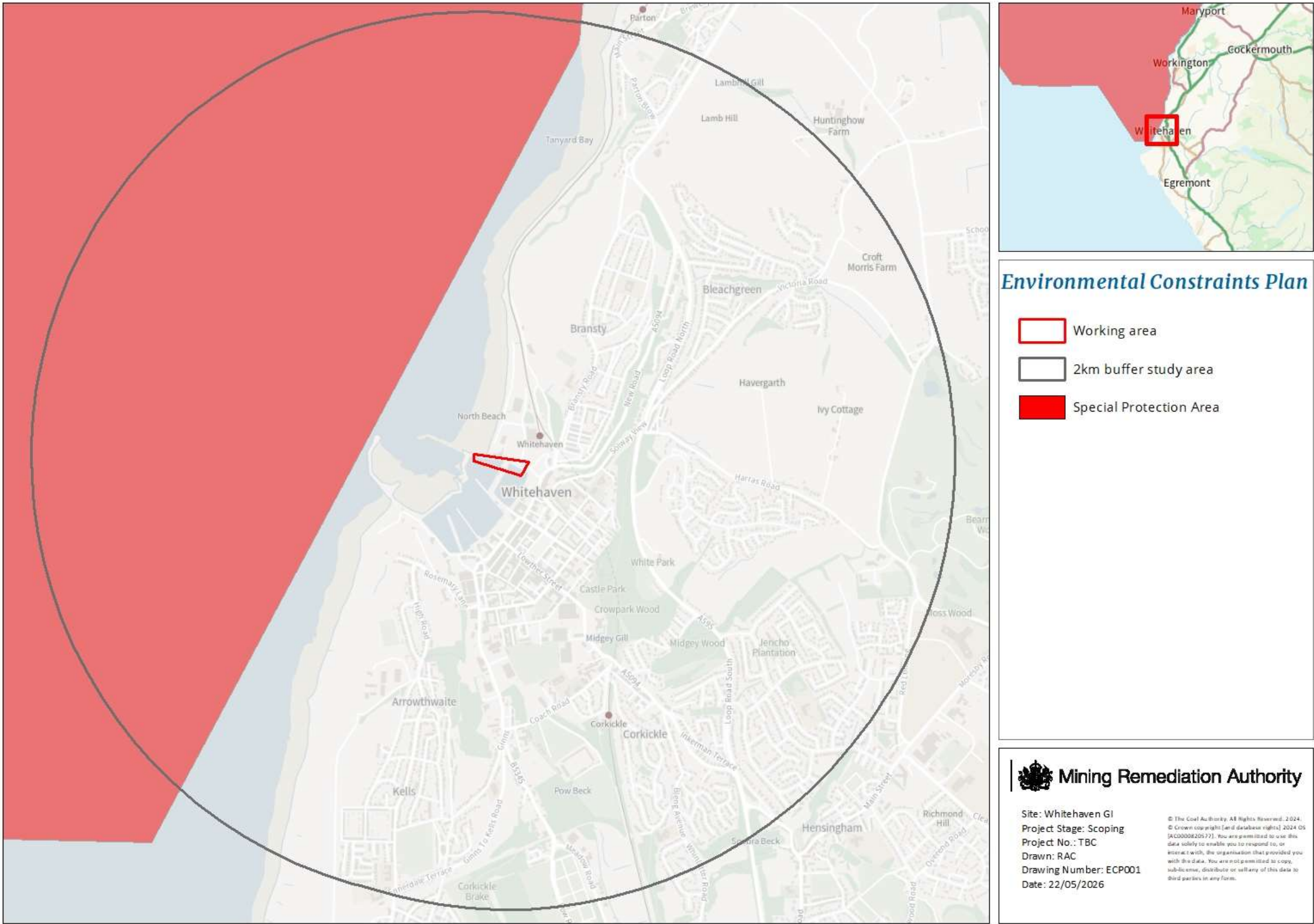
Given the size and scale of the project is it considered unlikely that even when considered in combination that this project would be unlikely to contribute to any potential effect on the sites considered by this screening.

2.4 Screening outcome

Following the screening exercise it has been determined that the project, when considered alone, **is not** likely to have any significant effect upon a National Network site.

Without any likely significant effect this assessment is concluded and will not be required to proceed to Appropriate Assessment stage.

Appendix A – Location plan



Appendix B – Sound propagation model

