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| SCOTTISH ENVIRONMENT PROTECTION AGENCY | Identifier: LUPS-GU13 |
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| SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations | Issue No: 7.0 |
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1. Purpose and scope

- 1.1 This Note provides advice to the Department for Business, Energy and Industrial Strategy and to Marine Scotland on how SEPA wishes to engage with marine consenting processes, including developments requiring Environmental Impact Assessment (EIA). It targets our input to where it can add most value. It will also be helpful for developers to refer to this guidance as it outlines our position on different marine activities.
- 1.2 Climate change is placing increasing pressures on coastal marine environments. SEPA's guidance within this document helps to demonstrate our commitment to its public body duties under Section 44 of the Climate Change (Scotland) Act 2009, by assisting in ensuring that a consistent and proportionate approach is taken to maintaining the resilience of our coastal to changes in our climate.
- 1.3 Under The Petroleum Act 1998, Energy Act 2004 and The Offshore Petroleum Production and Pipe-Lines (Assessment of Environmental Effects) Regulations 1999 (As Amended) we are consulted by the Department for Business, Energy & Industrial Strategy on proposals for oil field developments, decommissioning proposals for renewable energy installations, and offshore hydrocarbon pipeline proposals. Sometimes we are consulted directly by developers of such proposals.
- 1.4 Under the [Marine \(Scotland\) Act 2010](#) the Scottish Ministers are responsible for the marine licensing system for activities carried out in the Scottish inshore region of UK Waters from 0–12 nautical miles (nm)¹. The Marine Scotland Licensing Operations Team (MS-LOT) acts on behalf of the Scottish Ministers and provides a 'one-stop shop' to process and assess licence applications under Section 20(1) of the Marine (Scotland) Act 2010. Licensable marine activities are listed in section 21, Part IV Marine Licensing of the Marine (Scotland) Act 2010 and a marine licence is required if any person intends to do any of the following from a vehicle, vessel and other structure in the Scottish marine area² (i.e. below the level of mean high water springs (MHWS) out to 12 nm):
- deposit any substance or object in the sea or on or under the seabed
 - construct, alter or improve works on or over the sea or on or under the seabed

¹ Under the Marine and Coastal Access Act 2009, the Scottish Ministers are also the licensing and enforcement authority for the Scottish offshore region from 12-200 nautical miles (other than for reserved matters).

² The 'Scottish marine area' means the area of sea within the seaward limits of the territorial sea of the United Kingdom adjacent to Scotland including bed and subsoil. 'Sea' includes any area submerged at mean high water spring tide and waters of every estuary, river or channel, so far as the tide flows at mean high water spring tide.

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- remove substances or objects from the seabed
 - dredging (including plough, agitation, side-casting and water injection dredging)
 - deposit and/or use explosives
 - incinerate substances or objects
- 1.5 Under the Electricity Act 1989 the Scottish Ministers are responsible for the licensing of electricity generating stations in excess of 50 MW (under Section 36) and large gas and oil pipelines (under Section 37). MS-LOT acts on behalf of the Scottish Ministers in this regard as well.
- 1.6 Impacts on the marine environment are important but, having reviewed the consultations we have received since 2010, we have concluded that a) the Department for Business, Energy and Industrial Strategy and Marine Scotland are generally well placed to provide the expertise required to determine if the proposals are environmentally acceptable and b) the activities can, in relation to our interests, be adequately managed with low risk to the marine environment if they adhere to relatively simple standing advice. We will continue to provide advice on request on developments where there are novel environmental issues within our remit not covered by our standing advice.
- 1.7 We therefore wish to simplify and accelerate our consultation process for proposals which impact only on the marine environment in a manner that adds best value in protecting Scotland's marine environment. Adopting a proportionate approach to consultation requirements will reduce the consultative burden on all parties.

2. How and when to consult SEPA

The Department for Business, Energy & Industrial Strategy

- 2.1 Please do not consult SEPA directly on applications which are within the marine environment. Our standing advice is that best practice should be followed to minimise environmental impact. Where we are consulted directly by developers on proposals regulated by the Department for Business, Energy & Industrial Strategy, we will inform them of this position by standard letter. Such best practice includes a) the documentation identified on the Department for Business, Energy & Industrial Strategy website itself and b) the Department for Business Enterprise and Regulatory Reform *Review of Cabling Techniques and Environmental Effects applicable to the Offshore Wind Farm Industry* (copy and paste this composite link as direct linkage may not work: <http://webarchive.nationalarchives.gov.uk/+http://www.berr.gov.uk/files/file43527.pdf>) for guidance on the mitigation of physical impacts resulting from cable or pipeline installation activities also associated with the oil and gas industry.

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Marine Scotland

- 2.2 For advice on licensable marine activities, please refer to Section 3 and Table 1 of this guidance. These constitute our standing advice on environmental issues within our remit. Marine Scotland should refer to this guidance when considering both Marine Licence and Electricity Act applications, and where Environmental Impact Assessment (EIA) is required.
- 2.3 Please do not consult us directly on EIA at any stage. Please consider our standing advice in Section 3 and Table 1 as SEPA's consultation response.
- 2.4 Please do not consult us on proposals for Electricity Consents which relate purely to activities within the marine environment. The advice outlined in Table 1 should be referred to instead.
- 2.5 Notwithstanding this advice, should there be a development proposal of potentially significant impact on aspects of the environment regulated by SEPA which is not dealt with adequately by our standing advice, then please consult us specifying exactly the aspect of the environment on which advice is sought. If this is not specified, then it will be dealt with as usual, and returned with a copy of our standing advice. Please inform us of any licensable activities which are not currently listed in Table 1 and we will update accordingly.
- 2.6 Please note we prefer to receive consultations electronically. Consultations should be directed to one of the relevant SEPA email boxes using as an indicator the relevant planning authority listed under each mailbox on the [Planning Service Contact List](#).

3. General advice for Marine Scotland

- 3.1 The following advice applies to all development proposals and circumstances where illegal activity is reported to either organisation and where enforcement action may be necessary. This should be read in conjunction with the advice for specific forms of development set out within Table 1.
- 3.2 Marine Scotland is a designated authority under the Water Environment and Water Services (Scotland) Act 2003 and should ensure that marine licensing assists in the delivery of [River Basin Management Planning](#) objectives. River basins comprise all transitional waters (estuaries) and coastal waters extending to 3nm seaward from the territorial baseline. Any proposed development within 3nm must have regard to the requirements of the Water Framework Directive to ensure that all transitional and coastal water bodies achieve 'Good Ecological Status' and that there is no deterioration in status.

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- 3.3 Waste material, which includes dredge spoil, deposited above the low water mark is subject to Waste Management Licensing controls regulated by SEPA unless it is subject to a licence issued under Part 4 of the Marine (Scotland) Act 2010 (which can extend to Mean High Water Spring Tide including within estuaries, rivers and channels), in which case it is excluded from such controls. However, if the waste deposition could constitute a landfill, then PPC not Waste Management Licensing would apply, and in this situation no Marine Licence exclusion is provided for. In this situation, please advise the applicant to consult the local SEPA Regulatory Services team to provide advice on whether or not the proposed waste deposition would constitute a landfill and hence fall within PPC regulation.
- 3.4 Where dredge spoil is used for land reclamation works or harbour works then the method of construction will determine how the activity is regulated. If the works are carried out by way of deposit of material directly onto the intertidal zone or within a permeable bunded area (for example a bund made of placed stones) then the works will be considered to be occurring in the marine environment and will be regulated by Marine Scotland. If the works are constructed by way of initially creating an impermeable bund (such as a sheet piled metal wall) then the use of waste such as dredge spoil for infill works will be considered to be occurring above mean high water springs and therefore will be controlled by SEPA. Such works would require either a waste management licence or a waste management exemption and early discussion with SEPA is advised.
- 3.5 We also recommend that marine licence and Electricity Consent applicants be encouraged to submit information detailing how proposed developments will contribute to sustainable development. Opportunities to enhance marine habitats in line with Water Framework Directive and The Nature Conservation (Scotland) Act 2004 objectives and Scottish Planning Policy guidance should be explored. Examples may include the coastal realignment, removal of structures, consideration of soft engineering techniques, the incorporation of naturalistic features in the design of shoreline works, or planting with salt tolerant species. Guidance that may be drawn upon includes:
- [Water Framework Directive Mitigation Measures Manual](#)
 - [Estuary Edges: Ecological Design Guidance](#)
- 3.6 The accidental introduction of Marine Non-Native Species (MNNS) has been highlighted as a risk for water body degradation and Chapter 8 of the current [River Basin Management Plan](#) states that “We will take a zero tolerance approach to actions that could result in the introduction of [these] invasive species”. Given that there has been no successful eradication of any marine non-native species, we **recommend that controls should be included in marine licensing for Marine Non-Native Species** in line with Water Framework Directive and Marine Strategy Framework Directive objectives, as well as [EU Biodiversity Strategy](#) targets. Further to EU legislation, the Scottish Government has produced a [Code of Practice on Non-Native Species](#) that clarifies the Wildlife and Natural Environment (Scotland) Act’s amendments to

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the Wildlife and Countryside Act (Scotland). This code clarifies organisational responsibilities and obligations, the use of Control Orders as well as the “polluter pays” principle. Under the Water Framework Directive the presence of MNNS within a water body can constitute a significant pressure on the biological elements. Good status is usually the maximum a water body can achieve if MNNS are detected and this can fall to moderate status if MNNS are present above certain thresholds or impact on ecological receptors. Once well established, efforts to eliminate MNNS species have proven to be extremely expensive and so far, with no success in the marine environment. In view of these difficulties, we support the [GB Non-Native Species Secretariat](#) (GBNNS) recommendation to put in to place effective biosecurity measures to prevent introduction and to stop their spread.

- 3.7 Accidental introduction of MNNS can also occur via attachment to construction plants, barges, specialised equipment and moorings, as these are moved from one area to another. We therefore **recommend that method statements produced as part of the marine licence or Electricity Consents application process include a risk statement of possible introductions of marine non-natives and any mitigation measures that will be adopted to minimise these risks before the construction, operation or decommissioning phases of a project commence.** Guidance that may be drawn upon includes:
- Guidance on how to develop bespoke biosecurity advice can be found on the SNH page [Marine Biosecurity Planning](#) and takes a critical control point approach to developing biosecurity that could be applied to most activities.
 - At UK level general advice on marine non-native species can be found on the FERA [Marine Pathways page](#) of the GBNNS site as well as a contact list of advisors should the advice required not be available.
 - [Check Clean Dry](#) advice can be applied to most activities including small workboats and recreational craft.
- 3.8 We advise that if any part of a proposal might impact on the terrestrial environment, or flood risk, then the applicant should refer to our [planning website](#) for further guidance on the circumstances in which SEPA wishes to be consulted. Marine licensing extends up to MHWS, whilst Town & Country Planning legislation extends down to the level of mean low water springs (MLWS).
- 3.9 Any dredging/sea disposal operations should be cross checked to see if the proposed site is located in or adjacent to a designated bathing water (within 2 km). If so, ideally all physical operations should be done outwith the Bathing Water Season (1 June to 15 September). Please refer to the [Bathing waters](#) section of our website for further guidance on the Bathing Waters Directive (2006/7/EC). Any dredging or sea disposal operations should be cross checked to see if the proposed site is located in or adjacent to a designated bathing water (within 2 km). If so, then, unless a strong case can be made as to why a particular operation would not present a risk to Bathing waters, all physical

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operations should be carried out outwith the Bathing Water Season (1 June to 15 September).

- 3.10 Many of the operations identified below could potentially give rise to risk of pollution through silt mobilisation, silt suspension or chemical or oil spillages and hence the following general advice should be followed. Please refer to [GPP5 Works and maintenance in or near water](#). Mitigation measures should be sought within method statements and onsite compliance should be confirmed through site visits.
- 3.11 When you become aware of illegal activity please liaise immediately with [SEPA's local Regulatory Services Team](#). Legislation enforced by one or both organisations may have been breached. The aim of early liaison is to ensure that a lead organisation is agreed at the earliest stage (such that evidence can be gathered to inform any subsequent enforcement action) and it is determined whether SEPA, Marine Scotland or both organisations should initiate enforcement action. Support will be provided, as appropriate, by each organisation to the other and duplication of effort avoided wherever possible. An example of illegal activity would be where material from a licensed dredging activity is deposited in the wrong location and/or which contains materials such as bricks, road signs, tyres and litter. There are particular sensitivities about the Bathing Season and beaches that are designated under Bathing Waters legislation but activity that is unauthorised is illegal anywhere in Scotland. Please refer to SEPA's [Enforcement Policy and Enforcement Guidance](#).
- 3.12 Advice on designated sites and European Protected Species should be sought from SNH. Marine and transitional Special Areas of Conservation (SAC), Special Protected Areas (SPA) and Marine Protected Areas (MPA) are identified as protected areas under the [Water Framework Directive](#). Their objectives are also River Basin Management Plan objectives.
- 3.13 We advise that if any part of a proposal is likely to result in elevated noise levels e.g. piling and blasting then SNH should be consulted with regard to potential impacts upon sea mammals, migratory fish and birds.
- 3.14 Marine Scotland should satisfy itself that due consideration will be given to the presence of the recommended list of Priority Marine Features developed to help deliver Marine Scotland's 'three pillar approach' to effective marine nature conservation.

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Table 1. Development type and specific standing advice

| Type of structure/activity | Standing advice to Marine Scotland and applicant (please also refer to advice applicable to all developments above) |
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| Dredging and dredged material disposal | |
| Maintenance dredging activities (in an area dredged annually or regularly to maintain safe navigation) including small scale displacement/plough techniques in ports and harbours where the extent of dredging and plant/techniques remain unchanged and the material will be disposed of at a licensed offshore sea disposal site. | SEPA does not anticipate any adverse environmental impacts provided that work is carried out in line with best dredging practices and the dredged material is disposed at an offshore sea disposal site. Measures should be put in place to minimise the release of sediment plumes. Please refer to General Advice 3.9 above regarding timing in relation to protection of Bathing waters. |
| Capital dredging and disposal at licensed offshore sea disposal site (for disposal of dredged sands onto beaches for beach replenishment see advice below) | SEPA does not anticipate any adverse environmental impacts provided that work is carried out in line with best dredging practices and the dredged material is disposed at an offshore sea disposal site. Measures should be put in place to minimise the release of sediment plumes. Please refer to General Advice 3.9 above regarding timing in relation to protection of Bathing waters. |
| Controlled placement of dredged sands from harbours onto adjacent beaches and/or seabed. | <u>Please consult your local SEPA Regulatory Services team if the waste deposition could constitute landfill and therefore be subject to authorisation under PPC.</u> If this is not the case then please follow the standing advice below: With regard to construction plant on the shoreline the applicant should refer to the appropriate sections in the following guidance: |

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| | <p>Guidance for Pollution Prevention (GPPs)</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>Disturbance to the shoreline should be minimised and the shore restored to as near its former condition following the works as reasonably possible.</p> <p>Please refer to General Advice 3.9 above regarding timing in relation to protection of Bathing waters.</p> <p>The material should be deposited on the beach below MHWS and allowed to disperse naturally. If any dredged material accumulates above MHWS, disposal operations must cease until the material has dispersed. Any rubbish materials should be removed and disposed of at a licensed onshore site.</p> |
| Removal of sand/silt material from the entrance to harbours, lock gates etc. using jetting techniques. | <p>SEPA has no objection to this application and in this instance has no site-specific advice or comment to make.</p> <p>Please refer to General Advice 3.9 above regarding timing in relation to protection of Bathing waters.</p> |
| Temporary stockpiling of dredged material within dredged channels before the material is taken to a licensed offshore sea disposal site. | <p>SEPA does not anticipate any adverse environmental impacts provided that work is carried out in line with best dredging practices and measures are put in place to minimise the release of sediment plumes into the adjacent water body.</p> <p>Please refer to General Advice 3.9 above regarding timing in relation to protection of Bathing waters.</p> |
| Formation of berthing pockets, sonar pits etc. within dredged areas with the material disposed of at a licensed | <p>SEPA has no objection to this application and in this instance has no site-specific advice or comment to make.</p> |

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| offshore sea disposal site. | Please refer to General Advice 3.9 above regarding timing in relation to protection of Bathing waters. |
| Removal and relocation of sediment | |
| Relocation of sand/shingle to restore beach levels following storm activity. | To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance: Guidance for Pollution Prevention (GPPs) |
| Placement and removal of boulders and cobbles e.g. rock groyne repair and removal of boulders hazardous to navigation. | CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide Disturbance to the shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed onshore site. |
| Removal and excavation of sediment for scientific (e.g. benthic grabbing) and geotechnical investigation (e.g. trial pits and boreholes). | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |

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| Construction of new structures | |
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| Installation of slipways and launching ramps. | <p>To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs) in particular GPP5 Works and maintenance in or near water (section 3) covers working with concrete, cement and grout.</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>Disturbance to the shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed onshore site.</p> |
| Installation of new sea outfalls including outfalls from septic tanks. | <p>To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs) in particular GPP5 Works and maintenance in or near water (section 3) covers working with concrete, cement and grout.</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>SEPA recommends that outfalls be buried where possible. Disturbance to the</p> |

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| | shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed onshore site. |
| Installation of permanent and temporary outfall diffusers. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Installation of headwalls and any associated scour protection as part of sea outfall construction. | <p>To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs) GPP5 Works and maintenance in or near water (section 3) covers working with concrete, cement and grout.</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>Disturbance to the shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed onshore site.</p> |
| Installation of flap/tideflex valves and outfalls within existing seawalls and embankments, and any associated scour protection. | SEPA has no objection to these applications and in this instance has no site-specific advice or comment to make. |
| Installation of manholes, scour valves etc. on the foreshore. | |
| Placement of scour protection works across a tidal channel. | |

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| Construction of concrete steps. | |
| New rock armour (coastal revetment) | <p>To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs)</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>Disturbance to the shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed onshore site.</p> |
| Construction of new bridges. | <p>To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs) GPP5 Works and maintenance in or near water (section 3) covers working with concrete, cement and grout.</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>SEPA recommends that measures need to be in place to contain and prevent construction and waste materials e.g. paint from falling from the bridge into the</p> |

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| | water body beneath. All waste materials should be removed and disposed of at a licensed onshore site. |
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| Piled structures outwith harbour/marina confines e.g. timber loading jetty structures, boardwalks. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Installation of new lock gates within harbour and marina confines. | SEPA has no objection to these applications and in this instance has no site-specific advice or comment to make. |
| Piled structures within harbour/marina confines e.g. pontoons. | |
| Installation of and extension to pontoons and linkspans within and outwith harbour confines. | |
| Installation of sea water heat source pumps and exchangers. | |
| Installation of fences/walls below high water mark | |
| Installation of private and commercial moorings for boating within and outwith harbour/marina confines. | |
| Sleeving of pontoon mooring piles. | |
| Installation of berthing dolphins and fenders. | |
| Installation of floating structures e.g. pontoons, piers, wave screens, walkways and tern rafts. | |

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| Installation of runway approach lighting. | |
| Buoys and navigation markers, single moorings. | |
| Sea water chamber maintenance e.g. power stations. | |
| Deposit of sculptures. | |
| Installation of stepping stones. | |
| Pinning cables to rock. | |
| Modification to existing structures beyond the existing footprint of the structure | |
| Extension to existing slipways, ramps etc. | <p>To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs) GPP5 Works and maintenance in or near water (section 3) covers working with concrete, cement and grout.</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>Disturbance to the shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed</p> |

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| | onshore site. |
| Extension to headwalls and any associated scour protection as part of sea outfall and flap/tideflex valve improvement works. | SEPA has no objection to these applications and in this instance has no site-specific advice or comment to make. |
| Installation of new toe structures to maintain existing coastal protection and flood defence structures. | |
| Bridge pier collision protection works. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Extension to existing piled structures and pontoons within and outwith harbour confines. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Repair and refurbishment of existing structures (not covered by inshore exemptions and amendment) within the existing footprint of the structure concerned | |
| Repair and refurbishment of existing structures e.g. slipways. | The applicant should refer to the appropriate sections in the following guidance: Guidance for Pollution Prevention (GPPs) CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide All waste materials to be removed and disposed of at a licensed onshore site. |
| Repair and refurbishment of bridges and other above water structures. | SEPA recommends that measures need to be in place to contain and prevent construction and waste materials e.g. paint from falling from the bridge into the water body beneath. The applicant should refer to the appropriate sections in the following guidance: Guidance for Pollution Prevention (GPPs) CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site |

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| | Guide All waste materials to be removed and disposed of at a licensed onshore site. |
| Flap/tideflex valve repair. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Replacement of structures | |
| Replacement of sea outfalls. | To prevent pollution and safeguard marine ecology interests it is vital that good working practice is adopted and appropriate steps taken to prevent water pollution and minimise disturbance to sensitive receptors. With regard to works on the shoreline the applicant should refer to the appropriate sections in the following guidance: Guidance for Pollution Prevention (GPPs) GPP5 Works and maintenance in or near water (section 3) covers working with concrete, cement and grout. CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide SEPA recommends that the new infrastructure be buried where possible and the redundant structures and materials be removed. Disturbance to the shoreline and/or seabed should be minimised and the shore restored to as near its former condition following the works as reasonably possible. All waste materials should be removed and disposed of at a licensed onshore site. |
| Replacement of cables and pipelines. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Replacement of fenders. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Temporary structures | |
| Temporary access ramps, storage areas, islands, bunds, piles, beach | The shore should be restored to as near its former condition as reasonably possible once the temporary structure has been removed. All waste materials |

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| access roads, bridges etc. | should be removed and disposed of at a licensed onshore site. |
| Demolition and removal of structures | |
| Demolition and removal of existing bridges, footbridges and other structures above water | <p>SEPA recommends that measures need to be in place to contain and prevent construction and waste materials e.g. paint from falling from the structure into the water body beneath. The applicant should refer to the appropriate sections in the following guidance:</p> <p>Guidance for Pollution Prevention (GPPs)</p> <p>CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide</p> <p>All waste materials to be removed and disposed of at a licensed onshore site.</p> |
| Aquaculture | |
| Installation of marine fish farms and associated infrastructure. | SEPA has no objection to this application insofar as its physical footprint is concerned. Other aspects of the development are dealt with under other regulatory regimes. |
| Wellboat discharges | SEPA has no objection to this application provided the type and amount of chemical used and discharged will not exceed that specified in the respective CAR licence. The agreed condition should be imposed on the application preventing the simultaneous discharge from bath treatments. |
| Installation of moorings and anchors for shellfish related aquaculture sites. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Installation of structures and lines for the purposes of seaweed cultivation. | <p>SEPA has no objection to this application provided conditions are imposed to ensure:</p> <ol style="list-style-type: none"> 1. The applicant adopts measures to prevent the introduction and spread of invasive non-native species at the proposed site. 2. The applicant is not permitted to artificially enrich the marine environment to aid production or for any other reason in pursuance of this licence. 3. The applicant utilises locally sourced stocks for seeding of the cultivation |

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| | <p>systems and that mitigation measure to reduce impacts on the collection site are included in any procedures for this operation.</p> <p>4. Any future expansion is subject to further assessment.</p> <p>If the proposal is within or adjacent to the area of Clyde Forum's Biosecurity Plan SEPA advises that the applicant considers this plan and ensures that the details of the prevention measures complement those identified for the Clyde area. Further practical advice can also be obtained from the GB Non-Native Species Secretariat or from the forum itself.</p> <p>For seaweeds produced for human consumption and/or medical use, we do recommend that these are located within Shellfish Water Protected Areas (SWPAs) (as identified within The Water Environment (Shellfish Water Protected Areas: Designation) (Scotland) Order 2013), as SEPA is required to ensure that the water quality within SWPAs is maintained. Water quality standards set for SWPAs are designed to facilitate the production of wholesome, quality shellfish. While it is likely that such standards will ensure that seaweed produced in SWPAs is also suitable for human consumption, we have no evidence to show that this will be the case, or what the water quality standards may be required to ensure the wholesomeness of seaweed. However, the Food Standards Agency Scotland has the statutory responsibility for protecting the public's health and consumer interests and therefore we advise that they are consulted if the seaweed produced is ultimately proposed for human consumption.</p> |
| Crab keep lines. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Renewables | |
| Installation of tidal, wave and wind devices (and any associated infrastructure) below MHWS. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Installation of meteorological masts. | SEPA has no objection to this application and in this instance has no site- |

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| | specific advice or comment to make. |
| Temporary wet stowing of renewable devices on the seabed for the purpose of inspection. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Decommissioning | |
| Decommissioning and removal of all renewable devices and associated infrastructure. | SEPA has no objection to this application provided the devices and as much of the support infrastructure is removed and all waste materials are removed and reused, recycled or disposed of at a licensed onshore site. The seabed and/or shoreline should be restored to as near its former natural condition as possible on completion of the works. |
| Decommissioning and removal of all other structures and cabling. | SEPA has no objection to this application provided that as much of the structure/cabling is removed as possible and the waste materials either recycled or reused, or removed and disposed of at a licensed onshore site. The shoreline and/or seabed should be restored to as natural a condition as possible on completion of the works. |
| Deployment of scientific equipment | |
| Deployment of seabed mounted scientific equipment e.g. waverider buoys, ADCPs, tide gauges, acoustic devices for underwater noise surveys. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Bubble curtain shock wave mitigation trials. | SEPA recommends that SNH be consulted with regard to potential noise disturbance. |
| Removal of salvage from wrecks | |
| Removal of salvage materials from wrecks on the seabed. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| MOD per QinetiQ | |
| Testing of the response of submersible structures to explosives. | SEPA recommends that where reasonably possible QinetiQ remove the submersible structures and any debris following the trials and that these are reused, recycled or disposed of at a licensed onshore site. |
| Testing and evaluation of weapons systems and explosives. | SEPA recommends that where reasonably possible QinetiQ remove debris or waste materials following the trials and that these are reused, recycled or |

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| | disposed of at a licensed onshore site. |
| Deployment, repair or removal of electromagnetic signature devices from open sea ranges. | SEPA has no objection to this application and in this instance has no site-specific advice or comment to make. |
| Release of materials into the water environment | |
| Release of sediment tracing material into the water environment | SEPA has no objection to the release of tracing material for the undertaking of a dispersion study (e.g. for aquaculture or septic tank flows). However, we strongly recommend the use of biodegradable material. We do not consider the use of non-biodegradable products (e.g. microplastic beads) to be the best environmental option. Indeed there is a current drive by Marine Alliance for Science & Technology for Scotland to eliminate their use. |
| Renewal of marine licences | |
| Any renewal, amendment or time extension to an existing licence, or activity consented previously under the Coast Protection Act 1949 e.g. finfish/shellfish farms, or for other activities e.g. 3 year maintenance dredging and disposal licences. | Please refer to the advice provided under each specific activity. |
| Wellboat discharges | SEPA has no objection to this application provided the type and amount of chemical used and discharged will not exceed that specified in the respective CAR licence. The agreed condition should be imposed on the renewal application preventing the simultaneous discharge from both treatments. |
| Repeat consultations | |
| Repeat consultations for development proposals that were licensed previously but did not go ahead within the valid time period of the licence. | Refer to previous SEPA response. |
| Licence applications where SEPA has | SEPA has no objection to this alteration and in this instance has no site-specific |

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| <p>been consulted but Marine Scotland has been consulted again by the applicant with respect to minor alterations to the original proposals. Examples might include a change in construction methodology or formation of temporary structures not considered in original application (see temporary structures section above).</p> | <p>advice or comment to make.</p> |
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