Water Use

Supporting Guidance (WAT-SG-80)

Interim GIS Screening Tool Guidance for Engineering Registration Level Activities

Version: v3

Released: Mar 2017

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Update Summary

Version	Description
v1.0	First issue for Water Use reference using approved content from the following documents: *GIS screening guidance FINAL.doc*
v2.0	Section 5 added for Part M: Vehicle use in a water body
v2.1	Corrections made to flowchart notes
v3	Doc updated to include SSSI screening, flowchart updated to reflect changes.

Notes:
References: Linked references to other documents have been disabled in this web version of the document. See the References section for details of all referenced documents.
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Always refer to the online document for accurate and up-to-date information.

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1. Overview

1.1 Background

SEPA has duties under the Conservation (Natural habitats &c.) Regulations 1994 and the Nature Conservation (Scotland) Act 2004 with respect to Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSIs) that apply when determining applications for authorisation under CAR. SEPA is required to assess whether or not proposed controlled activities are likely to have a significant effect ("LSE") with respect to the objectives of the protected site. Where a significant effect is likely, SEPA must consult SNH and carry out an appropriate assessment for SACs or an assessment of the likely damage for SSSIs.

The Interim GIS screening tool provides basic screening of applications for authorisation by registration of engineering works. It distinguishes those activities where a significant effect is unlikely from those that require further consideration. The latter will be passed to the local Operations Teams for further assessment. Annex 1 provides background information on agreed screening parameters with SNH and Annex 2 provides information for staff on how the screening tool works and the individual tests that are carried out.

This interim tool will be utilised until the full GIS Screening Tool is available.

1.2 Purpose of Guidance

This guidance provides details for Operations staff on the process they should carry out when they receive a registration application from registry as a result of GIS screening.

Registry staff will carry out screening tests in line with a separate guidance document.

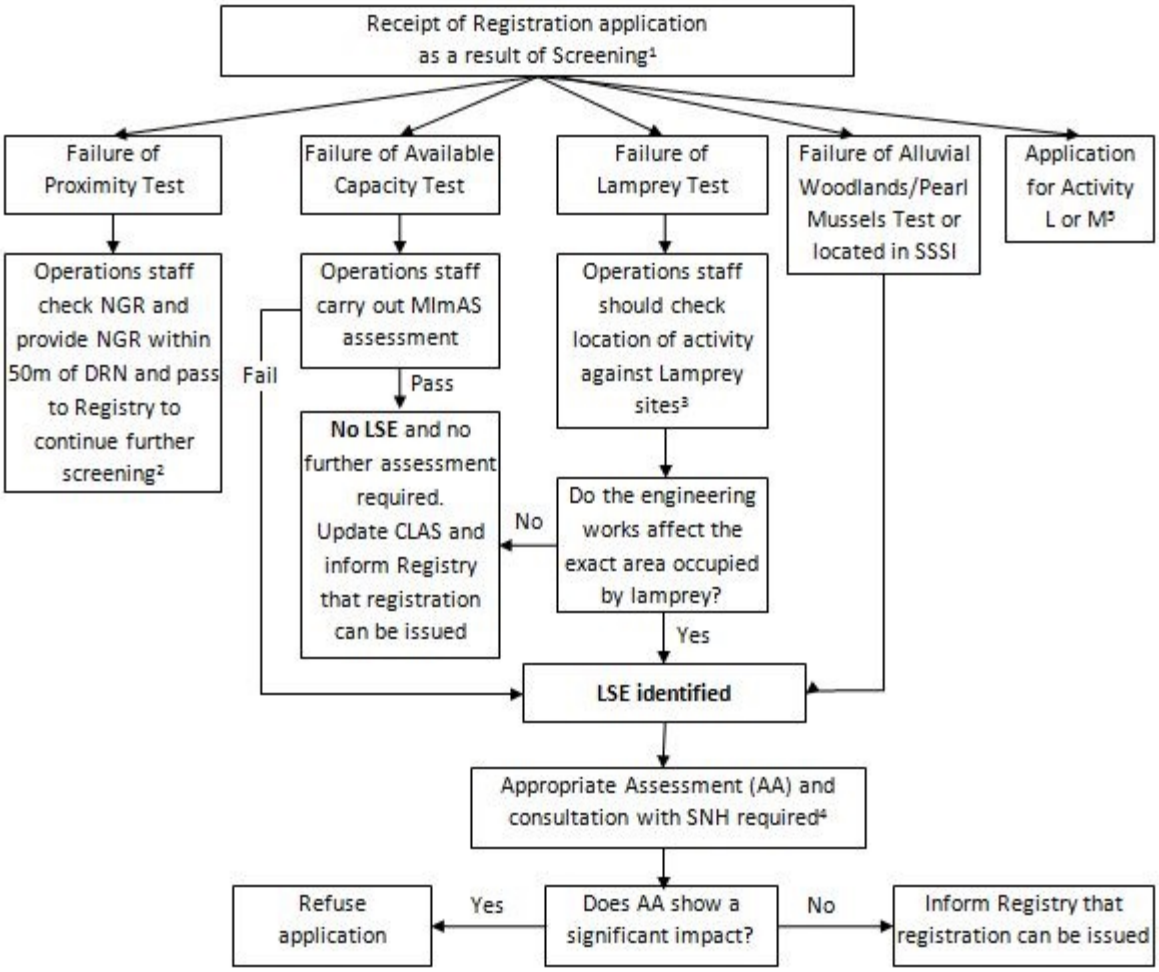
Staff will receive application from registry when one or more of the below has occurred:

- Application failed Proximity Test
- Application failed Available Capacity Test
- Application failed Lamprey Test
- Application failed Alluvial Woodland Test
- Application failed Pearl Mussel Test
- Application is for Activity L (dredging in watercourses ≥1 and <5m)
- Application is for Activity M (Vehicle use in water)
- Application is within a water dependent SSSi

The guidance also provides information on how to carry out appropriate assessments, and how and when to consult with SNH.

2. Receipt of a Registration Application

Figure 1 Procedure following receipt of a registration application from Registry



Notes:

1 Operations staff will usually only receive registrations which fail the screening tests however different rules apply if application is for registration Activity L. (See Section 4) or M (see section 5)

2 If the NGR is on a watercourse which does not show up on DRN then it is likely that the watercourse does not appear on 1:50000 map and therefore does not require a registration.
EXCEPTION: If the activity is for dredging (i.e. activities A, B, C or L) it will still require authorisation in which case Operation staff should carry out further screening manually.

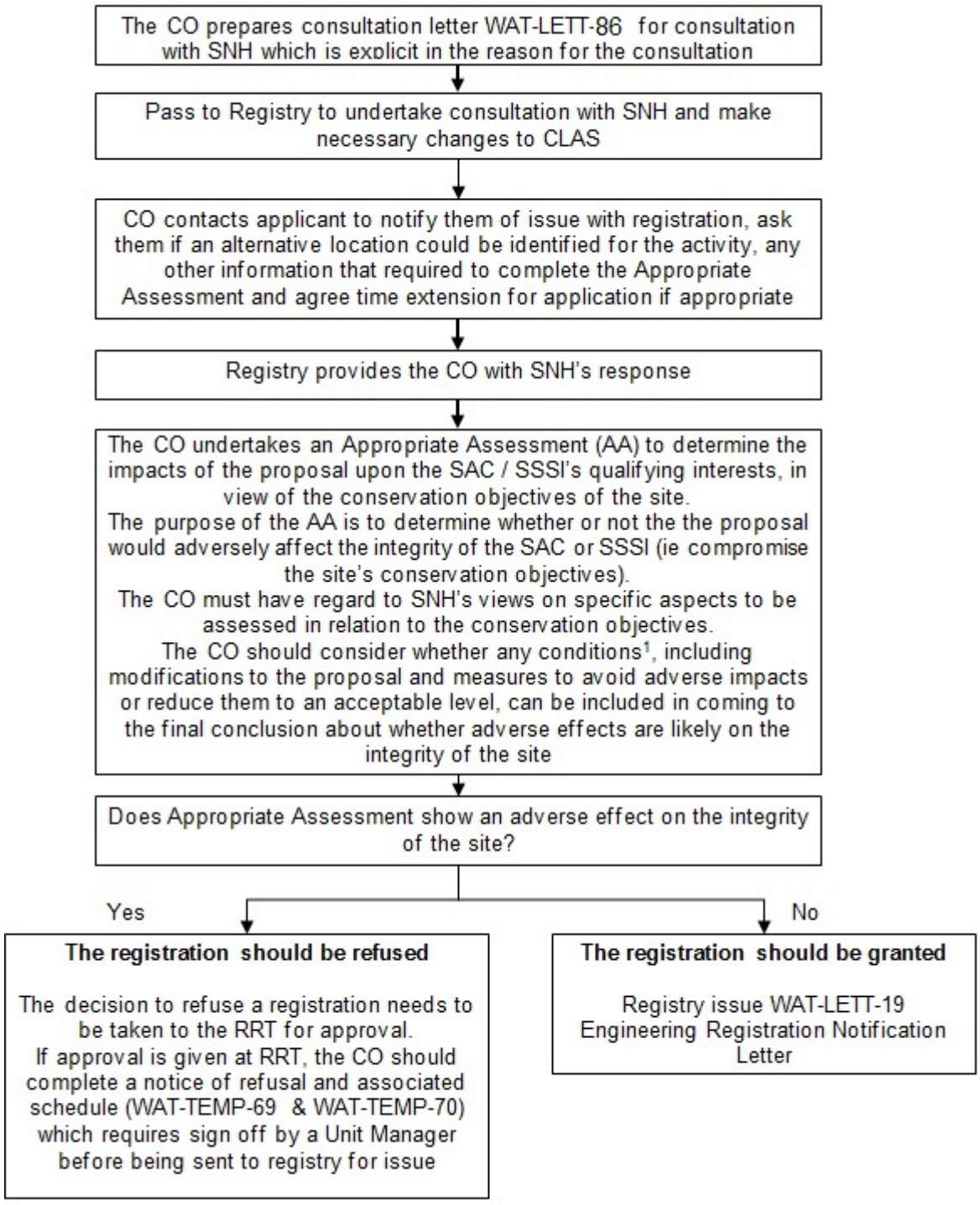
3 See Annex 4

4 See Section 3 and Annex 3 for Appropriate Assessment procedure

5 See section 4 for Activity L and section 5 for Activity M.

3. Appropriate Assessment, Consultation (SNH) and Issue of Registration

Figure 2 Details of what is required for an Appropriate Assessment



Notes:
1 The registration conditions already control issues such as silt disturbance but additional conditions can be incorporated where necessary. These bespoke conditions should be incorporated within the relevant activity section in *WAT-LETT-19: Engineering Registration Notification Letter* prior to Registry issuing this to the applicant.

For more information on Appropriate Assessment, see *NCP-P-01: SEPA Nature Conservation Procedure for Environmental Licensing*

Details of any Appropriate Assessment should be recorded in the sheet provided in Annex 3. This sheet should be passed to Registry for inclusion on the Public Register along with the application form and *WAT-LETT-86: SNH Consultation Letter*

Registry will update the CLAS task to record that an Appropriate Assessment and consultation has been carried out.

3.1 Issue of Registration

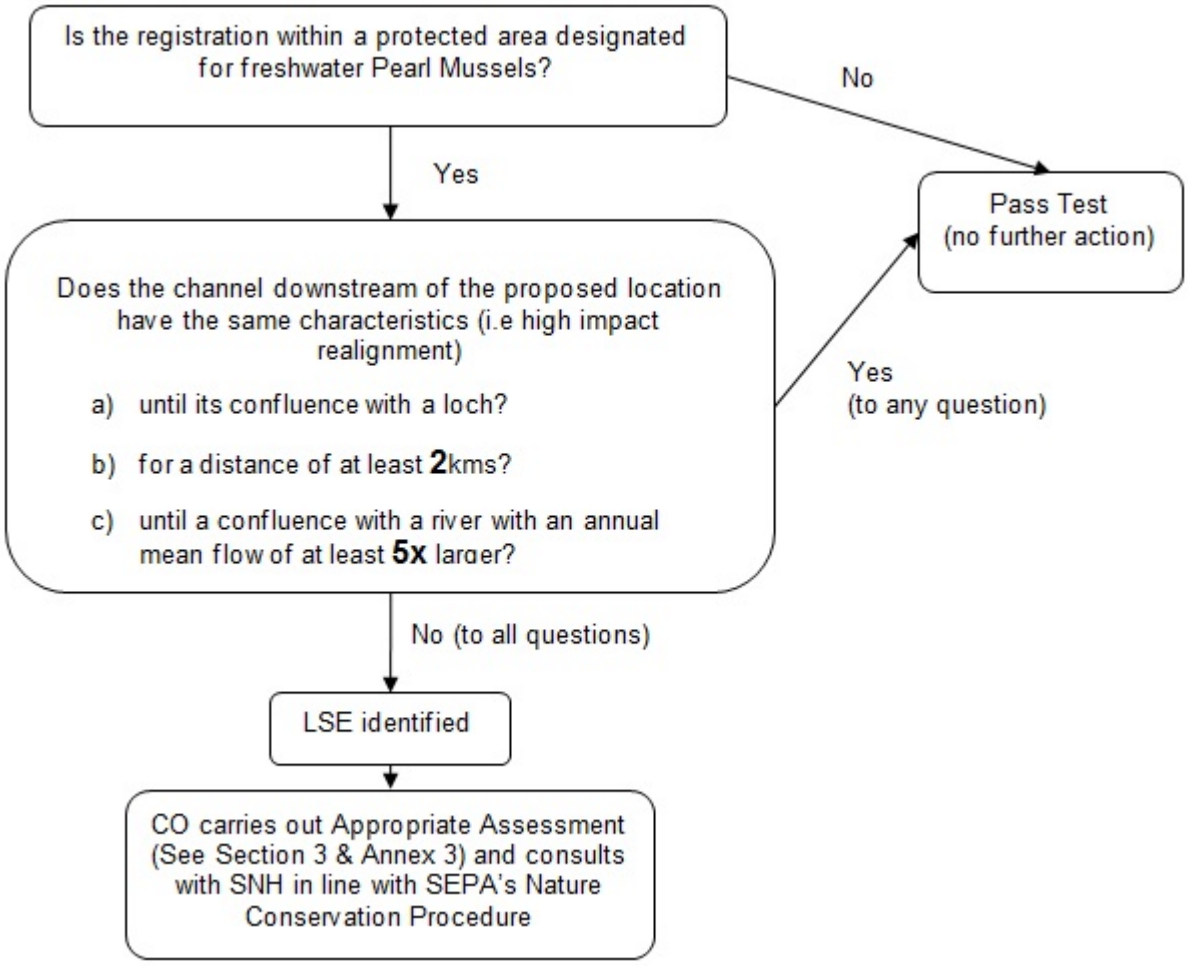
Any conditions deemed necessary to control the activity and protect the SAC or SSSI can be added into *WAT-LETT-19: Engineering Registration Notification Letter* by informing Registry. If any non standard conditions are required it is recommended that advice is obtained from Water Legal or National Ops Water Unit. Escalation to a licence is not beneficial as additional conditions can be added to the registration and the applicant would not be charged more than the registration fee.

4. Registration for Activity L (sediment management)

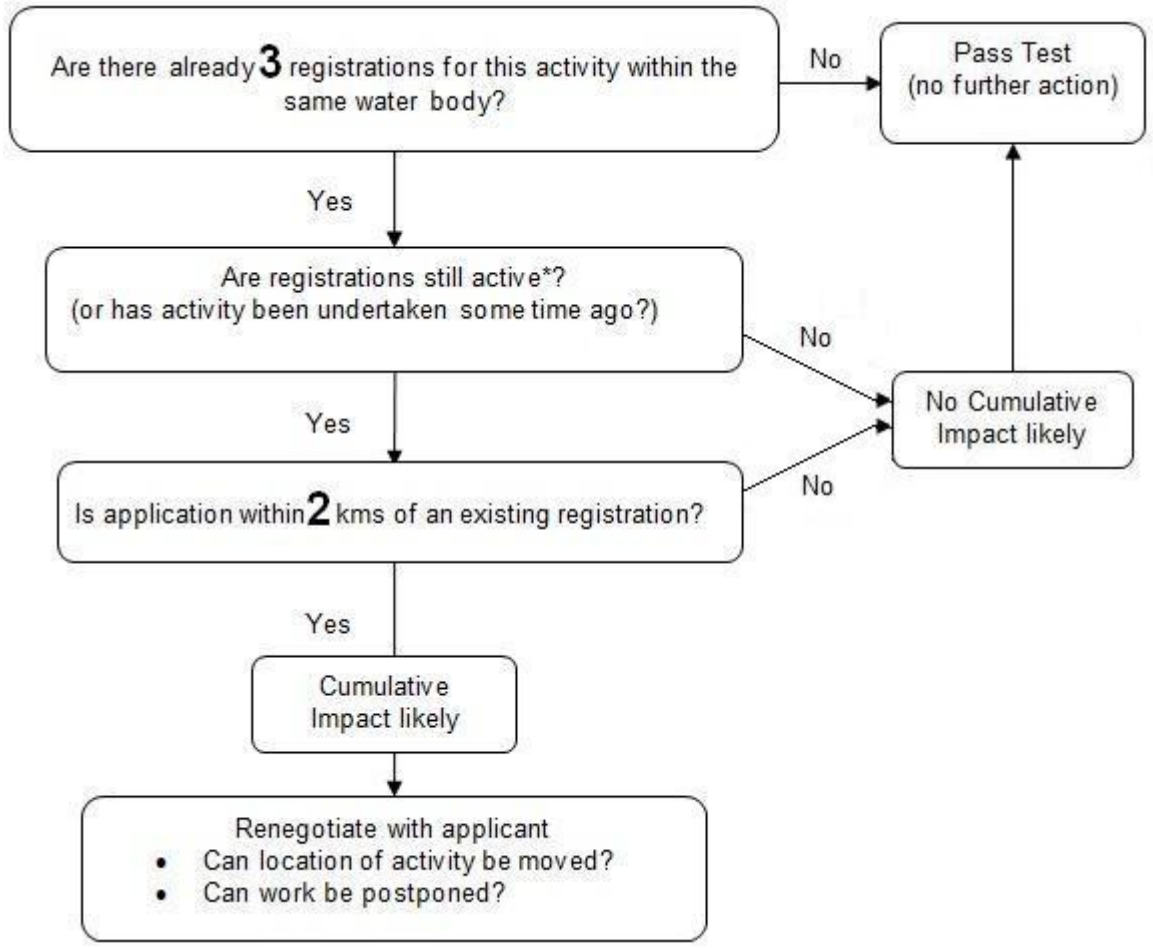
This section refers only to the registration for Activity L - 'Removal of sand, silt or clay from the bed of previously straightened rivers or burns which are ≥1m and <5m wide'.

ALL applications for the registration will be passed to operations staff following screening. Operations staff must carry out the additional assessments as outlined below:

4.1 Pearl Mussels



4.2 Cumulative impact assessment



*Note: this registration has a time limiting condition which means that it expires after 12 months from date of issue.

IMPORTANT: Figures for assessments as highlighted in **bold** have not been finalised and therefore please contact your local engineering specialist for discussion regarding these registrations.

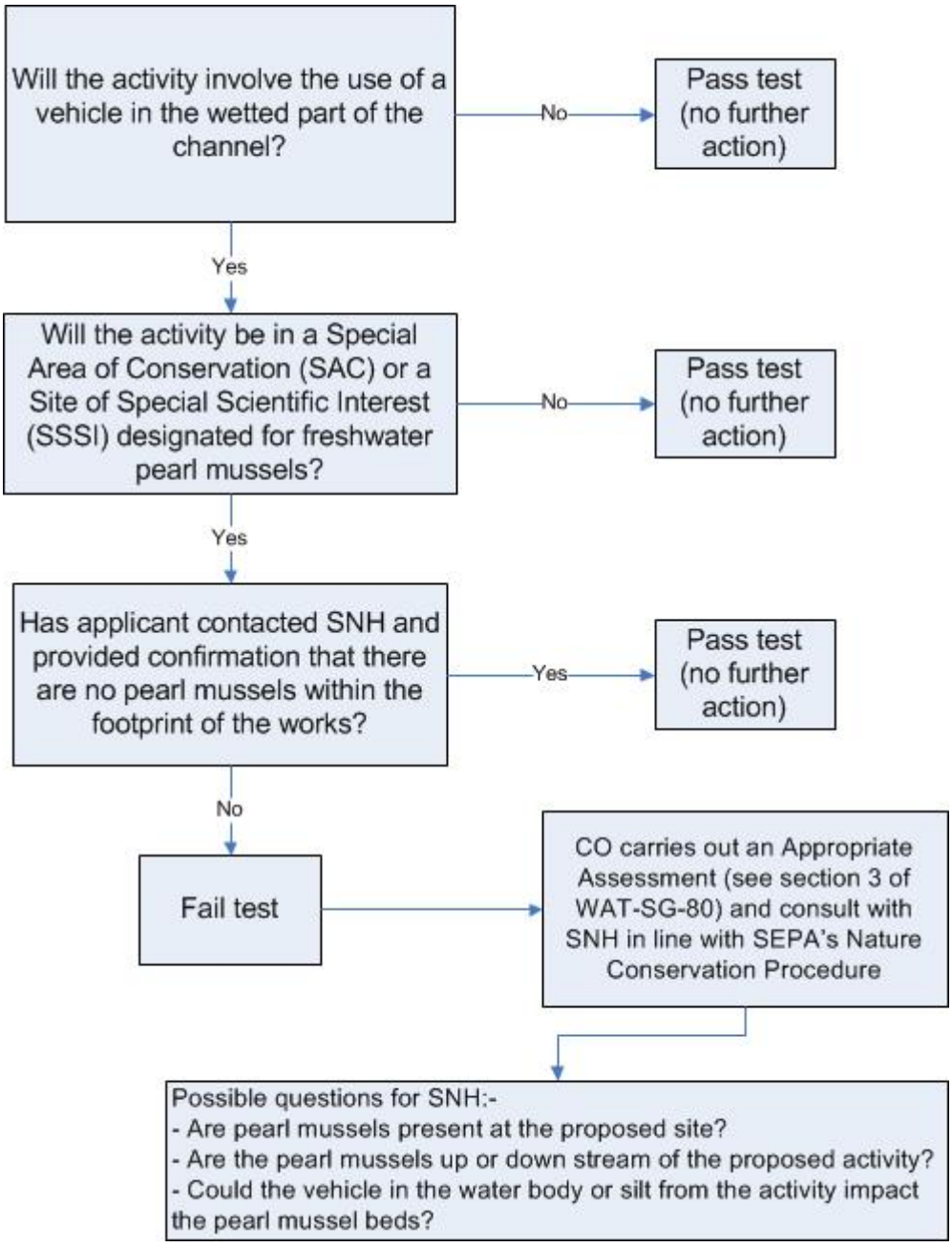
5. Registration for Activity M (vehicle use in water)

This section refers only to the registration for Activity M – 'Vehicle use in a water body'.

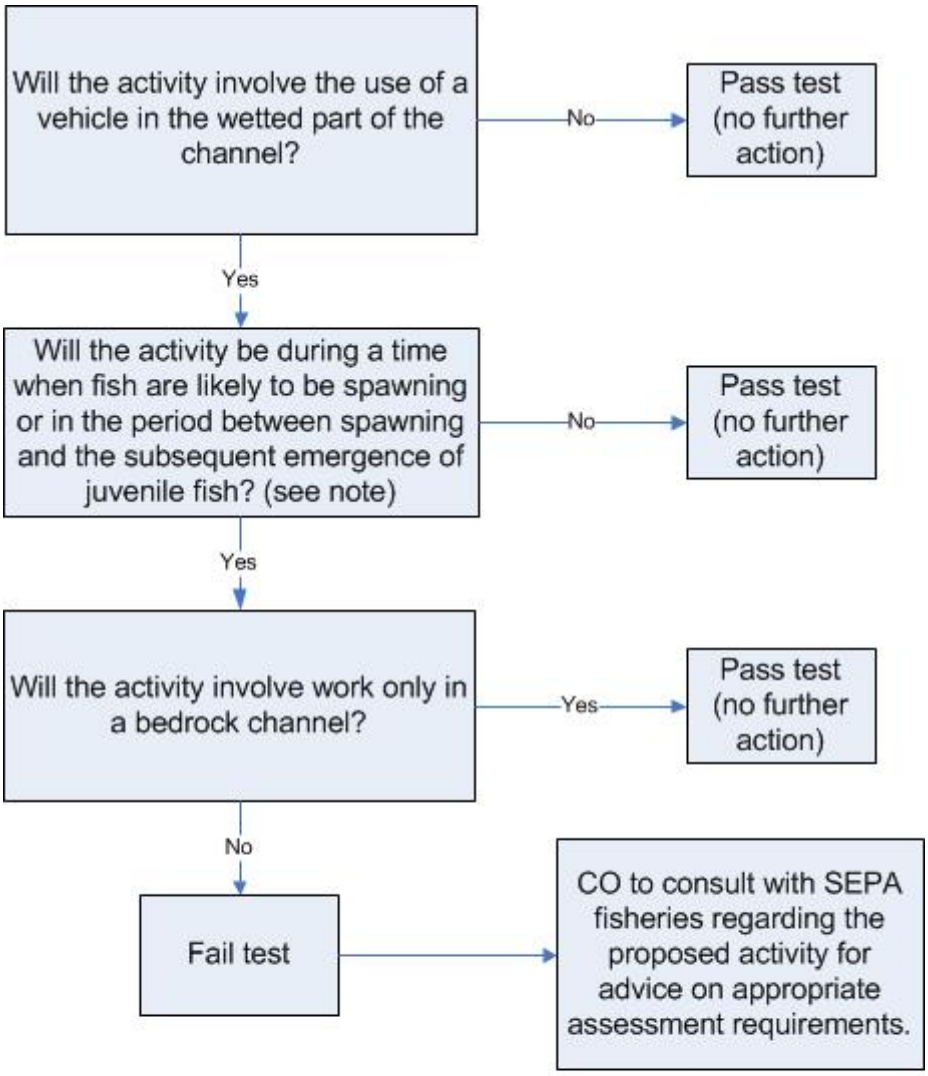
All applications for the registration will be passed to operations staff for screening. The screening tests are outlined below:

5.1 Pearl mussel screening test

Figure 3 Pearl Mussel Test



5.2 Fisheries Impact Test



Note:
Key fish species to consider include salmon and trout (normally end of Oct-end of May), lamprey species (normally March-July).
However these times can vary and you should contact the local district salmon fisheries board or local fisheries trust
if you are unsure what fish species are present or what times should be avoided.

Annex 1: Activities likely to have a significant effect

Engineering works		Designated interest		
		Pearl mussel	**Lamprey**	**Alluvial woodland**
K	Limited sediment removal from 1/3 of dry bars in a 1km river length	No LSE	No LSE	LSE
B	Sediment removal - within 10m of a bridge	LSE[1]	No LSE	No LSE
C	Sediment removal - open culverts <2m wide	LSE[1]	No LSE	No LSE
A	Sediment removal - canals & lades	LSE lades only[1]	No LSE	No LSE
H	Cable/pipe crossing beneath bed	LSE	LSE in pre-specified locations[3]	No LSE
D	Green bank protection of <50m	No LSE[2]	LSE in pre-specified locations[3]	LSE in pre-specified locations[4]
E	Bank re-profiling of <50m	No LSE[2]	LSE in pre-specified locations[3]	LSE in pre-specified locations[4]
F	Bridge with <20m bank works	No LSE[2]	No LSE	LSE in pre-specified locations[4]
G	Bridging culvert of river <2m wide for single track road or smaller path	LSE	No LSE	No LSE
I	Bed reinforcement within 10m of a culvert exit	LSE	No LSE	No LSE
L	L Dredging in previously straightened watercourses <5m	LSE	No LSE	No LSE

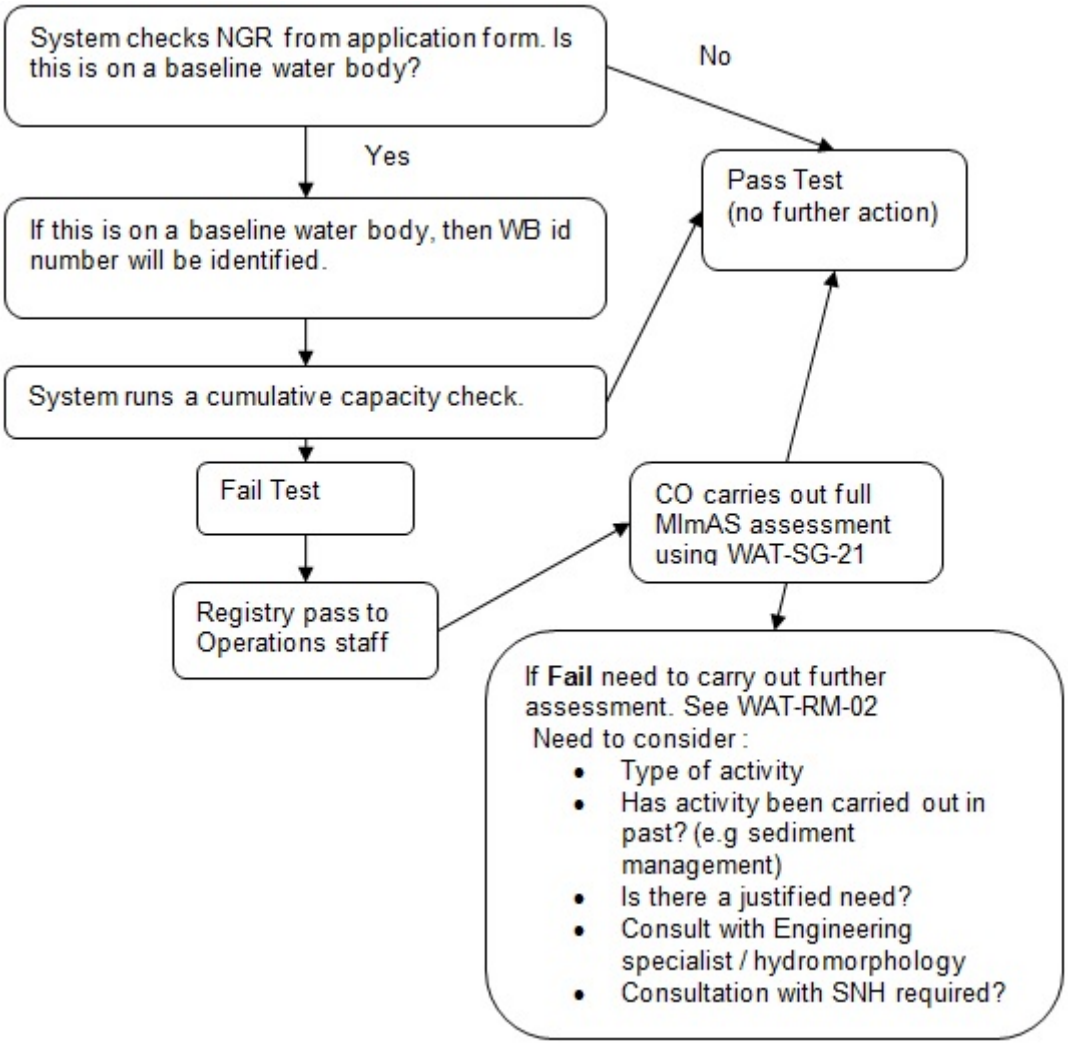
NOTES
1 These activities to be considered LSE for pearl mussels unless: (a) only dry parts of river bed affected;(b) pearl mussels already known to be absent from the location; or (c) a previous appropriate assessment has concluded that affects on pearl mussels at the location would not have implications for the Natura 2000 site's objectives.
2 These activities not to be considered LSE for pearl mussels unless they affect the wetted part of river bed. If they do affect the wetted part of the river bed, the activities are to be considered LSE unless (a) pearl mussels already known to be absent from the location; or (b) a previous appropriate assessment has concluded that affects on pearl mussels at the location would not have implications for the Natura 2000 site's objectives.
3 Activities to be considered LSE for lamprey if they coincide with pre-identified, discrete patches of silt known to support a significant proportion of the Natura 2000 site's lamprey population.
4 Activities considered to have LSE if located on SAC Shingle Islands(Tummel) Water bodies.

Annex 2: Screening Tests

Available Capacity Test

This test is only applied to works being carried out on the main stem of water bodies (sometimes referred to as the “baseline water” body).

A table of activity capacities has been compiled which lists all the baseline water bodies and the available capacity for morphological change on each of these. Each type of registration engineering activity has been assigned a “capacity use” value which is then compared against the capacity available on the relevant water body as listed in the aforementioned table. This determines whether the activity is likely to risk current status of the water body.



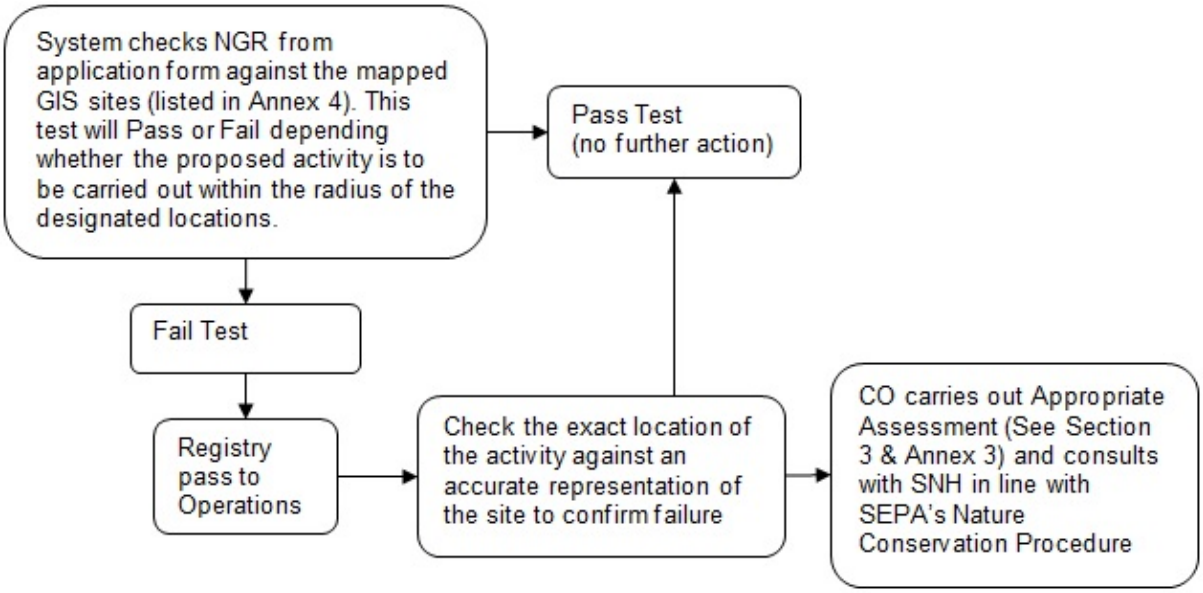
For failures of this test, in order to determine if there is a LSE, Operations staff will carry out a full environmental standards test in line with *WAT-RM-02: Regulation of Licence-level Engineering Activities* and *WAT-SG-21: Environmental Standards for River Morphology*.

Lamprey Test

This test is only relevant to:

- Activities D, E & H

SNH have provided lamprey locations which have been layered on GIS. The NGR from the application form is compared against these layers on GIS to see if the proposed activities fall within these sites.



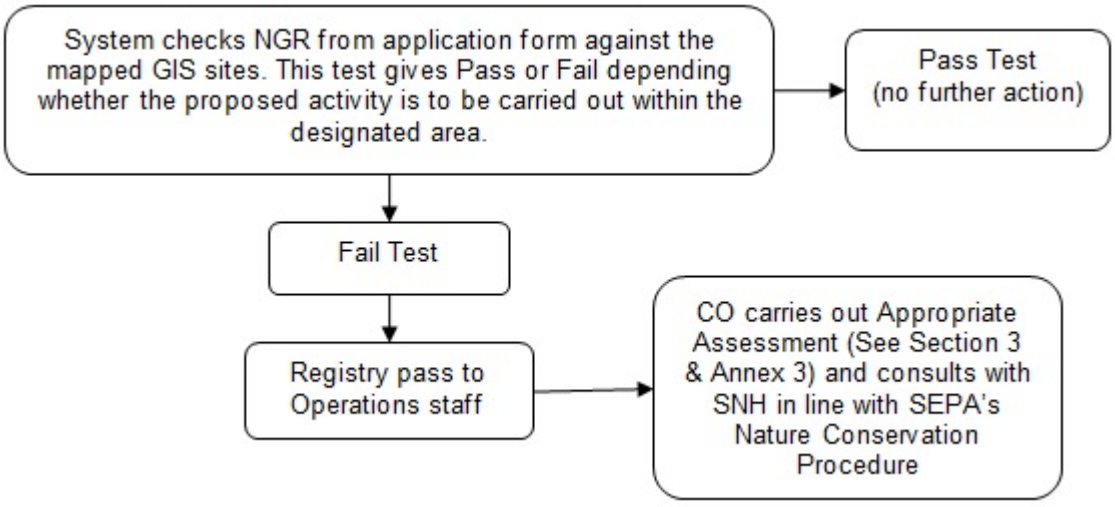
For failures of this test, SEPA considers that there may be a LSE. Operations staff should first check the location of the activity against an accurate representation of the site (i.e. is the works affecting the exact area occupied by lamprey as shown on GIS, since initial screening will not give this level of accuracy) before they decide on whether an appropriate assessment is required in consultation with SNH and in line with SEPA's *Nature Conservation Procedure*. See Annex 4 for lamprey locations.

Alluvial Woodlands Test

This test is only relevant to:

- Activity K
- Activities D, E and F within SAC Shingle Islands (Tummel).

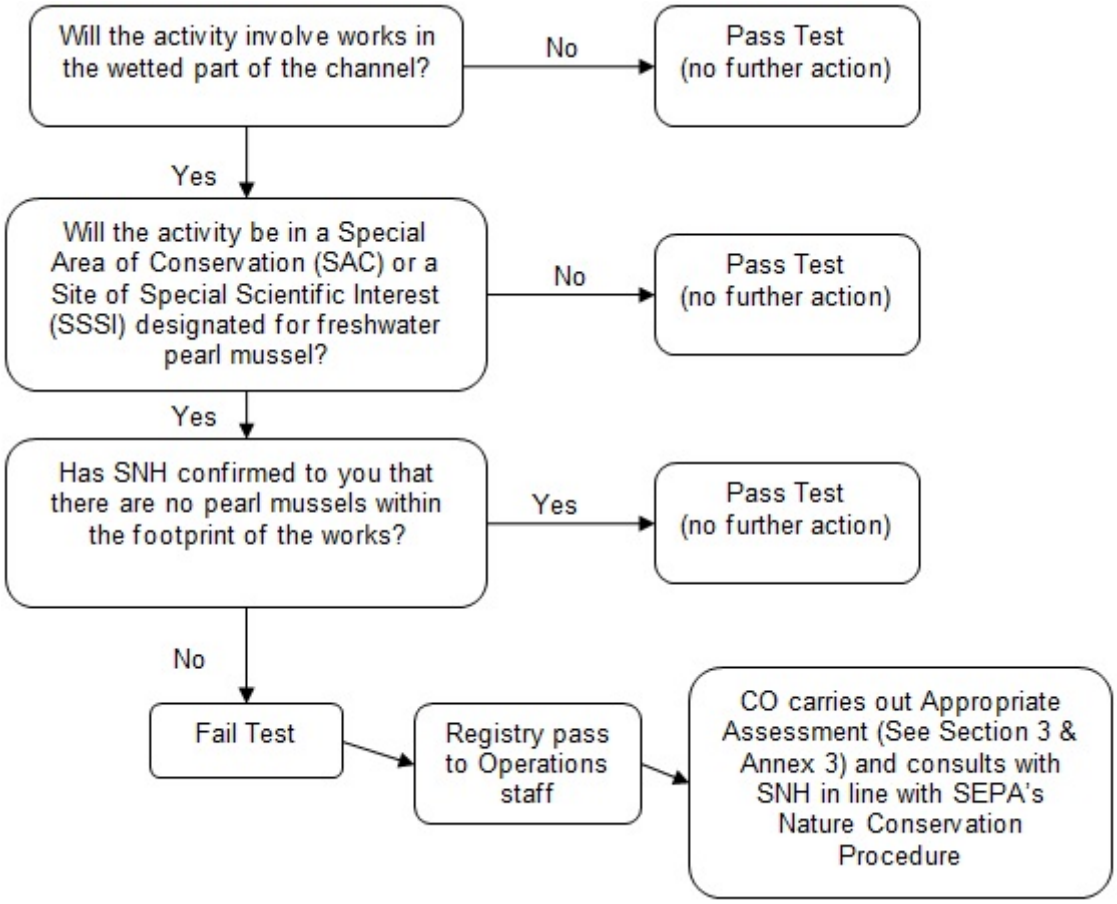
Details of these protected sites have been provided by SNH and layered on GIS. The NGR submitted on the registration application form for the engineering activity is then compared against the identified sites on GIS to ascertain whether they are within an alluvial woodland.



For failures of this test, SEPA would consider there is a LSE therefore an Appropriate Assessment should be carried out in consultation with SNH and in line with SEPA's *Nature Conservation Procedure*.

Pearl Mussel Test

This test requires the applicant to answer three key questions under Section 5 of the *Engineering Registration* Application Form:



For failures of this test, SEPA would consider there is a LSE therefore an Appropriate Assessment should be carried out in consultation with SNH and in line with SEPA's *Nature Conservation Procedure*.

Annex 3: Appropriate Assessment Record

This record should be used to record information from Section 3.

Table 1 Appropriate Assessment Record

Which test was failed?	Pearl Mussel Lamprey Alluvial Woodland SSSI Screening
Identify the relevant site of conservation	<<Enter name of SAC, SSSI>>
Will the proposed engineering works affect the habitat on which the interest depends or the qualifying habitat itself?	YES NO <<Enter additional comments if necessary>>
Is the type of habitat on which the interest depends present within the part of the river that would be affected by the engineering works?	YES NO <<Enter additional comments if necessary>>
Could the engineering work cause disturbance of the qualifying species?	YES NO <<Enter additional comments if necessary>>
Could disturbance of the interest be avoided by simple conditions? If yes, give details of the conditions being applied.	YES NO <<Enter additional comments if necessary>>
	<<Enter summary of any conditions applied>>
Is the interest present in the part of the river that would be affected by the works?	YES NO <<Enter additional comments if necessary>>
Was a Reg 14 Information Request issued? If yes, give summary of information requested.	YES NO <<Enter additional comments if necessary>>
	<<Enter summary of any info requested>>
Was SNH consulted as part of the Appropriate Assessment? If yes, give summary of their response.	YES NO <<Enter additional comments if necessary>>
	<<Enter summary of response>>
Did the findings of the Appropriate Assessment conclude that there would be an adverse effect on the integrity of the SAC or SSSI?	YES NO <<Enter additional comments if necessary>>

Annex 4: Lamprey Locations

The table below lists the lamprey locations provided by SNH for use in the screening tool. With additional columns describing the location in more detail.

The exact NGR of the activity should be compared with the table below to ensure that it falls within given radius. If it does then LSE is identified and must proceed with appropriate assessment and consultation with SNH.

NOTE : This test is only required for activities D, E and H. If application is for any other registration activity test is passed.

Table 2 SNH lamprey locations (River Spey)

Easting	Northing	Radius (m)	Description (from SNH reports)	Bank
334370	862998	75	Extensive Backwater beside Essil Pool	Left
334266	859777	25	Backwater, 300m downstream from Fochabers Bridge on right bank	Right
333211	855690	50	Backwater beside Lord March Pool, Brae Water Beat 3	Left
333275	856843	25	Backwater at lower end of Aultdearg Pool, Brae water Beat 3	Left
331790	852500	80	Backwater at Upper end of Orton Beat	Left
329018	850843	75	Large backwater at upper end of Sourden pool, Delfur	Left
324800	842900	50	Extensive sand/silt deposit in Pike Hole, WesterElchies	Left
323822	841734	60	Backwater at Horse Hole, directly downstream from Green Burn Mouth, Delagyle	Left
318061	838190	80	Backwater approx 500m upstream from Blacksboat Bridge, Pitchroy	Left
316165	836937	150	Upper end of backwater behind island.	Left
307027	829166	80	Backwater 200m upstream from Cromdale Burn	Right
299500	822333	60	"U/S of Nethy Bridge". In side channel midway between River Nethy confluence and Broomhill Bridge	Left
294650	819200	70	"D/S of bridge at Boat of Garten". C.100 metres downstream of Garten Bridge	Left

References

NOTE: Linked references to other documents have been disabled in this web version of the document See the Water >Guidance pages of the SEPA website for Guidance and other documentation (http://www.sepa.org.uk/regulations/water/engineering/engineering-guidance/). All references to external documents are listed on this page along with an indicative URL to help locate the document. The full path is not provided as SEPA can not guarantee its future location.

Water Manual Documents

WAT-RM-02: Regulation of Licence-level Engineering Activities

WAT-SG-21: Environmental Standards for River Morphology

WAT-LETT-19: Engineering Registration Notification Letter

WAT-LETT-86: SNH Consultation Letter

WAT-TEMP-69: Refusal of Application Notice

WAT-TEMP-70: Refusal of Application Schedule

Other References

Engineering Registration application
see *Water*>Engineering page(www.sepa.org.uk)

NCP-P-01: SEPA Nature Conservation Procedure for Environmental Licensing

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