



Outer Hebrides Advisory Group Update

February 2017

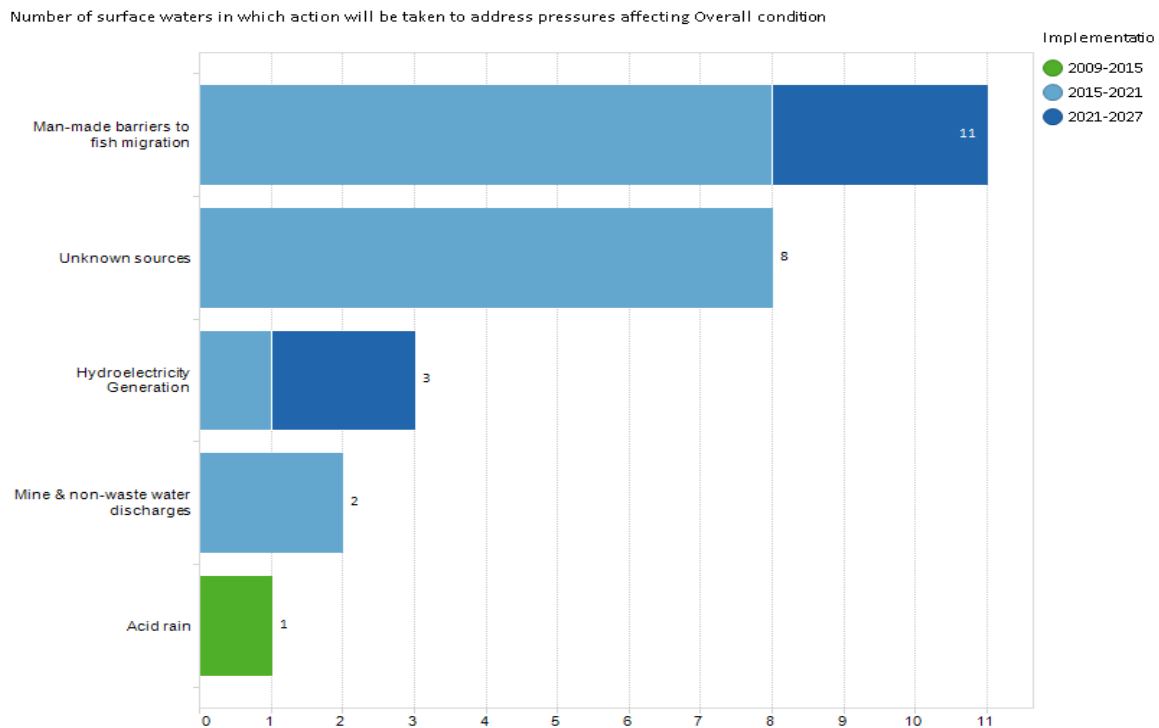
The update paper contains the following topics;

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1. Area Update

Work is underway across Scotland to deliver the objectives of the RBMP, however, because the Outer Hebrides has such a good and natural water environment the majority of this work is being carried out on the mainland. The graph below shows the types of pressures and objectives for the Outer Hebrides. Three of the barriers to fish migration were sorted in 2016, many thanks to all involved in the great work done last year. See the barriers section for more details.

Graph 1: Extract of RBMP2 objectives from the [water environment Hub](#)



The second largest pressure is listed as “unknown”. The pressure on these waterbodies often cannot be attributed to a single pressure and may be impacted from diffuse and point source pollution, for example sewage discharges and agricultural land use impacts. SEPA are conducting further investigation during this cycle to determine the reason for these downgrades.

The Outer Hebrides AAG membership has dropped off in the last couple of years with some members moving on. Thankfully the water environment across the islands is still in great shape but we are still keen to maintain a network of stakeholders with an interest in helping to protect and improve the water environment. If you would like to suggest additional members who you think would be interested to be kept informed of RBMP progress please let me know via; outerhebridesaag@sepa.org.uk

2. RBMP data – where to look for what you need?

[The Second River Basin Management Plans](#) were published using 2014 classification data. All of the information for both of the plans, Scotland and Solway Tweed districts, can be found in the [Water environment hub](#). It provides information on each waterbody, pressures, measures and the targets that we have set.

The 2015 classification data has now been published and can be found at the [SEWeb – water body classification page](#).

In summary, for information about the plans and objectives use [Water environment hub](#), for the 2015 classification results use [SEWeb – water body classification page](#).

Please contact us if you have any questions or queries about where to access the data you need, via OuterHebridesAAG@sepa.org.uk

3. RBMP Delivery Priorities

The [second RBMPs](#) set out Scotland's objectives for protecting and improving water bodies up to 2027. In the second cycle (2016 - 21) the plans include objectives to improve the physical condition of 52 water bodies and ease fish passage across 76 historic barriers to fish migration. The plans recognised that this would require a significant increase in funding.

In the current climate of public sector budget constraints, we are now planning for a scenario where funding levels and timing are different from those original assumptions. We therefore need to prioritise projects for delivery based on this level of funding.

In the short term we are focusing efforts on barriers to fish migration and urban morphology projects that deliver multiple benefits. We are still on track to remove 40+ fish barriers opening up over 800km of river to migratory fish and to restore the physical condition of 11 water bodies by 2021.

Current funding levels will not enable a number of ongoing projects to continue through to completion as originally planned. These projects will be paused at an appropriate stage and reviewed in the light of overall RBMP priorities, funding availability and timing. This won't affect existing contracts for individual stages of ongoing projects. The decision on which projects will be affected was very difficult to take. It was based on the amount of environmental improvement they'll each deliver.

In the meantime we'll continue to actively explore other sources of funding. If you have any questions please contact RBMP@sepa.org.uk

4. RBMP Delivery Updates

Barriers to fish migration

In Scotland, man-made barriers to fish migration cut-off access to over 4,000km of rivers. This affects all fish species, but has a particular impact on salmon, sea trout, lampreys and eels. Removing these barriers is a priority for the second river basin management plans.

Types of fish barriers

For the purposes of management, fish barriers such as weirs, dams, culverts and bridge reinforcements fall into three categories:

- **Active barrier** – an impoundment, weir or dam that is a barrier to fish movement and is being operated or maintained (or is planned to be operated or maintained); or, it is a mothballed weir, impoundment or dam (i.e. it is not currently operated or maintained, but the owners operate/maintain similar structures for the purposes of their business).
- **Historic barrier** - an impoundment, weir or dam constructed prior to 1 April 2006 that is a barrier to fish movement and is not operated or maintained. Nor is it owned by a business who operates or maintains similar structures for the purposes of their business.
- **Asset barrier** – a culvert or bridge apron built prior to 1 April 2006 that is a barrier to fish movement.

Fish barrier projects follow a step-wise process. The National Water and Land Unit will work with staff in regional regulatory services and specialists in Evidence and Flooding to scope all fish barriers during the second cycle. This will help us understand what we can do to improve fish passage.



We aim to scope all fish barriers during the second cycle to have a better understanding of the scale of the measure and what we can do to improve passage.

Following scoping the mechanism used to progress fish barrier improvements varies depending on the category of barrier:

- Active barriers – will be dealt with by Controlled Activities Regulations licence review. Where the improvement is deemed to be proportionate from a cost:benefit perspective then the operator will be expected to secure fish passage.
- Historic barriers – will be progressed using the Water Environment Fund, supplemented by additional funding sources wherever possible. Unlicensed barriers will require a licence before any engineering works can take place. The Scottish Government will provide grants of up to 75% of the engineering costs to improve fish passage at redundant weirs owned by local authorities.
- Asset barrier – a remediation notice* will be issued under the Water Environment (Remedial Measures) (Scotland) Regulations 2016. * *The operational framework SEPA requires to start issuing remediation notices is in development.*

Regulatory context

All impoundments, weirs and dams require authorisation under the Controlled Activities (Scotland) Regulations 2011 (CAR). All culverts and bridges built after 1 April 2006 require authorisation under CAR. A CAR licence is required before any barrier removal or easement engineering work can take place.

Morsgail Culvert – Fish Barrier Removal



A redundant culvert which obstructs migrating fish on Fuarail Burn a tributary of the Abhainn Cleit Duastal, Isle of Lewis, Western Isles has been removed. Removal of this culvert and the river channel restoration now allows salmon, sea trout, eel and lamprey will all be able to access 2km of excellent habitat.



The partnership project between SEPA, the River and Fisheries Trusts of Scotland, the Outer Hebrides fishery Trust, OHFT and the landowner was partly funded by WEF. The Abhainn Cleit Duastal waterbody has improved from Moderate to High condition, meeting an objective in Scotland's River Basin Management Plan.

Pictures from September 2016 – Culvert removed and channel remedial work progressing.

We would also like to thank Donald MacDonald in Technical services at Comhairlie nan Eilean Siar for coordinating the removal of grates on culverts on 2 lochs. Comhairlie nan Eilean Siar, OHFT and Stòras Uibhist assisted the coordination and removal the grates from Loch Chill Donnaine Uarach and Loch Olaidh Meadhanach reinstating access for fish into valuable habitat.

Update on rural diffuse pollution work

The end of RBMP1 saw the completion of all of the catchment walks in the 14 priority catchments for rural diffuse pollution. There was also 400 awareness raising events for farmers. The work included 3,321 farm visits, revisits to non-compliant farms and the introduction of fixed monetary penalties for farms that remained non-compliant at the third revisit. This huge piece of work has shown great success with 84% of farms compliant at their first revisit.

RBMP2 will see an expanded programme of works with another 43 priority catchments due to be added to the original 14. SEPA has also made changes to the way in which this work is done. Inspections will be targeted in at risk and downgraded waterbodies instead of catchment wide. Land unit staff will be conducting more farm visits per day and there will only be 1 revisit to a non-compliant farm before initiating enforcement action.

SEPA has invested significantly in additional resource to expand the priority catchment work in RBMP2 with 7 additional permanent staff and 1 fixed term post. Work has now started in the next round of priority catchments, with 222 farm visits completed in the Whiteadder, Stonehaven, Nairn and Ken/Dee catchments.

SEPA have also been working in partnership with Scotland's Rural College to launch an awareness raising campaign under the brand of "[Farming and Water Scotland](#)". The brand encompasses both regulatory messages and advice for farming business on diffuse pollution and the General Binding Rules. Farming and Water Scotland attended 34 agricultural shows across Scotland and plan to attend a further 4 winter events.

Update on Bathing Waters

The expected EU water quality classification for 2016 were calculated at end Sept and indicate that we anticipate 26 excellent, 36 good, 10 sufficient and 12 poor classifications. This is 5 less than in 2015, but we need to maintain progress to ensure we maintain their class improvement. The Bathing Waters report 2016 is available; <http://apps.sepa.org.uk/bathingwaters/>

The Bathing Waters Delivery Group (Chaired by Calum McPhail) are responsible for coordinating the delivery of improvements for this workstream. [Bathing water improvement plans](#) for 19 specific bathing waters has been produced and shared with Scottish Government and Scottish Water. Actions to be delivered include additional investigative monitoring and inspections of relevant rural and urban catchment pollution sources. The plans are now on-going and shall evolve as new actions or issues are identified.

5. Funding News

Community Engagement Fund

The **Green Infrastructure Community Engagement Fund** will launch in early 2017.

If you are interested in being added to our mailing list please contact the Green Infrastructure Team using our email address greeninfrastructure@snh.gov.uk

<http://www.greeninfrastructurescotland.org.uk/guidance/community-engagement-fund>

6. Consultations

Controlled Activities Regulations level of authorisation at construction sites

The construction of new infrastructure, commercial and residential property is important for the continued sustainable economic growth of Scotland.

When construction sites are not managed properly during the construction phase of a development this may lead to pollution of the water environment. The larger construction sites pose increased risks. SEPA receives reports of incidents of pollution to the water environment from construction sites every year. This consultation is about the larger construction sites being required to have a CAR licence in order to manage the water runoff on site and prevent pollution.

SEPA are keen to ensure that the construction industry continues to improve so that pollution to the environment does not occur. Improvement in practice by the construction industry will allow others to continue to use the water environment and to protect our fish and designated species. This will result in a good reputation for the industry, since the public now have expectations that the environment is being protected.

The consultation will close 31 March 2017. Please respond via;
<https://consultation.sepa.org.uk/rbmp/constructionsitrunoff/>

Proposals for an Integrated Authorisation Framework

This is a Scottish Government consultation that sets out proposals for a new integrated environmental authorisation framework for SEPA. The new framework plans to bring together the authorisation, procedural and enforcement arrangements for existing environmental protection regimes relating to water, waste, radioactive substances and pollution prevention and control.

This consultation sets out the detail of the proposals for a new integrated authorisation framework and the impacts they will have for each environmental regulation regime. The framework is a key component of the joint [Better Environmental Regulation](#) programme run by Scottish Government and SEPA.

The consultation will close 12 April 2017. Please respond via;
<https://consult.scotland.gov.uk/sepa/integrated-authorisation-framework/>