

**WAT-G-008**

**EASR Guidance: Assessment of impact on Protected areas from inland water activities**

Version 1.0, August 2025

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# 1 Purpose

This document provides information and guidance on how SEPA assesses the impact on Protected areas when determining a water registration or permit application under the Environmental Authorisations (Scotland) Regulations 2018, (EASR).

It does not apply to water activities in coastal and transitional waters.

# 2 Protected areas and screening distances

Protected area means an area statutorily designated under International (Ramsar sites), European (Special Areas of Conservation SAC and Special Protection Areas SPA) or National (Sites of Special Scientific Interest SSSI) legislation, to provide protection of their notable natural features or biodiversity. This legislation places duties on bodies such as SEPA to assess whether activities we regulate would harm these sites.

## SAC, SPA and SSSIs

In line with its statutory duties, SEPA will carry out assessments and record whether or not a proposed water activity and the method of undertaking the water activity, either on its own or in combination with other activities, is:

* Likely to have a significant effect on the qualifying interests of any river or freshwater loch SAC or SPA – see [Section 3](#_2_Assessment_required).
* Likely to damage any water dependent, notified feature of any river or freshwater loch SSSI – See [Section 4](#_3_Assessment_required).

These Protected areas are designated for a variety of different qualifying interests and features. SEPA’s assessment will focus on those that are water dependent such as fish and freshwater habitats and for geological features potentially impacted by the activity or associated construction works. For example, a geological SSSI for rock formation would not be impacted by an abstraction however bridge abutments could have potential to impact on the feature, depending on the location. Even if the bridge abutments in themselves would not directly impact on the feature, their construction works phase might do so.

## Ramsar sites

Ramsar Sites are wetlands of international importance designated under the Ramsar Convention. Nearly all Ramsar Sites have a corresponding SAC/SPA interest over that area. Where this is not the case, then that Ramsar interest is protected by SSSI legislation and should be assessed as such.

## National Nature Reserves (NNRs)

Most NNRs are SSSIs and many are Natura sites – SACs and/or SPAs. In many reserves, the land will have more than one designation on it. SEPA does not carry out any additional screening for NNRs.

## Screening distances

Any registration or permit application for an activity within a Protected area or within the screening distances set out below must be assessed (as outlined in [section 2.1](#_SAC,_SPA_and)).

The following tables provide indicative screening distances that can be increased in exception circumstances at the discretion of SEPA.

**Table 1: Discharges and disposals to land**

|  |  |
| --- | --- |
| **Category of Application** | **Distance** |
| Registration | No screening |
| Permit (surface waters) | 2 Kilometres |
| Permit ≤20m3/day (disposal to vegetated land), for waste sheep dip, waste sheep cosmetic products and waste Plant Protection Products (PPPs) | 100 metres |
| Permit >20m3/day (disposal to vegetated land), for waste sheep dip, waste sheep cosmetic products and waste Plant Protection Products (PPPs) | 500 metres |
| Permit discharges to soakaway\*\* | 250 metres |

\*\* Soakaways should be considered on a site-by-site basis where the Protected area may be influenced by groundwater (e.g. a site with groundwater dependent wetland features).

**Table 2: Abstractions from rivers and lochs**

|  |  |
| --- | --- |
| **Category of Application** | **Distance** |
| Registration | 500 metres |
| Permit | 500 metres |

**Table 3: Abstractions from Groundwater**

|  |  |
| --- | --- |
| **Category of Application** | **Distance** |
| Registration | 250 metres |
| Permit ≤500m3/d | 850 metres |
| Permit >500m3/day | 1200 metres |

**Table 4: Impoundments**

|  |  |
| --- | --- |
| **Category of Application** | **Distance** |
| Registration (peatland/wetland restoration) | 500 metres |
| Registration (operation of existing) | No screening |
| Permit | 500 metres downstream and whole catchment upstream |

**Table 5: Engineering**

|  |  |
| --- | --- |
| **Category of Application** | **Distance** |
| Registration | Within the site only |
| Permit | 250 metres |

## Additional permissions from NatureScot

The assessments conducted as part of the EASR application process for Protected areas, refer to habitats and species but only where these are listed as qualifying interests (SAC, SPA) or notified features (SSSI) of the Protected areas.

It is also possible to have protected species present in a location that is not within a Protected area and it is possible to have protected species present in a designated site that are not listed as a qualifying interest or feature of the designated site including, for example, freshwater pearl mussels, water voles and otters. In these circumstances, the assessments listed above, are not carried out by SEPA.

In addition, owners and occupiers of land within a SSSI must apply to NatureScot for consent to carry out certain operations. Further information is available on the [SSSI Consent page.](https://www.nature.scot/professional-advice/protected-areas-and-species/protected-areas/national-designations/sites-special-scientific-interest-sssis-consents) In such cases, it is the responsibility of the applicant to obtain any necessary permissions or consents from [NatureScot](https://www.nature.scot/) as the regulatory authority for such matters.

# 3 Assessment required for Special Areas of Conservation (SAC) and Special Protection Area (SPA) sites

Where there is a SAC or SPA within the screening distances set out in [Section 2.4](#_Toc177552216), SEPA must carry out this assessment to determine whether the proposed water activity (new or varied) and any associated temporary works or method of working is likely to have a significant adverse effecton any river or freshwater loch (SAC) or any loch (SPA) either alone or in combination with other plans or projects**.**

As part of this process, SEPA conducts a ‘Likely Significant Effect’ (LSE) assessment. The purpose of the assessment is to separate activities into those that:

* Have either no, a negligible or very short-term minor effects on the SAC or SPA qualifying interests and can be authorised; or
* Are potentially damaging, even with standard conditions in place, and require to be subjected to an Appropriate Assessment (AA).

While it is SEPA’s statutory duty to undertake this assessment, the onus is on the applicant to provide sufficient information with any application for authorisation in order that SEPA can carry out the assessment. This can include surveys or details of working methods. A regulatory notice can be used to obtain any further information from the applicant, if necessary.

NatureScot can be contacted informally, but SEPA is not required to formally consult NatureScot unless the AA stage is reached.

A link to the details for each SPA and SAC can be found at [the NatureScot website.](https://sitelink.nature.scot/)

## 3.1 Likely Significant Effect (LSE) Assessment

The annexes listed below contain details of the SAC and SPA qualifying interests and LSE assessment for any particular water activity.

* Permit level discharges to rivers – [Annex 1](#_Annex_1:_Permit).
* Permit level discharges to lochs – [Annex 2](#_Annex_2:_Permit).
* Abstraction or flow increase – [Annex 3](#_Annex_3:_).
* Impoundments – [Annex 4](#_Annex_4:__1).
* Registration level engineering – [Annex 5](#_Annex_5:_).
* Permit level engineering – [Annex 6](#_Annex_6:_).

Possible outcomes of ‘LSE’ Assessment:

* SEPA concludes that the proposed water activity is not likely to have a significant effect on the notified features of the site, provided that appropriate conditions are attached to the authorisation.

This can be because no relevant environmental standard has been breached or, where a relevant environmental standard will be breached, the location or area affected by the activity is known not to host the qualifying interest for which the relevant standard will be breached. No further assessment is required and the activity can be authorised.

* SEPA determines that the water activity is likely to have a significant effect on the notified features of the site and an AA must be undertaken.

## 3.2 Appropriate Assessment (AA)

Where SEPA has identified that a proposed water activity (new or varied) could have an LSE on an SAC or SPA, the Conservation (Natural Habitats, &c.) Regulations 1994 require that SEPA must undertake an Appropriate Assessment (AA) before deciding to grant authorisation. This assessment is required to:

* Determine the impacts of the proposal upon the SAC or SPA qualifying interests (species or habitats), and
* Provide the information necessary to ascertain whether or not the water activity will adversely affect the integrity of the site.

SEPA must consult NatureScot formally requesting information deemed necessary as part of the AA.

On receipt of NatureScot’s response, taking account of NatureScot’s advice and information, SEPA may identify any suitable template and bespoke conditions, which will remove the risk of an adverse effect and/or identify all likely significant effects not able to be addressed by any standard or bespoke conditions.

Possible outcomes of AA :

* SEPA determines that the integrity of the site will be adversely affected.
* SEPA determines that the integrity of the site will not be adversely affected and NatureScot advice concurs.
* SEPA determines that the integrity of the site will not be adversely affected but, NatureScot considers there a risk of failure to secure compliance with the requirements of the Directives.
* In this final, exceptional, circumstance, where differing positions exists, the matter will be escalated through the appropriate management channels of each Agency.

# 4 Assessment required for Sites of Special Scientific Interest (SSSIs)

When determining applications, SEPA must assess if the proposed water activity (new or varied) is likely to damage any notified feature specified in a SSSI notification. In this guidance, for simplicity, ‘notified feature’ replaces the term ‘natural feature’ used in the Nature Conservation (Scotland) Act 2004. Where SEPA believes that the proposed water activity and any associated temporary works or method of working is likely to cause damage to those features, we must notify NatureScot and allow 28 days for a response. We must not grant the application within this 28 day period unless NatureScot has notified SEPA that it need not wait until then. If we receive advice from NatureScot, we must have regard to it in deciding whether to grant the application and, if we do decide to grant it, in deciding what conditions should be attached to the authorisation.

A link to the details for each SSSI can be found at [the NatureScot website.](https://sitelink.nature.scot/)

## 4.1 Assessment of Likely Damage

Where there is a SSSI within the screening distances set out in [section 2.4](#_Toc177552216), it is necessary to carry out an assessment of likely damage to notified features.

There are a number of SSSIs where the site is also designated as an SAC for the same feature(s). In such cases, it is possible to use the same assessment undertaken for the SAC designation to satisfy the test that SEPA is required to carry out for SSSI, i.e. that the water activity and any associated works or the method of working is not likely to damage the notified features of the site. Where any SSSI is coincident with any SAC or SPA and there are SSSI features that are not also SAC or SPA features, those additional SSSI features should be assessed for likely damage as part of a separate assessment.

As part of ‘likely damage’ assessment process SEPA will consider whether:

* The proposed water activity including any associated temporary works could result in the breach of any environmental standards. Where no environmental standard is breached and there is no likelihood of any damage to the notified features of a SSSI, SEPA will conclude that there is no likelihood of damage to the notified feature of the SSSI. Similar principles to the guidance above for SAC/SPA sites will be used when making this judgement.
* There is connectivity between the proposed water activity and/or any associated temporary works and the SSSI. For example, where the proposed water activity is downstream of a SSSI it is unlikely that there will be any pathway for likely damage to occur other than impoundments and temporary alterations or diversions of flow.
* The notified feature of the SSSI is susceptible to the damage caused by the water activity and the method of working associated with the water activity. For example, a designation for ground nesting birds is not likely to be damaged by an abstraction from a watercourse. When considering this, it is often helpful to look at the Operations Requiring Consent document on NatureScot’s website as this sets out those activities which are of concern on the site.
* The notified feature is present within the vicinity of the proposed water activity and/or any associated temporary works. For example, some SSSIs are very large, and the notified feature may not be present in all of the site. This is similar to the process for SAC and SPA sites above.
* Possible outcomes of ‘likely damage’ assessment:
* SEPA determines that the proposed water activity is not likely to cause damage to the notified features of the site.
* SEPA determines that the water activity is likely to cause damage to the notified features of the site.

SEPA must consult NatureScot formally if it has determined that the water activity is likely to cause damage to the notified features of the site.

On receipt of NatureScot’s response, taking account of NatureScot’s advice and information, SEPA may identify any suitable template and bespoke conditions, which will remove the risk of an adverse effect and/or identify all damage not able to be addressed by any standard or bespoke conditions. Note: Bespoke conditions cannot be added to Registrations which must comply with standard conditions.

Possible outcomes of consultation with NatureScot:

* SEPA determines that the water activity is likely to cause damage to the notified features of the site.
* SEPA determines that the water activity is not likely to cause damage to the notified features of the site.

Where NatureScot advises against authorising or advises we attach conditions, but we do not follow this, SEPA must give notice of this to NatureScot and the applicant in accordance with section 15(8) to 15(10) of the Nature Conservation (Scotland) Act 2004.

The notice must set out the authorisation given and its conditions. The notice must also include a statement specifying:

1. What SEPA has done, or proposes to do, in consequence of NatureScot’s advice.
2. That in giving permission or, as the case may be, attaching conditions to the permission, SEPA has not followed the advice received from NatureScot; and
3. The conditions set out below in section 15(10).

‘The permitted operation (i.e. the authorised activity) may not be commenced before the expiry of the 28 day period beginning with the date the notice is given’

and

‘The permitted operation must be carried out in such a way as to give rise to as little damage or disturbance as is reasonably practicable in all the circumstances to the relevant natural feature’.

# Annex 1: Permit level discharges to rivers

Relevant river SAC species and habitat qualifying interests:

* Freshwater pearl mussels
* Lamprey habitat
* Atlantic salmon
* Ranunculus river habitat (River Tweed SAC only)

SEPA will assess the following water quality determinands for any proposed activity against associated environmental standards. Where any standard is breached (post mixing), it will be considered an LSE. SEPA will not normally grant an authorisation for a discharge that will breach these standards once fully mixed in the river.

* Oxygen

For continuous discharges, use salmonid dissolved oxygen standards for rivers. If this assessment is not possible, use salmonid BOD standards for rivers.

For short-duration or intermittent discharges, use salmonid short-duration or intermittent dissolved oxygen standards for rivers. If this assessment is not possible, use salmonid short-duration or intermittent BOD standards for rivers.

* Phosphorus
* River Temperature
* Ammonia

For continuous discharges, use total ammonia standards for rivers.

For short-duration or intermittent discharges, use unionised ammonia standards for rivers.

* Specific pollutants other than ammonia

For continuous discharges, use annual mean standards for rivers.

For short-duration or intermittent discharges, use 95 percentile standards for rivers if specified, otherwise use annual mean standards.

* Priority substances
* Suspended solids

Where pearl mussels are present or likely to be present within the mixing zone (for rivers, the mixing zone length is generally considered to be 10 times channel width), it will be considered an LSE.

<Report date here (month, year)>

# Annex 2: Permit level discharges to lochs

Relevant loch SAC/SPA species and habitat qualifying interests:

* SAC loch habitats
* Slender naiad SACs
* SPA lochs

SEPA will assess the following water quality determinands for any proposed activity against associated environmental standards. Where any standard is breached (post mixing) it will be considered an LSE. SEPA will not normally grant an authorisation for a discharge that will breach these standards at the edge of the mixing zone.

* Phosphorous
* Specific pollutants other than ammonia
* Priority substances
* Suspended solids
* Acidity

**Outfall design**

The mixing zone length over which environmental standards are exceeded can be shortened by maximising initial mixing. SEPA will:

1. Consider proposals to improve initial mixing where it would otherwise conclude that a discharge would be likely to have a significant effect on freshwater pearl mussels; and
2. In all cases, encourage developers to take such steps as are reasonably practical to promote rapid initial mixing of continuous discharges.

Proposed new intermittent discharges should be designed to:

* Operate only where river flows are expected to be high; and
* Meet the appropriate standards for intermittent discharges.

**Potential steps to improve initial mixing**

* Locating discharge points under water such that the effluent emerges at around mid-depth when river flow is at a medium to low level. This allows the discharge to mix vertically in both directions (up and down) at once.
* Using appropriately protected discharge pipes that protrude into the channel so that the effluent is not discharged at the channel edge. A protruding outfall allows the discharge to mix horizontally in both directions (left and right) at the same time. However, a protruding outfall can instigate bed scour and erosion. This risk increases in higher energy rivers and needs to be taken into account at the design stage if this option is to be used.
* Discharging the effluent through more than one port along a diffuser line.
* Orienting ports and designing effluent exit speeds so as to maximise shearing action between the effluent jet and river flow.

# Annex 3: Abstraction or flow increase

Relevant protected species and habitat qualifying interests:

* Freshwater pearl mussels.
* Lamprey habitat.
* Atlantic salmon.
* Ranunculus river habitat.
* Loch habitat (and slender naiad).
* SPA lochs.

## River and Lochs

SEPA will assess any proposed abstraction from a river or loch against associated environmental standards. Where any standard is breached or the activity would compromise future achievement of a standard for good (or in the case of heavily modified waterbodies, a breach of criterion for or increased departure from good ecological potential) then it will be considered to have an LSE.

Note: SEPA will require that any proposed new intakes and outfalls to follow best practice in their design and location to avoid damage to, or diversion of, migrating fish

## Groundwaters

For registration level groundwater abstractions SEPA will check whether the abstraction will breach environmental standards to determine whether there is an LSE.

For Permit level groundwater abstractions the applicant must follow WAT-G-040, EASR Guidance: Permit application guide for abstractions and impoundments and provide necessary information to demonstrate no LSE.

# Annex 4: Impoundments

In determining LSE, SEPA will carry out the following steps:

* Assess the proposed works against associated environmental standards. Where any standard is breached then it will be considered to have an LSE.
* Assess the proposed works (including any associated construction works) against criteria outlined below for rivers and lochs.

## Rivers

Where an impoundment is constructed in a river it will be considered to have an LSE where the site has qualifying interests for freshwater pearl mussels, Atlantic salmon1, lamprey2, Ranunculus habitat, alluvial woodland or otter.

1. The activity should be considered relevant if (a) it affects the wetted part of the channel in spawning areas during spawning periods or during the period prior to the emergence of juvenile fish from the river gravels; or (b) the works will involve prolonged periods of blasting or pile driving during times during which migratory fish are likely to be in passage.
2. SEPA will conclude that a significant effect on lamprey interests is likely if the activity proposed coincides with a location known to support lamprey populations and identified to SEPA by NatureScot.

## Lochs

Where an Impoundment affects a loch it will be considered to have an LSE where the impounding works causes the lowering of the river bed immediately downstream of the loch outlet and site has qualifying interests for Loch habitats & slender naiad, otter or nesting/roosting birds.

Note: Where there are associated or dependent engineering activities/ works proposed to be undertaken in conjunction with any impounding works these should also be assessed (Please refer to Annex 5 and 6 where relevant).

# Annex 5: Registration level engineering

In determining LSE, SEPA will assess the proposed engineering works (including any associated construction works) against criteria outlined below for rivers and lochs.

For all engineering registrations any LSE on Atlantic salmon is mitigated/controlled via standard conditions re: no harm to fish a restriction of timing of works and therefore requires no further consideration.

* **Bank works** less than or equal to 50 metres.

LSE for freshwater pearl mussel1, Lamprey3, otter4, alluvial woodland, loch habitat slender naiad and nesting/roosting birds.

* **Channel modification** of a previously modified minor watercourse.

LSE for freshwater pearl mussel2 and otter4.

* **Channel modification** less than or equal to 15 metres associated with a structure.

LSE for freshwater pearl mussel1 and otter4.

* **Crossing** with part of the crossing only on the bank.

LSE for freshwater pearl mussel1, Lamprey3, otter4 and alluvial woodland.

* **Crossing** with part of the crossing on the bed where watercourse bed width is 2 metres or less.

LSE for freshwater pearl mussel1, Lamprey3 and otter4.

* **Instream structure** or the placement in a watercourse of one or more boulders which occupies more than 10 percent of the bed width.

LSE for freshwater pearl mussel1, Lamprey3 and otter4.

* **In-loch structures** with a total area of 50 square metres or less.

LSE for otter4, loch habitat slender naiad and nesting/roosting birds.

* **Removal of sediment** within open culverts, canals, lades and other artificial inland surface waters or within 10 metres of a bridge.

LSE for freshwater pearl mussel1.

* **Removal of sediment** from a previously straightened watercourse affecting 500 metres or less.

LSE for freshwater pearl mussel2.

* **Removal of sediment** from individual exposed sediment deposits within no more than 1 kilometre of channel.

LSE for otter and alluvial woodland (Note: Test conducted for alluvial woodland will cover otter interest).

* **Removal of sediment** in lochs affecting 50 square metres or less.

LSE for otter4, loch habitat slender naiad and nesting/roosting birds.

* **The removal of a GBR or registrations scale engineered structure.**

LSE for freshwater pearl mussel1, Lamprey3, otter4, loch habitat slender naiad and nesting/roosting birds.

Notes:

1. SEPA will conclude that a significant effect on pearl mussels is likely unless there is evidence that pearl mussels are absent from the location or a recent previous appropriate assessment has concluded that impacts on pearl mussels at the location would not have implications for the designated site's objectives. For this purpose, evidence of absence includes evidence that habitat suitable for pearl mussels is absent.

2. SEPA will conclude that a proposal for this activity in a pearl mussel SAC would be likely to have a significant effect on pearl mussel interests unless:

a) the channel downstream has the same characteristics (i.e. previously straightened with specific high impact features) until its confluence with a loch; for a distance of greater than or equal to 2 kilometres; or until its confluence with a river with an annual mean flow at least 5 times greater; or

b) where there is channel not of the same characteristics within the downstream channel distances referred to in point (a), there is evidence that pearl mussels are absent from the location or a previous appropriate assessment has concluded that impacts on pearl mussels at the location would not have implications for the site's objectives. For this purpose, evidence of absent includes evidence that habitat suitable for pearl mussels is absent.

3.SEPA will conclude that a significant effect on lamprey interests is likely if the activity proposed coincides with a with a location known to support lamprey populations and identified to SEPA by NatureScot.

4. SEPA will only conclude that a proposal would be likely to have a significant effect on otter interests if it is to be located in one of the following SACs: Ardvar and Loch a'Mhuilinn Woodlands; Glen Beasdale; Ness Woods; River Borgie; Loch Fada; or Loch Ruthven.

# Annex 6: Permit level engineering

In determining LSE, SEPA will carry out the following steps:

* Assess the proposed engineering works against associated environmental standards. Where any standard is breached then it will be considered to have an LSE.
* Assess the proposed engineering works (including any associated construction works) against criteria outlined below for rivers and lochs.

## Rivers

Where the proposed activity is engineering works listed below, it will be considered to have an LSE where site has the corresponding qualifying interests.

* **Bank works**
* Bank reprofiling (where this is the only activity):

LSE for Ranunclus habitat, Alluvial woodland and otter.

* Bank protection works using low impact (soft/green) techniques:

LSE for freshwater pearl mussels1, Atlantic salmon2, Lamprey3a & 3b, Ranunculus habitat3a, Alluvial woodland and otter.

* Bank protection works using high impact (hard/grey) techniques:

LSE for freshwater pearl mussels1, Atlantic salmon2, Lamprey3a & 3b, Ranunculus habitat3a & 3b, Alluvial woodland and otter.

* **Channel modification**

LSE for Freshwater pearl mussels, Atlantic salmon2, Lamprey3b, Ranunculus habitat, alluvial woodland and otter.

* **Crossing**

LSE for freshwater pearl mussels, Atlantic salmon2, Lamprey3b, Ranunculus habitat, alluvial woodland and otter.

* **Instream structure**
* Placement of an instream structure on the bed of the channel such that the structure abuts one of the banks and deflects part of the river flow to another part of the channel:

LSE for freshwater pearl mussels, Atlantic salmon2, Lamprey3b, Ranunculus habitat, alluvial woodland and otter.

* Bed reinforcement:

LSE for Freshwater pearl mussels, Atlantic salmon2, Lamprey3b, Ranunculus habitat3a, alluvial woodland and otter4.

* **Sediment management**

LSE for freshwater pearl mussels1, Atlantic salmon2, Lamprey3a&3b, Ranunculus habitat3a, Alluvial woodland and otter4.

* **Engineering works in the vicinity or beyond in the vicinity**

LSE for alluvial woodlands and otter.

Notes:

1. The activity should be considered relevant unless (i) the part of the channel affected is dry at the time of the works; and (ii) in the case of sediment removal, the removal of sediment is not of a scale likely to result in sediment starvation and consequent bed erosion downstream.

2. The activity should be considered relevant if (a) it affects the wetted part of the channel in spawning areas during spawning periods or during the period prior to the emergence of juvenile fish from the river gravels; or (b) the works will involve prolonged periods of blasting or pile driving during times during which migratory fish are likely to be in passage.

3. a) The activity should only be considered relevant if the works are undertaken in the wetted part of the channel.

b) SEPA will conclude that a significant effect on lamprey interests is likely if the activity proposed coincides with a with a location known to support lamprey populations and identified to SEPA by NatureScot.

4. The activity should only be considered relevant if the works are likely to affect instream islands or access to undertake the works is likely to damage riparian zone habitats.

## Lochs

Where the activity is engineering works listed below it will be considered to have an LSE where site has qualifying interests for Loch habitats, slender naiad, otter or nesting/roosting birds.

* **Bank works**
* **Crossings**
* **Sediment management**

Not to be treated as relevant unless the carrying on of the activity is likely to:

* damage otter holts in the shore zone or prevent/limit the use of the loch by otters for a significant period of time.
* cause damage to nests or nesting sites in the shore zone or prevent the use of the loch by the birds for a significant period of time.
* cause damage to a population of slender naiad.
* **In-loch structure**
* affecting the bed.
* which is suspended above the surface of the water between foundation structures on the bed; and extends from the bank.
* **Other engineering works**
* In-filling by any means of a part of a loch with the effect of extending the adjacent terrestrial land surface into the area previously occupied by loch water.

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