

**WAT-G-053**

**EASR Guidance: Permit Activity:** **Application of pesticides that are Plant Protection Products (PPP) and adjuvants to water**

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# 1. Purpose and scope

This document provides information and guidance for anyone applying pesticides which are Plant Protection Products (PPPs) and [adjuvants](#_Definitions) to a surface water (river, burn, loch or tidal waters) or wetland.

This activity requires a permit under The Environmental Authorisations (Scotland) Regulations (EASR).

This guidance does not cover any other permissions that may be required.

The permit for PPP and adjuvant application cannot be used for eradicating algae, because of the definition of PPPs.

PPPs and adjuvants can cause pollution if they are not applied correctly. They may harm non target native species of plants or animals.

You must also comply with General Binding Rules GBR23(a, b, c, d, e, h, i and j) related to the storage and preparation of pesticides.

# 2. Other Pesticide Application Activities

If you are intending to apply pesticides to **plants that are INNS** **within 1 metre** of a surface water or wetland, you are authorised by EASR water General Binding Rule (GBR) 23, as long as you follow the rules associated with GBR 23.

If you are intending to apply pesticides to **any plants** **more than 1 metre** from a surface water or wetland, you are authorised by EASR water General Binding Rule (GBR) 23, as long as you follow the rules associated with GBR 23.

If you are intending to apply pesticides to **plants that are not INNS** on land **less than 1 metre from** a surface water or wetland, you will need to apply for a registration.

Prior to applying for a permit, you need to read Section 3 below and produce a management plan setting out your assessments.

# 3. Information to be included in the management plan

When you apply for a permit, you will need to provide a management plan. This section provides guidance on what should be included in the plan.

## 3.1 Identify whether there is a genuine need for management

You need to assess the need for management.

## 3.1.1 Identify Plant Species

It is important to know what species are being considered. If the species is a native species, then we are unlikely to allow the use of chemicals.

### Native species

These are any species within their native range. If there is any uncertainty about the status of the species concerned, there is advice on the [Native Range pages](https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/invasive-non-native-species/native-range) of the NatureScot website.

### Non-native species

A species is considered non-native if it is present in a place outwith its native range; this applies to species which are native to some parts of the UK or Scotland, but not others (for example, those which are native to the mainland but not to all islands). If there is any uncertainty about the status of the species concerned, there is advice on the [Native Range pages](https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/invasive-non-native-species/native-range) of the NatureScot website.

### Invasive non-native species

INNS, sometimes referred to as ‘invasive alien species’, are those non-native species that have the ability to spread rapidly and become dominant in an area or ecosystem, causing adverse ecological, environmental or economic impacts. For the purposes of this guidance, the species considered as INNS are those listed as ‘high impact’ by [UKTAG](https://www.wfduk.org/resources/alien-species-classification-according-to-level-of-impact).

## 3.1.2 Factors to consider

Factors that should be considered include:

* Whether the plants are INNS in water.
* The plant growth is damaging an important habitat, for example in a site designated for nature conservation (check for the presence of Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation and RAMSAR sites on NatureScot [SiteLink](https://sitelink.nature.scot/home)).
* The plant growth is posing a risk to infrastructure or impacting on the use of the water for navigation or recreation.
* You have identified any underlying reasons for the excessive plant growth and are taking steps to tackle the underlying reasons. For example, the problem may be due to plants colonising the area by being washed downstream from upstream areas. Plants in these upstream areas need to be controlled first.
* You are confident that any management will be effective in eradicating the plants or limiting their spread.

## 3.2 Methods assessment

Once it has been established that there is a genuine need for control of a plant in water, the potential methods to undertake this should be assessed. Factors that should be considered include:

* What is the extent of the problem? You should provide evidence to demonstrate the scale and extent.
* What methods are available to control the species? Most species have a number of control options (e.g. physical removal or shading, nutrient removal, chemical control). All available methods should be considered, in isolation or in combination, to identify which is the most suitable.
* What is the minimum action required? You should demonstrate that the proposal comprises the minimum action needed to achieve its aims. Chemical control should only be used alone where other methods (alone or in combination with chemical methods) would not generate an appropriate outcome or would not be practical in the given circumstances.

Information on methods for controlling some non-native or invasive non-native species can be obtained from a suitably qualified advisor and/or aquatic weed management specialist (BASIS qualified). In addition, there is information given in the links below for control of the following INNS plants in water:

* [Floating pennywort (Hydrocotyle ranunculoides).](https://www.conservationevidence.com/data/index/?synopsis_id%5b%5d=18)
* [Water primrose (Ludwigia species).](https://www.conservationevidence.com/data/index/?synopsis_id%5b%5d=18)
* [New Zealand pigmyweed (Crassula helmsii).](https://www.conservationevidence.com/data/index/?synopsis_id%5b%5d=18)
* [American skunk cabbage (Lysichiton americanus).](https://www.conservationevidence.com/data/index/?synopsis_id%5b%5d=18)
* [Water Fern (Azolla filiculoides).](https://www.crew.ac.uk/publication/methods-controlling-or-eradicating-aquatic-invasive-species)
* [Parrot’s feather (Myriophuyllum aquaticum and other Myriophyllum species).](https://www.crew.ac.uk/publication/methods-controlling-or-eradicating-aquatic-invasive-species)
* [Curly pondweed (Lagarosiphon major).](https://www.crew.ac.uk/publication/methods-controlling-or-eradicating-aquatic-invasive-species)
* [Nuttall’s pondweed (Elodea nuttallii).](https://www.crew.ac.uk/publication/methods-controlling-or-eradicating-aquatic-invasive-species)
* [Common Cord-grass (Spartina anglica).](https://www.crew.ac.uk/publication/methods-controlling-or-eradicating-aquatic-invasive-species)
* [Carolina fanwort (Cabomba caroliniana).](https://www.crew.ac.uk/publication/methods-controlling-or-eradicating-aquatic-invasive-species)

[GB non-native species secretariat (GB NNSS)](https://www.nonnativespecies.org/home/index.cfm) also provides control guidance for a number of the species above.

Where no appropriate method can be identified for the species in question, you should consider known methods for other similar species to ascertain if any of them are appropriate to the situation you are dealing with.

## 3.3 Identify the best environmental option for the control of the plants

For each management option, you need to assess the potential risks and benefits associated with each option, such as:

* What will the impact of control be on other aspects of the ecosystem?
* Will non-target species be harmed or other water users affected? For example, downstream abstractors.
* Will the control be effective at eradicating or controlling the spread of the plant?
* What are the benefits expected from controlling the plants? For example, the protection of a designated feature in a protected area, or improvement in status of the river or loch.

Non-chemical methods are the most preferable, where practical. Most non-chemical methods are not expected to require an application to SEPA, especially where any work in or around watercourses meet the requirements of EASR Engineering General Binding Rules.

Where no suitable non-chemical method has been identified, a method which incorporates chemical use may be considered. You should demonstrate unequivocal evidence that the chemicals are necessary. Any proposal for the use of chemicals should also demonstrate efforts to minimise their use and maximise their effectiveness where possible through combined chemical and non-chemical methods, or by the use of targeted chemical application techniques (other than spraying) where these can be identified during the methods assessment.

If the proposal may impact on an area designated for nature conservation, you should liaise with NatureScot (check for the presence of Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation and RAMSAR sites on NatureScot [SiteLink](https://sitelink.nature.scot/home)).

## 3.4 Are the PPPs and adjuvants approved for aquatic use?

All PPPs and adjuvants used in the UK must be authorised for their specific use by the Chemical Regulations Division (CRD).

PPPs approved for aquatic use can be found by searching the [Pesticide Register](https://secure.pesticides.gov.uk/pestreg/#:~:text=This%20application%20allows%20you%20to%20search%20for%20information,for%20currently%20authorised%20Products%20by%20specifying%20Authorisation%20features.).

Adjuvants approved for aquatic use can be found by searching the [Official List of Adjuvants](https://scottishepa.sharepoint.com/sites/IntegratedAuthorisationFramework/Shared%20Documents/WS06_Water_Activities/Guidance%20docs/Point%20Source/Pesticides/Official%20List%20of%20Adjuvants).

## 3.5 Application quantity and rate

Any chemical use will result in the Environmental Quality Standard (EQS) being exceeded at the point of application if the active ingredient is to be effective.

Therefore, you should minimise the amount of PPP and adjuvants used. SEPA will assess whether the EQS is likely to be exceeded beyond a 10m buffer zone around the target species.

In addition, where PPPs and adjuvants are applied to freshwater lochs, the area of the target species at each application should be no more than 25% of the total surface area of the loch.

Multiple applications may be needed, potentially together with non-chemical treatments.

# 5. Glossary

A full list of terms is available in the main Glossary.

# Disclaimer

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