

Our Ref: SEA00071/sco/
SB

Graham Esson
Perth & Kinross Council
The Environment Service
Pullar House
35 Kinnoull Street
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15 February 2007

By email: sea.gateway@scotland.gsi.gov.uk

Dear Graham

**ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES (SCOTLAND) REGULATIONS
2004
PERTH & KINROSS STRUCTURE PLAN ALTERATION NO. 1- INDICATIVE FORESTRY
STRATEGY – SCOPING REPORT**

I refer to your scoping consultation submitted on 12th January 2007 via the Scottish Executive SEA Gateway in respect of the above plan. In accordance with Article 17(2) of the Environmental Assessment of Plans and Programmes (Scotland) Regulations, 2004, SEPA has considered your scoping report.

Generally, the scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers all of the aspects that SEPA would wish to see addressed at this stage. SEPA has made some specific comments on the content of the report which can be found as an Annex to this letter.

Paragraph 4.7 of the scoping report is proposing a consultation period for the Environmental Report (ER) from May to June 2007. Please note that a consultation period of at 8 weeks is preferred by SEPA and that the exact consultation period should be agreed with the Consultation Authorities. The ER should be submitted to the Scottish Executive SEA Gateway who will forward it to the Consultation Authorities. For further guidance on SEA procedures please refer to the SEA Tool Kit guidance available from the Scottish Executive website on: www.scotland.gov.uk/Publications/2006/09/13104943/45.

In addition, I would appreciate if a hard copy of the ER and draft Strategy were sent to my attention at the following address: Planning Unit, SEPA Clearwater House, Heriot Watt Research Park, Avenue North, Riccarton, Edinburgh EH14 4AP.

Should you wish to discuss this response, please do not hesitate to contact me on 0131 4497296 or via SEPA's SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely

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Annex 1: Detailed Comments

Sections 1, 2 and 3 - Introduction, Description and Preliminary Analysis of Proposed Indicative Forestry Strategy (IFS) and Plan Context

SEPA considers that all the relevant background information is presented. SEPA welcomes proposals to document a compatibility assessment between different plans, programmes, strategies and objectives and the IFS (Table 3.1).

Are there any plans, programmes, legislation or policy guidance of relevance to the IFS that you consider should be added to the lists in Appendix 1?

A comprehensive list of the plans, programmes and strategies that have been taken into account and have influenced the preparation of the Strategy has been provided in the scoping report (Appendix 1). A summary of the main requirements of the plans, programmes and policies that are pertinent to the SEA and a brief description of the key relevant parts of these plans and how they might influence the preparation of the Strategy has also been provided.

The Council may also wish to consider whether the following are relevant to the strategy: SPP7 Planning and Flooding; Tayside and Central Scotland Regional Transport Strategy and Local Transport Strategies; Access Strategies and Core Paths Plans for Perth and Kinross and neighbouring Local Authorities; SEPA's Groundwater Protection Policy (Policy 19) and Policy on the Culverting of Watercourses (Policy 26) which is currently under review to reflect changes introduced by the Water Framework Directive. The Scottish Water draft National Sludge Strategy may also be relevant given the potential use of sludge in forestry and the environmental impacts of such practice.

SEPA welcomes the detailed consideration of the Water Framework Directive (WFD) and the Water Environment and Water Services (Scotland) Act 2003 objectives. The report mentions the requirement of the WFD to protect and enhance the "status" of water bodies and aquatic ecosystems. Please note that the "surface water status" of a water body takes account of biological, physico - chemical, hydrological and morphological properties.

Are there any SEA objectives that you feel are missing at this stage or any that you feel are relevant?

Generally, SEPA considers that a comprehensive range of SEA objectives is proposed and considers good practice the use of questions to support the objectives. In relation to the objectives for the SEA theme "soil", it is assumed that the objective "protect the roles of soil related to CO₂ storage" (Appendix 2) includes the need to prevent carbon loss and the protection of areas of peatland.

Please note that SEPA supports the use of objectives which largely have a positive or negative aspect to them, e.g. "increase" or "decrease" as this allows them to be more effectively linked to monitoring indicators and targets. Some of the draft objectives detailed in Appendix 2 included words such as minimise, promote, ensure, etc. Consideration should be given to rewording the objectives to make them more robust and measurable although it is accepted that some flexibility – which words like this afford - is sometimes required.

Are there any indicators that you feel are missing at this stage or any you feel are not relevant or require modification?

SEPA welcomes the early consideration of indicators, however the selection of indicators may need to evolve with the environmental assessment and consideration will need to be given to how each proposed indicator will be directly influenced by the Strategy. SEPA accepts that it is not possible or practicable to carry out extensive monitoring and that wherever possible, the monitoring measures chosen should capitalise on existing monitoring arrangements.

In terms of the indicators proposed for the water environment (Appendix 3), it may also be appropriate to monitor the number of Forestry Planting schemes that integrate catchment-wide approaches to flood management.

SEPA will undertake the classification of water bodies on a yearly basis and therefore classification data could be provided annually rather than every six years. The scoping report proposes some indicators that will allow the assessment of changes resulting from forestry-specific activities to “length of rivers” e.g. downgrading and acidification. Please note that it is a requirement under WFD to assess impacts on all waterbodies. In the Perth and Kinross area it would be relevant to also consider impacts on lochs therefore a suggestion would be to change the indicators to refer to “length of rivers and area of lochs”.

Please note that SEPA does not currently undertake routine monitoring of soil chemistry or soil structure and stability.

Section 4 - Scope and level of detail proposed for the environmental assessment

Is the spatial and temporal scope appropriate?

Are the alternative scenarios appropriate or should others be considered?

Is the time allowed for consultation adequate?

It is noted from paragraph 4.3 that all the environmental criteria listed in Schedule 2 of the Regulations are scoped into the assessment. With respect to the level of detail of the assessment, SEPA understands that the ER will include assessment of the IFS objectives, policies and alternative scenarios and this approach is supported by SEPA.

Paragraph 4.7 proposes a consultation period for the Environmental Report (ER) from May to June 2007. Please note that a consultation period of at 8 weeks is preferred by SEPA and that the exact consultation period should be agreed with the Consultation Authorities at the scoping stage.

Section 5 - Current environmental conditions in Perth & Kinross

Does your organisation have information, or are you aware of such information, beyond that listed in this report, which could contribute to the environmental baseline?

Baseline data in relation to the water environment is described in paragraph 5.13. The main baseline data relating to the water environment is provided by SEPA. The Water Framework Directive requires all water bodies to be assessed to determine whether they are at risk of failing the objectives of the Directive in 2015. Overall this process showed that 43% of river water bodies within the strategy area are considered to be at risk which is similar to the overall position in Scotland. Forestry was not found to be a significant contributor to diffuse pollution in Perth and Kinross' rivers. This paragraph makes reference to Map 4 however this map was not appended to the scoping report. It is also recommended that reference is made to other surface waterbodies within the Perth and Kinross area (e.g. lochs, reservoirs, transitional waters) as this will make the baseline data more comprehensive.

In relation to flooding, please refer to SEPA's 2nd generation Indicative River and Coastal Flood Map (Scotland) which provides an indication of the 1 in 200-year (0.5% annual probability) return period flood extent for both riverine and coastal flooding. The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance and storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland is available on SEPA's website <http://www.sepa.org.uk/flooding/mapping/index.htm>.

Further information on climatic trends in Scotland can be found in the SNIFFER report - A handbook of climate trends across Scotland published in May 2006.

Are there any further environmental issues that you feel should be considered in the SEA and the Environmental Report and do you agree that the above ones are reasonable and relevant?

Section 5 provides a good summary of the key of environmental issues that need to be considered as part of the development of the strategy. It may also be relevant to consider areas of peatland as these areas perform an important carbon sink role and support important habitats. Any development or activities in these areas are likely to have an impact on climatic factors and on the integrity of peatland dependent habitats.

Section 6 - The Strategic Environmental Assessment framework and method

Do you think the cumulative effects assessment objectives are appropriate or are there any others you think could be used to benefit the assessment?

Do you think the tools or techniques to be used are appropriate or are there any other tools or techniques you think could be used to benefit the assessment?

Are the significance criteria appropriate?

Is the suggested approach to dealing with uncertainty appropriate?

A thorough description of the approach to the assessment has been provided. SEPA supports the use of appraisal tables and matrices to document the results of the environmental assessment and the use of visual indicators to identify impacts (Appendix 6). SEPA particularly welcomes the comments column so that justification for the identified effects can be provided.

It is also good practice to link predicted effects and proposed mitigation measures. Mitigation measures are required to prevent, reduce and as fully as possible offset all significant adverse effects on the environment of implementing the Strategy. Enhancement should be considered, where appropriate, for positive effects. Mitigation measures should be clearly set out in the ER. SEPA also welcomes early consideration to developing proposals for the monitoring of significant environmental effects from the Strategy, particularly linking objectives and monitoring indicators.

In terms of the significance criteria to be adopted for the SEA topic water (described in Appendix 5), it would appear that some of the information provided is based on the river classification system used by the Environment Agency in England and Wales. SEPA does not use the term "GQA rivers". GQA grade A roughly equates to class A1/A2 in Scotland and good status under Water Framework Directive (WFD) will roughly equate to class A2. Details of current SEPA classification scheme are available on the SEPA website (http://www.sepa.org.uk/data/classification/river_classification.htm). The term "regionally important aquifers" is also a term not used by SEPA. SEPA uses different terminology to describe aquifers in Scotland and further information is available on SEPA's website (<http://www.sepa.org.uk/groundwater/index.htm>).

Determination of significant effects on the water environment requires the consideration of the WFD objectives of no deterioration in the status of water bodies; enhancement the status of aquatic ecosystems (including surface waters, coastal waters, transitional waters and groundwater); promotion sustainable water use; reduction of pollution; and contribution to the mitigation of floods and droughts. The "surface water status" of a water body takes account of biological, physico - chemical, hydrological and morphological properties.

In the determination of significance in relation to flood risk, reference should be made to the risk framework in SPP7 Planning and Flooding.

Most of rivers in Scotland are designated under Freshwater Fish Directive. The Directive requires standards for chemical parameters that relate to water quality to be met. Further information on Freshwater Fish Directive can be found on the SEPA website (<http://www.sepa.org.uk/data/fish/index.htm>).

Please also refer to the guidance in the SEA Tool Kit (Chapter 9) with relation to the evaluation of significance and prediction and evaluation of environmental effects.