

CONSULTATION QUESTIONS

1. Do you support the development of an MPA network in Scotland's Seas?

Yes No

Scottish Water welcomes the opportunity to respond to this consultation.

Prior to the consultation we have participated in the Project Advisory Group, provided information for the Impact Assessment and met with Marine Scotland.

During the meeting with Marine Scotland, we discussed the proposed approach we would take to screening the possible Marine Protected Areas (MPA) in terms of interaction with our assets and activities. These discussions and subsequent advice have informed our response.

We strongly support the evidence based, sound science used responsibly approach.

With regard to achieving water quality standards under the Water Framework Directive (WFD) & Marine Strategy Framework Directive (MSFD), we are funded to achieve or maintain Good Status. Any requirements to achieve higher status would have to be backed by sound scientific evidence and promoted through the Quality & Standards (Q&S) process.

It should be noted that we invest in studies to identify and inform project investment needs and solutions. It is likely that studies would be carried out in one investment period followed by asset build etc. in the following investment period; therefore the total process could take up to 10 years.

Screening Process

The MPA were reviewed in terms of location and feature sensitivity. We utilised the Scottish Governments FEAST (Marine Feature Activity Sensitivity Tool) set to:

- selected activity: Sewage disposal
- selected pressures: De-oxygenation, Nitrogen & phosphorous enrichment, Organic enrichment and Siltation changes
- feature sensitivities: High, Medium, Low, Sensitive

We then determined likely proximity of our operational assets to MPA, when selected, these sites were searched on GIS and an asset list prepared, maps for some of the sites have also been prepared.

Responses to individual MPA

The 'No' box is checked where possible MPA were broadly considered unlikely to be interact with our activities and comment made as below:

Offshore site and/or not applicable to Scottish Water's activities

The 'Yes' box is checked for all other MPA and characterised by one of the following comments:

1. Initial screening carried out, no further action
2. Shellfish Water in vicinity, asset data list available (where previous screening was required as part of project)
3. GIS asset screening carried out, data list & map available

For MPA identified in 2&3 above the Management Options document were reviewed.

Individual possible Nature Conservation MPAs

2. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Clyde Sea Sill* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

3. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East Caithness Cliffs* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action.

We note that the protected feature, black guillemot, is sensitive to the possible reduced visibility effects of Nitrogen & phosphorous enrichment in foraging areas.

Wick Wastewater Treatment Works (WWTW) outfall discharges to the other side of the river and is unlikely to impact on the MPA.

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

4. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East of Gannet and Montrose Fields* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

5. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Faroe-Shetland sponge belt* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

6. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Fetlar to Haroldswick* possible Nature Conservation MPA?

Designation: Yes No

Shellfish Water in vicinity, asset data list available (where previous screening was required as part of project).

Management Options: Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Overview of activities

Table 1

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment: Yes No

All of the above: Yes No

7. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Hatton-Rockall Basin* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water’s activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

8. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Creran* possible Nature Conservation MPA?

Designation: Yes No

Shellfish Water in vicinity, asset data list available (where previous

screening was required as part of project)

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

9. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart* possible Nature Conservation MPA?

Designation:

Yes No

GIS asset screening carried out, data & map available

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

10. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart to the Sound of Jura* possible Nature Conservation MPA?

Designation: Yes No

Shellfish Water in vicinity, asset data list available (where previous screening was required as part of project)

Management Options: Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment: Yes No

All of the above: Yes No

11. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sween* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above:

Yes No

12. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Lochs Duich, Long and Aish* possible Nature Conservation MPA?

Designation:

Yes No

GIS asset screening carried out, data & map available

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

13. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Monach Isles* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

14. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Mousa to Boddam* possible Nature Conservation MPA?

Designation: Yes No

GIS asset screening carried out, data & map available

Management Options: Yes No

**Overview of activities
Table 1**

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment: Yes No

All of the above: Yes No

15. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-east Faroe Shetland Channel* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

16. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west Orkney* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

17. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west sea lochs and Summer Isles* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

18. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Noss Head* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

19. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Papa Westray* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

20. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Rosemary Bank Seamount* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

21. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Small Isles* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

22. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *South Arran* possible Nature Conservation MPA?

Designation: Yes No

GIS asset screening carried out, data & map available

Management Options: Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Overview of activities

Table 1

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment: Yes No

All of the above:

Yes No

23. Do you have any comments on the case for designation, management options and socioeconomic assessment for *The Barra Fan and Hebrides Terrace Seamount* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

24. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Turbot Bank* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

25. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Upper Loch Fyne and Loch Goil* possible Nature Conservation MPA?

Designation:

Yes No

GIS asset screening carried out, data & map available

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

A Shellfish Waters designation is due for this area.

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

26. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *West Shetland Shelf (formerly Windsock)* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

27. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Wyre and Rousay Sounds* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

Choices to represent features in the MPA Network

28. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea, do you have a preference or comments on the following combinations to represent these features, bearing in mind Turbot Bank will need to be designated to represent sandeel in this region:

- Firth of Forth Banks Complex
- Turbot bank and Norwegian Boundary Sedimentary Plain
- Or Firth of Forth Banks Complex, Turbot bank and Norwegian Boundary Sedimentary Plain

Firth of Forth Banks Complex, Norwegian Boundary Sedimentary Plain and Turbot bank are all offshore MPA and therefore not applicable to Scottish Water's activities. We have no further comment.

29. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea?

Yes No

30. Recognising the scientific advice from JNCC included alternatives for representing the burrowed mud feature in the Fladens, do you have a preference or comments on the following combinations to represent these features, bearing in mind the part of Central Fladen (known as Central Fladen (Core)) containing tall seapen (*Funiculina quadrangularis*) will need to be designated to represent tall seapen in this region:

- Central Fladen pMPA only
- The tall sea-pen component of Central Fladen, plus Western Fladen
- Or the tall sea-pen component of Central Fladen, plus South-East Fladen.

Western Fladen, South-East Fladen and Central Fladen are all offshore MPA and therefore not applicable to Scottish Water's activities. We have no further comment.

31. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing the burrowed mud feature in the Fladens?

Yes No

32. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V, do you have a preference or comments on the following combinations to represent these features:

South-West Sula Sgeir and Hebridean slope
Or Geikie slide and Hebridean slope

South-West Sula Sgeir and Hebridean slope and Geikie slide and Hebridean slope are all offshore MPA and therefore not applicable to Scottish Water's activities. We have no further comment.

33. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V?

Yes No

Sustainability Appraisal

34. Do you have any comments on the Sustainability Appraisal of the MPA network as a whole?

Yes No

Scottish Water participated in the Project Advisory Group and provided information for the IA.

Approach to the SEA

3.1.11

We note that a key issue is the potential for activities to be displaced. Our assets are static and must remain operational on a continuous basis, it is also likely that management and operational activities, such as repairs and renewal will occasionally be required. Displacement of a discharge point could add significant project build and operational costs, such as pumping. Were such requirements identified they would have to be promoted through the Q&S process.

3.1.12 & 13

We note that there is still uncertainty around the form and application of management measures. Inconsistency in approach and unknown measures that may impact delivery of our project builds or services are of significant concern to Scottish Water, as our customers must bear the financial cost.

We carry out environmental screening of projects at an early stage in the project planning process and would expect that likely issues would be realised at this stage, we require a level of certainty to be able to do this effectively.

Table 4

We note that SEA Topic – Water, has been incorporated under SEA Topic Biodiversity, flora and fauna. We consider that the SEA Objectives developed under this topic;

- To maintain or work towards good ecological/environmental status
- To maintain and protect the character and integrity of the seabed

Are likely to be met, in terms of our activities, through investment drivers to comply with WFD and MSFD.

Approach to the Socio-Economic Assessment

As with the approach taken in England & Wales (E&W); the disposal of liquid wastes from coastal point sources has been scoped out of the Impact Assessment (IA) on the basis that good status will be achieved by WFD measures required to be taken by 2015. Therefore any requirements that may be subsequently placed on Scottish Water over and above those required to meet WFD standards are not captured within the report.

In addition, unlike water companies in E&W, Scottish Water is a Public Body and any costs associated with this function may not be captured.

3.2.17

This section acknowledges that Scottish Water may incur some additional costs; we consider it likely these may arise through development of management schemes or voluntary measures and compliance or regulatory costs associated with licensing applications & decisions such as:

- Requirement to undertake revision of CAR licence standards for discharges near or within MPA (through Scottish Natural Heritage (SNH) advice to Scottish Environment Protection Agency (SEPA))
- Project builds near or within MPA may incur possible delays, displacement or further management measures
- Compliance with current licence conditions may come under closer scrutiny where they are within the vicinity of an MPA
- Staff resources may be required for participation in MPA management groups
- Other sectors, that are captured within the scope of IA, may require developments that consequently impact on our activities e.g. WWTW capacity, investment required or rendered unnecessary due to displacement of other activities such as aquaculture and fish possessing (farmed and wild stock)
- Knock on effect of project delays in other sectors receiving our services, caused by MPA
- MPA will be incorporated into Site Condition Monitoring to determine Conservation Status as applied to European and National designated sites. The information will feed into National Performance Indicator (NPI) 37. Cost for us may arise through remedies to maintain or attain Favourable Condition of certain features.
- More detailed assessments/surveys may be required for new development projects likely to impact on MPA, with associated costs
- Unknown affects of MPA search areas, not included in this consultation but forming part of the MPA network, please see our response to Q35

3.2.32

This section sets out *Other uncertainties and limitations*. In brief, our points of concern can be summarised as follows:

- Lack of data as basis for decision making
- cost of management measures
- potential delays
- future location and type of activities requiring water & wastewater service

Results of the Sustainability Assessment

Climatic Factors, Increased greenhouse gas emissions

4.1.15

It is recognised that displacing fishing activities would give rise to increased

green house gas emissions. Were the location of a WWTW or discharge point be displaced it could lead to a similar effect due either to pumping wastewater to the WWTW or pumping the discharge safely back to the water environment.

Aquaculture – Finfish

We note cost impacts associated with aquaculture are associated with Controlled Activities Regulations (CAR) and loss of development opportunities due to uncertainty. We have similar concerns for our projects and activities due to measures for MPA management or knock on effects from 3rd party developments.

Final Thoughts

35. On the basis of your preferences on which pMPAs should be designated, do you view this to form a complete or ecologically coherent network, subject to the completion and recommendations of SNH’s further work on the 4 remaining search locations?

Yes No

Search Locations

We would welcome discussion and consultation on the 4 search locations to be assessed in 2014, in particular Southern Trench (similar area to 3rd party MPA proposal by Whale & Dolphin Conservation Society).

36. Do you have any other comments on the case for designation, management options, environmental or socioeconomic assessments of the pMPAs, or the network as a whole?

Yes No

Comments on the text of the MPA consultation overview (excluding Appendices)

Sections “Why do we need Marine Protected Areas?” and “What else can MPAs do?” differ in style from the overall document and may benefit from revision.

Roles and Responsibilities

We note that socio-economic consideration can be taken into account at designation and management stages; we consider management of MPA the most likely part of the process to interact with our activities.

Individual BRIA

It is our understanding that these have been developed only for certain sites that we have already identified as not applicable to our activities.

Our broad comments on Business and Regulatory impacts are set out in response to Q34 Sustainability Assessment.

Scottish Water Investment to meet regulatory drivers

We would like to draw attention to the significant investment that has, and continues to be, delivered under current and previous regulatory investment cycles (the Quality & Standards (Q&S) process). This has delivered significant improvements in the environment.

We have made significant investment in meeting the requirements of the Urban Waste Water Treatment Directive (UWWTD), Bathing Water Directive, Shellfish Waters Directive, Habitats and Birds Directives and other quality drivers. This has delivered significant improvements in the environment and contributed to an improved marine environment.

These improvements in water quality in the marine environment, particularly at the biological indicators level, may not be detectable for some years. It is essential that this is recognised and taken into account when management options for MPA are being considered.

Draft Management Handbook

In section 9. *Other tools for Managing nature conservation MPA*, 9.2.3 states that Marine Planning Partnerships may be able, by delegation, to lead management schemes or other management measures. We would wish to highlight the potential to introduce inconsistencies in approach between MPA management. This can present difficulties for organisations, such as Scottish Water, that operate across Scotland.

In section 11. *Monitoring and review*, 11.7 states that circumstances may arise that would necessitate a review of existing consents. Where any Scottish Water licences or consents were considered as requiring revision for any reason, we would expect to be engaged and involved in discussions at a very early stage.

CONSULTATION QUESTIONS

1. Do you support the development of an MPA network in Scotland's Seas?

Yes No

Scottish Water welcomes the opportunity to respond to this consultation.

Prior to the consultation we have participated in the Project Advisory Group, provided information for the Impact Assessment and met with Marine Scotland.

During the meeting with Marine Scotland, we discussed the proposed approach we would take to screening the possible Marine Protected Areas (MPA) in terms of interaction with our assets and activities. These discussions and subsequent advice have informed our response.

We strongly support the evidence based, sound science used responsibly approach.

With regard to achieving water quality standards under the Water Framework Directive (WFD) & Marine Strategy Framework Directive (MSFD), we are funded to achieve or maintain Good Status. Any requirements to achieve higher status would have to be backed by sound scientific evidence and promoted through the Quality & Standards (Q&S) process.

It should be noted that we invest in studies to identify and inform project investment needs and solutions. It is likely that studies would be carried out in one investment period followed by asset build etc. in the following investment period; therefore the total process could take up to 10 years.

Screening Process

The MPA were reviewed in terms of location and feature sensitivity. We utilised the Scottish Governments FEAST (Marine Feature Activity Sensitivity Tool) set to:

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Responses to individual MPA

The 'No' box is checked where possible MPA were broadly considered unlikely to be interact with our activities and comment made as below:

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For MPA identified in 2&3 above the Management Options document were reviewed.

Individual possible Nature Conservation MPAs

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Designation: Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

3. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East Caithness Cliffs* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action.

We note that the protected feature, black guillemot, is sensitive to the possible reduced visibility effects of Nitrogen & phosphorous enrichment in foraging areas.

Wick Wastewater Treatment Works (WWTW) outfall discharges to the other side of the river and is unlikely to impact on the MPA.

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

4. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East of Gannet and Montrose Fields* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

5. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Faroe-Shetland sponge belt* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

6. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Fetlar to Haroldswick* possible Nature Conservation MPA?

Designation: Yes No

Shellfish Water in vicinity, asset data list available (where previous screening was required as part of project).

Management Options: Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Overview of activities

Table 1

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment: Yes No

All of the above: Yes No

7. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Hatton-Rockall Basin* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water’s activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

8. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Creran* possible Nature Conservation MPA?

Designation: Yes No

Shellfish Water in vicinity, asset data list available (where previous

screening was required as part of project)

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

9. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart* possible Nature Conservation MPA?

Designation:

Yes No

GIS asset screening carried out, data & map available

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

10. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart to the Sound of Jura* possible Nature Conservation MPA?

Designation: Yes No

Shellfish Water in vicinity, asset data list available (where previous screening was required as part of project)

Management Options: Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment: Yes No

All of the above: Yes No

11. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sween* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above:

Yes No

12. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Lochs Duich, Long and Aish* possible Nature Conservation MPA?

Designation:

Yes No

GIS asset screening carried out, data & map available

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

13. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Monach Isles* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

14. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Mousa to Boddam* possible Nature Conservation MPA?

Designation: Yes No

GIS asset screening carried out, data & map available

Management Options: Yes No

**Overview of activities
Table 1**

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment: Yes No

All of the above: Yes No

15. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-east Faroe Shetland Channel* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

16. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west Orkney* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

17. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west sea lochs and Summer Isles* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

18. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Noss Head* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

19. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Papa Westray* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

20. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Rosemary Bank Seamount* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

21. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Small Isles* possible Nature Conservation MPA?

Designation:

Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

22. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *South Arran* possible Nature Conservation MPA?

Designation: Yes No

GIS asset screening carried out, data & map available

Management Options: Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

Overview of activities

Table 1

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment: Yes No

All of the above:

Yes No

23. Do you have any comments on the case for designation, management options and socioeconomic assessment for *The Barra Fan and Hebrides Terrace Seamount* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

24. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Turbot Bank* possible Nature Conservation MPA?

Designation:

Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options:

Yes No

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

25. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Upper Loch Fyne and Loch Goil* possible Nature Conservation MPA?

Designation:

Yes No

GIS asset screening carried out, data & map available

Management Options:

Yes No

Development of Management Options

We welcome the stated approach that identifying management options for each activity will be risk based.

We consider that, as finfish and shellfish farming are already carried out in the area, issues of water quality associated with our activities are unlikely to be identified as a pressure on the protected features.

A Shellfish Waters designation is due for this area.

We note that specific examples are listed in column 2 – “Activities considered *not* capable of affecting the protected features” while broad activity types are excluded from the list. We would seek clarification on whether material assets, such as pipelines, and activities associated with their management have been considered.

Socioeconomic Assessment:

Yes No

All of the above:

Yes No

26. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *West Shetland Shelf (formerly Windsock)* possible Nature Conservation MPA?

Designation: Yes No

Offshore site and/or not applicable to Scottish Water's activities

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

27. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Wyre and Rousay Sounds* possible Nature Conservation MPA?

Designation: Yes No

Initial screening carried out, no further action

Management Options: Yes No

Socioeconomic Assessment: Yes No

All of the above: Yes No

Choices to represent features in the MPA Network

28. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea, do you have a preference or comments on the following combinations to represent these features, bearing in mind Turbot Bank will need to be designated to represent sandeel in this region:

- Firth of Forth Banks Complex
- Turbot bank and Norwegian Boundary Sedimentary Plain
- Or Firth of Forth Banks Complex, Turbot bank and Norwegian Boundary Sedimentary Plain

Firth of Forth Banks Complex, Norwegian Boundary Sedimentary Plain and Turbot bank are all offshore MPA and therefore not applicable to Scottish Water's activities. We have no further comment.

29. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea?

Yes No

30. Recognising the scientific advice from JNCC included alternatives for representing the burrowed mud feature in the Fladens, do you have a preference or comments on the following combinations to represent these features, bearing in mind the part of Central Fladen (known as Central Fladen (Core)) containing tall seapen (*Funiculina quadrangularis*) will need to be designated to represent tall seapen in this region:

- Central Fladen pMPA only
- The tall sea-pen component of Central Fladen, plus Western Fladen
- Or the tall sea-pen component of Central Fladen, plus South-East Fladen.

Western Fladen, South-East Fladen and Central Fladen are all offshore MPA and therefore not applicable to Scottish Water's activities. We have no further comment.

31. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing the burrowed mud feature in the Fladens?

Yes No

32. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V, do you have a preference or comments on the following combinations to represent these features:

South-West Sula Sgeir and Hebridean slope
Or Geikie slide and Hebridean slope

South-West Sula Sgeir and Hebridean slope and Geikie slide and Hebridean slope are all offshore MPA and therefore not applicable to Scottish Water's activities. We have no further comment.

33. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V?

Yes No

Sustainability Appraisal

34. Do you have any comments on the Sustainability Appraisal of the MPA network as a whole?

Yes No

Scottish Water participated in the Project Advisory Group and provided information for the IA.

Approach to the SEA

3.1.11

We note that a key issue is the potential for activities to be displaced. Our assets are static and must remain operational on a continuous basis, it is also likely that management and operational activities, such as repairs and renewal will occasionally be required. Displacement of a discharge point could add significant project build and operational costs, such as pumping. Were such requirements identified they would have to be promoted through the Q&S process.

3.1.12 & 13

We note that there is still uncertainty around the form and application of management measures. Inconsistency in approach and unknown measures that may impact delivery of our project builds or services are of significant concern to Scottish Water, as our customers must bear the financial cost.

We carry out environmental screening of projects at an early stage in the project planning process and would expect that likely issues would be realised at this stage, we require a level of certainty to be able to do this effectively.

Table 4

We note that SEA Topic – Water, has been incorporated under SEA Topic Biodiversity, flora and fauna. We consider that the SEA Objectives developed under this topic;

- To maintain or work towards good ecological/environmental status
- To maintain and protect the character and integrity of the seabed

Are likely to be met, in terms of our activities, through investment drivers to comply with WFD and MSFD.

Approach to the Socio-Economic Assessment

As with the approach taken in England & Wales (E&W); the disposal of liquid wastes from coastal point sources has been scoped out of the Impact Assessment (IA) on the basis that good status will be achieved by WFD measures required to be taken by 2015. Therefore any requirements that may be subsequently placed on Scottish Water over and above those required to meet WFD standards are not captured within the report.

In addition, unlike water companies in E&W, Scottish Water is a Public Body and any costs associated with this function may not be captured.

3.2.17

This section acknowledges that Scottish Water may incur some additional costs; we consider it likely these may arise through development of management schemes or voluntary measures and compliance or regulatory costs associated with licensing applications & decisions such as:

- Requirement to undertake revision of CAR licence standards for discharges near or within MPA (through Scottish Natural Heritage (SNH) advice to Scottish Environment Protection Agency (SEPA))
- Project builds near or within MPA may incur possible delays, displacement or further management measures
- Compliance with current licence conditions may come under closer scrutiny where they are within the vicinity of an MPA
- Staff resources may be required for participation in MPA management groups
- Other sectors, that are captured within the scope of IA, may require developments that consequently impact on our activities e.g. WWTW capacity, investment required or rendered unnecessary due to displacement of other activities such as aquaculture and fish possessing (farmed and wild stock)
- Knock on effect of project delays in other sectors receiving our services, caused by MPA
- MPA will be incorporated into Site Condition Monitoring to determine Conservation Status as applied to European and National designated sites. The information will feed into National Performance Indicator (NPI) 37. Cost for us may arise through remedies to maintain or attain Favourable Condition of certain features.
- More detailed assessments/surveys may be required for new development projects likely to impact on MPA, with associated costs
- Unknown affects of MPA search areas, not included in this consultation but forming part of the MPA network, please see our response to Q35

3.2.32

This section sets out *Other uncertainties and limitations*. In brief, our points of concern can be summarised as follows:

- Lack of data as basis for decision making
- cost of management measures
- potential delays
- future location and type of activities requiring water & wastewater service

Results of the Sustainability Assessment

Climatic Factors, Increased greenhouse gas emissions

4.1.15

It is recognised that displacing fishing activities would give rise to increased

green house gas emissions. Were the location of a WWTW or discharge point be displaced it could lead to a similar effect due either to pumping wastewater to the WWTW or pumping the discharge safely back to the water environment.

Aquaculture – Finfish

We note cost impacts associated with aquaculture are associated with Controlled Activities Regulations (CAR) and loss of development opportunities due to uncertainty. We have similar concerns for our projects and activities due to measures for MPA management or knock on effects from 3rd party developments.

Final Thoughts

35. On the basis of your preferences on which pMPAs should be designated, do you view this to form a complete or ecologically coherent network, subject to the completion and recommendations of SNH’s further work on the 4 remaining search locations?

Yes No

Search Locations

We would welcome discussion and consultation on the 4 search locations to be assessed in 2014, in particular Southern Trench (similar area to 3rd party MPA proposal by Whale & Dolphin Conservation Society).

36. Do you have any other comments on the case for designation, management options, environmental or socioeconomic assessments of the pMPAs, or the network as a whole?

Yes No

Comments on the text of the MPA consultation overview (excluding Appendices)

Sections “Why do we need Marine Protected Areas?” and “What else can MPAs do?” differ in style from the overall document and may benefit from revision.

Roles and Responsibilities

We note that socio-economic consideration can be taken into account at designation and management stages; we consider management of MPA the most likely part of the process to interact with our activities.

Individual BRIA

It is our understanding that these have been developed only for certain sites that we have already identified as not applicable to our activities.

Our broad comments on Business and Regulatory impacts are set out in response to Q34 Sustainability Assessment.

Scottish Water Investment to meet regulatory drivers

We would like to draw attention to the significant investment that has, and continues to be, delivered under current and previous regulatory investment cycles (the Quality & Standards (Q&S) process). This has delivered significant improvements in the environment.

We have made significant investment in meeting the requirements of the Urban Waste Water Treatment Directive (UWWTD), Bathing Water Directive, Shellfish Waters Directive, Habitats and Birds Directives and other quality drivers. This has delivered significant improvements in the environment and contributed to an improved marine environment.

These improvements in water quality in the marine environment, particularly at the biological indicators level, may not be detectable for some years. It is essential that this is recognised and taken into account when management options for MPA are being considered.

Draft Management Handbook

In section 9. *Other tools for Managing nature conservation MPA*, 9.2.3 states that Marine Planning Partnerships may be able, by delegation, to lead management schemes or other management measures. We would wish to highlight the potential to introduce inconsistencies in approach between MPA management. This can present difficulties for organisations, such as Scottish Water, that operate across Scotland.

In section 11. *Monitoring and review*, 11.7 states that circumstances may arise that would necessitate a review of existing consents. Where any Scottish Water licences or consents were considered as requiring revision for any reason, we would expect to be engaged and involved in discussions at a very early stage.