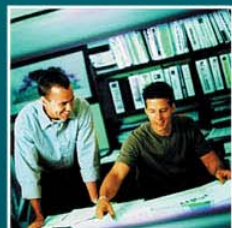
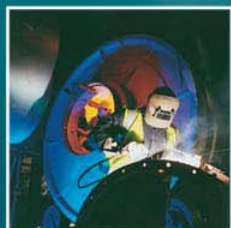
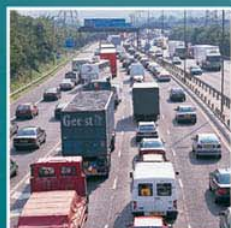
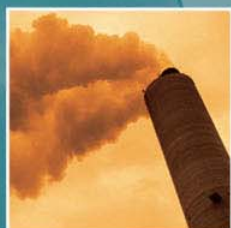


Scottish Water

Strategic Environmental Assessment of the Draft Water Resources Plan 08

Summary of Responses

April 2009



Entec

Creating the environment for business

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Contents

1.	Introduction	1
1.1	Strategic Environmental Assessment	1
1.2	Consultation	2
1.3	Key Issues	3
1.4	Next steps	3
	Table 1.1 Consultee Comments and Responses	5



1. Introduction

Scottish Water published their Draft Water Resources Plan (WRP) and associated Strategic Environmental Assessment (SEA) Environmental Report for consultation on 30th May 2008. They can be found at Scottish Water's website at:

http://www.scottishwater.co.uk/portal/page/portal/SWE_PGP_INVESTMENT/SWE_PGE_INVESTMENT/WHA_T_PLAN_RES

1.1 Strategic Environmental Assessment

SEA is a statutory requirement for certain plans or programmes that could have significant environmental effects. It aims to integrate environmental and relevant social and economic factors into the preparation of the plan, to improve the plan and enhance environmental protection. It also includes requirements that aim to increase public participation and improve the transparency of decision making.

The SEA Environmental Report presented a strategic (high level) assessment of varying the levels of service and the potential impacts of strategic options that are available to Scottish Water to decrease demand or increase supply, as well as the specific schemes being proposed in the WRP for each of 11 water resources zones (WRZs) prioritised for investment through the water resources planning process.

The Environmental Report concluded that:

- Whilst there could be effects from reducing the levels of service within WRZs, in practice no changes are proposed in WRZ's currently above the target level of service.
- Most of the strategic options considered would result in some beneficial economic effects due to the employment opportunities that would be created from construction and operation.
- Where options would require construction (such as those associated with new supplies, including reservoirs and desalination plants), there could be potential impacts on local communities, landscape, the historic environment, and wildlife. The significance of these impacts will depend on the exact location of the site, the sensitivity of local receptors, and the way in which construction is managed, and so is uncertain for the strategic options (it could be a negative impact, or may not be significant).
- Many of the options would have impacts through their need to use resources. The largest construction projects would be expected to have the most significant effects, for example a desalination plant, new treatment works, and new reservoir storage. For some of the other options, for example metering, audits, and improving network links, the significance of any impact would depend on the scale and nature of the work undertaken. Where significant amounts of materials would be required, this is likely to be associated with significant effects on energy use, through the energy used for extraction, processing and transport of the materials.



- The options to reduce customer demand (for example through metering or water audits) and the options to reduce leakage in supply pipes would all help to improve water efficiency and reduce the amount of water that needs to be taken from the environment.
- The effects of the combination of options were the sum of the effects of the individual strategic options. However, for some, the different strategic options had different effects when implemented in combination. For example, some combinations of options aim to reduce leakage and increase abstraction and as such would have an uncertain impact on energy use, as reducing the volume of water lost via leakage will reduce the energy required for abstraction and water treatment, but an increase in abstraction will result in potential increases in energy associated with pumping and treatment.
- For many of the options and SEA objectives, the relationship is uncertain. This uncertainty often results from lack of detail about individual schemes and their proposed location within the WRZ.

The SEA Environmental Report contained 2 key questions:

- Does the assessment set out in the Environmental Report identify the most relevant potential impacts of the strategic options?
- Are there other potential impacts that should have been identified that would have affected the choice of options included in the Water Resource Plan?

1.2 Consultation

SEA legislation requires that the Environmental Report be issued to the statutory consultation bodies; the Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage and Historic Scotland (designated by Scottish Ministers to act on their behalf). Consultation is key to providing assurance or comment on whether the most relevant potential impacts have been identified or whether there are other relevant potential impacts that could be included in the assessment.

The SEA Environmental Report was issued by Scottish Water for consultation via their website to accompany the Draft WRP08 on 30th May 2008. An e-mail was also sent out to members of the River Basin Planning Area Advisory Groups via SEPA on behalf of SW as it was felt this would capture the majority of interested third parties. During the 13 week consultation period, which ran until 30th August 2008, representatives from 2 of the statutory consultees submitted written comments on the Environmental Report; SEPA and Scottish Natural Heritage (SNH).



1.3 Key Issues

Table 1.1. details the comments made in responses received concerning the SEA Environmental Report and sets out Scottish Water's response.

The following were key issues raised in the responses received and in response to the key questions raised in the Environmental Report:

- The strategic nature of the options and the assessment, which on occasion precluded a level of detail that would enable greater understanding of the potential impacts and appropriate mitigating measures.
- Whilst neither statutory body requested any additional impact to be considered, both were interested in the need for more information on the consideration of the effects of the proposed schemes on and their responses to, climate change, including carbon emissions associated with options.
- The need for further consideration of the implications of the Habitat Regulations Assessment as it applies to both proposed schemes and the plan as a whole; however, it is also recognised that the level of uncertainty associated with some of the strategic options and feasible schemes will affect how this is progressed.
- The need for information and assessment of the proposed schemes for the 6 outstanding water resource zones.

In view of the 2 key questions asked, it is considered that the scope of the assessment and consequential appraisal were appropriate, but more detail with regard to biodiversity, climate change and landscape would have enabled a better quality assessment of the potential impacts.

1.4 Next steps

During production of the Environmental Report, a further 6 WRZs were identified by Scottish Water for promotion in the WRP08 but scheme options had not been developed at that time. Since publication of the Environmental Report, Scottish Water has developed options for 5 of those 6 additional WRZs. Two of the WRZs for which options were appraised are no longer being promoted. Additionally, further optioneering has been undertaken to clarify the preferred option(s) for the remaining 10 WRZs considered in the Environmental Report.

The next steps will include undertaking an appraisal of the schemes proposed for the WRZs that were not previously considered, consistent with the earlier SEA assessment. Furthermore, the preferred options for Bonar Bridge, Gorthleck, Broadford and Auchneel, Barclyle, Palnure and Penwhirn (Auchneel) WRZs have changed significantly following additional optioneering by Scottish Water and will therefore be re-appraised.

The approach to the additional assessments will build on the comments provided by SEPA and SNH and an increased level of detail around the preferred options is now available which should enable a better quality assessment to be undertaken.



The findings of the additional assessments of the new and revised preferred schemes will be presented in an Addendum to the Environmental Report.



Table 1.1 Consultee Comments and Responses

Ref	Consultee	Comment	Response
1	SNH	<p>Schedule 3 of the Environmental Assessment (Scotland) Act 2005 states that the Environmental Report should contain information on the environmental protection objectives established at international, community or member state level, that are relevant to the plan, and the way in which they have been taken into account during its preparation. Schedule 3 also requires that information should be included on the likely significant effects on the environment, encompassing factors such as biodiversity, fauna and flora. We note that objectives in relation to these requirements are included in Table 4.1 and Appendix D. However, whilst this recognises impacts at a strategic level, there is little specific detail. For example, in relation to the option of improving the links between WRZs, the commentary (Objective 4 – Landscape) states that the scale and significance of impacts will depend on the nature of the pipes and the landscapes through which they pass. For the same option (Objective 10 – wildlife and biodiversity), the commentary concludes that there will be a positive impact because there will be greater flexibility in the chosen supply sources. However there is no indication of what existing adverse impacts will be mitigated, or the potential impacts upon water bodies from which alternative supplies would be drawn.</p>	<p>The level of assessment undertaken was appropriate to the strategic nature of the options but this militates against the level of detail requested at this point.</p> <p>In undertaking the assessment of the additional options for the remaining 6 WRZs, where more detailed information is available the points raised here will be addressed.</p>



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
2	SNH	<p>In a number of cases the Environmental Report has identified indicative adverse impacts on the natural environment arising from implementation of proposed options. In these cases, it is frequently stated that the potential negative effects on wildlife and biodiversity would be mitigated through the CAR licence, and little further analysis is carried out. Although the report sometimes recognises that there may be designated natural heritage sites which could be affected by the proposed works, there is little further detail.</p>	<p>The ER appraises the effects of the proposed strategic options on achieving a number of SEA objectives. Objective 10 is 'To avoid damage to, and improve biodiversity, flora and fauna'. The assumption was made that in determining a CAR licence, SEPA would consider the likely impacts of a proposed abstraction on biodiversity and impose appropriate conditions to protect the environmental flow requirements of aquatic flora and fauna. As such, these conditions would mitigate adverse impacts of an abstraction.</p> <p>Natural heritage sites (Natura 2000 sites, SSSIs, NNRs and NSA's) were considered as part of the appraisal of the effects of options on achieving Objective 10, where key questions included 'Will it affect or contribute towards the objectives of Scotland's protected areas for wildlife, conservation and landscape' and Objective 4 'To protect and enhance the character, diversity and qualities of Scotland's landscapes'. However detailed baseline information regarding the location/characteristics of natural heritage sites in relation to the WRZs and the details of the proposed strategic options considered were not available at the time of the assessment.</p> <p>Consideration of Natural Heritage Sites at a local level would be included in more detailed future assessments as required.</p> <p>Also see response to point 4.</p> <p>An increased level of detail around the preferred options is now available. This will be taken into consideration in undertaking additional assessments - where the preferred schemes for certain WRZs already appraised have changed, and for schemes in WRZs that have been identified for promotion subsequent to the production of the Environmental Report. The additional assessments will be presented in an Addendum to the Environmental Report.</p>



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
3	SNH	In Table E4....it is stated that the CAR licence would be expected to protect river flow and 'focus attention on ensuring no significant effects on terrestrial biodiversity during construction'. This does not highlight the potential impacts upon terrestrial biodiversity, nor does it indicate how these would be expected to be addressed.	<p>Table E4 presents the appraisal of the combination of strategic options proposed for the Gairloch and Inverasdale WRZ.</p> <p>As stated, it is expected that a CAR licence would protect environmental river flow requirements but it is agreed that this would not focus attention on ensuring no significant effects on terrestrial biodiversity.</p> <p>Where sufficient additional information is available for new or amended schemes, the potential effects of any potential construction or operational activities will be further considered. This will include the provision of additional information on any appropriate designated sites and extend to relevant potential mitigating measures.</p>
4	SNH	<p>We note that the Environmental Report makes reference to the requirement for an Appropriate Assessment in some cases. We would emphasise that an Appropriate Assessment is required for all plans or projects "likely to have a significant effect" on a Natura site. In cases in which proposed works are located within, or in the vicinity of a site designated under the Birds or Habitats Directives, it should not be assumed that a CAR licence will be granted and will mitigate any adverse impacts.</p> <p>In cases where it cannot be ascertained that a proposal would not adversely affect the integrity of a Natura site, alternative solutions must be considered by the competent authority before any case is put forward for proceeding with the proposal for imperative reasons of overriding public interest.</p>	<p>Where a proposed option could have a significant effect on a Natura 2000 site, an Appropriate Assessment will be required. The SEA process is not a means to address Appropriate Assessment requirements and should not be seen as being equivalent of a Habitats Regulation assessment.</p> <p>Current uncertainties reflect a lack of detail in the proposals for each scheme (and the fluidity in certain aspects such as yield and timing). At this stage, where there is a potential effect on a designated site, this has been noted and further information sought on the proposals. Given the level of information that is available and the likely timeframes involved, it is considered premature to conclude whether such effects would (or would not) adversely affect the integrity of habitats or species populations. Where relevant, each scheme should therefore be subject to further discussion with SNH as (and if) proposals for the scheme advance, this may lead to the completion of a Habitat Regulations Assessment.</p>



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
5	SNH	It is our view that the Water Resources Plan is a plan or project that is likely to have a significant effect on a European site, and is not directly connected with or necessary to the management of the Site. As such under Regulation 44 of the Conservation (Natural Habitats, &c.) Regulations 1994, the competent authority (Scottish Water) should undertake an Appropriate Assessment of the Water Resource Plan.	<p>The Water Resources Plan at this stage comprises a collection of potential schemes for meeting predicted demand within each of the WRZs prioritised for investment. Where it is considered likely that an individual scheme would have a significant effect on a European designated site, an Appropriate Assessment will be required.</p> <p>It is recognised that there is need to provide clarity on the preferred schemes and their phasing to determine which may have potential effects on European designated sites. This is an area where further discussion with SNH would be most welcome.</p>
6	SNH	While potential impacts on landscape are generally recognised and discussed at a strategic level, there is no indication of the presence of any National Scenic Areas or other relevant considerations.	Please see response for point 2
7	SNH	In the Glendevon, Glenfarg, Lomond Hills, Newburgh and Boreholes (Fife) WRZ, it is proposed to improve linkages within and between WRZs. It is recognised that this could have a positive impact on water bodies and their biodiversity by increasing the options available for abstraction from different sources. In our response to the Scoping Report, we highlighted the related potential for transfer of alien species and other organisms between water bodies. We note that this point has been integrated into Tables 3.3 and 3.4 but there appears to be no evaluation of this potential threat in relation to the above WRZ, and no consideration of potential mitigation measures.	'Improved linkages' refers to improving infrastructure (i.e. raw water mains) to facilitate the movement of abstracted water within or between water resource zones, to water treatment works. It would not require water to be abstracted from one source to be discharged to another i.e. a transfer. As such, there is not considered to be a risk of transfer of alien spp. as abstracted water would be piped to the treatment works and then enter the distribution network.
8	SNH	We note that there are 6 WRZs where options have not yet been identified. Will the proposed options, when available, also be subject to SEA?	Scottish Water will appraise the preferred options for WRZs where options had not previously been identified, as well as the preferred options for WRZs where options have changed and issue an Addendum to the Environmental Report. This Addendum will seek to address the points raised in consultation on the Environmental Report.



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
9	SEPA	At times it is difficult to understand clearly from the text what the outcomes of the assessment are or what effects may be experienced in what WRZ. This is partly as the options themselves are very generic and it can be hard to identify what the environmental effects may be in anything other than a strategic sense. Accordingly it is quite difficult to establish in any detail what the effects of the WRP08 as a whole are on each of the environmental receptors covered by the objectives.	Please see response to point 24
10	SEPA	<p><u>Climate Change</u></p> <p>In our scoping response we suggested that there should be more focus on climate change, both in terms of reducing the contribution of water resource management to greenhouse gas emissions, but also in accounting for the predicted effects of climate change in Scotland where this may affect water resource planning.</p> <p>Many of the alternatives presented are considered likely to result in greater energy use, but it is not clear what the significance of this increase may be in the context of Scottish Water's emissions or indeed how increased emissions may be mitigated.</p> <p>With respect to climate change adaptation, we suggested in our scoping response that how the WRP08 might interact with projected changes in Scotland's climate should be part of the contextual evaluation presented in the Environmental Report. We feel that this has not been covered.</p>	<p>Scottish Water have considered the predictions of 6 Global Climate Models based on the UKWIR06 scenarios to help determine the most appropriate strategy to calculate the impact of climate change on water resources across Scotland.</p> <p>In the short to medium term, under current models and with current data it is unlikely that climate change alone would justify investment in water resources. However, where investment is required for other reasons, the impact of climate change has been considered to determine whether the proposed solutions are sufficiently robust. The impact of climate change has been considered in the optioneering analysis in Section 9 of the WRP, the outputs of which were then subject to SEA. As a general principle, raw water systems with storage are likely to be less effected than small river systems.</p> <p>In the draft WRP Scottish Water present an overview of their emissions of greenhouse gases which arose as a result of supplying water and wastewater services. Scottish Water is committed to halting the historic rise in emissions and ensuring their targets are adapted to climate change. Scottish Water have not carried out carbon calculations for the schemes proposed in WRP08 but it has been decided that from 2014 onwards (the next investment period) this will be assessed as part of the optioneering for new capital schemes.</p>



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
11	SEPA	<p><u>Assessment of Local Effects</u></p> <p>While the summary of effects in 5.5.2 provides a generally good overview, it is considered that some more specific impacts associated with particular proposals in known locations could have been identified (e.g. new abstractions from known points, reservoir raising at known sites etc) where these may lead to significant environmental effects. It is noted in 4.3 that there were tensions regarding the need to undertake an assessment that provided enough detail for high level assessment without getting caught up in unnecessary detail at the site level. While we understand these concerns, it is considered that there would have been merit in looking at the possible effects of some specific proposals where they and the sites were known. This would have been useful in particular for mitigation and identifying issues to be dealt with at the local level.</p> <p>Linked to this, it would be useful if in the SEA Statement comment is made on how local effects will be taken into account during decision making. Some of the proposals will require planning consent and/or a CAR licence and it is clear that this is where such issues will be considered, but other measures may not.</p>	Noted
12	SEPA	<p><u>Mitigation</u></p> <p>It is felt that these are rather broad, with no real method of ensuring that mitigation measures are indeed taken forward and put into place. Further, it is SEPA's experience that SEA is a good opportunity to identify enhancement opportunities even where an adverse effect has not been identified. Where possible it would have been useful to have done this.</p>	Please see response to point 33
13	SEPA	<p>There are other options that could have been considered on the customer side management, including customer leak detection and repair and advice on wise water use.</p>	The benefits of customer side initiatives are not sufficiently quantifiable to ensure that SW would be guaranteed to meet their chosen level of service. SW does however participate in various water efficiency initiatives on an on-going basis.



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
14	SEPA	It is unclear whether there is significant difference between the treated water link main and improve links between WRZ options.	Improving links between WRZs could involve the construction of a long length of treated water link main, however it could also involve re-zoning or more minor modifications to the water network to enable better links between neighbouring WRZ.
15	SEPA	Similarly, it is unclear whether there is significant difference between the improve network links within WRZ and conjunctive use options.	Conjunctive use considers the operation of sources that are used to supply the same areas to optimise their use. Improving network links in a WRZ is a separate issue and strengthens security of supply but may also offer additional conjunctive use benefits.
16	SEPA	The Leakage reduction option should also consider the benefits of increasing replacement rates rather than just ongoing programmes.	Noted
17	SEPA	The Resource management option should include leak detection and repair on raw water mains.	Raw water mains losses form part of the SDB calculation which calculates the deficit in a WRZ. If there was significant raw water mains leakage identified, it would be addressed in the WRZ. In this plan, no such issues were identified. SW is installing monitoring equipment at all of their sources which will allow better information about the level of raw water main leakage to be obtained in the future.
18	SEPA	It is questioned whether tankering falls under resource management or distribution side management or both. If both, then this may have an impact on the assessment of the distribution side management option.	Each strategic option was appraised individually and the different types of options i.e. 'distribution side' were not appraised as a collective. Therefore the classification of tankering either way would not change the outcome of the assessment.
19	SEPA	CAR licensing is not an option in itself but rather a potential consequence of some of the other options.	A CAR licence may be a factor in developing optimum solutions for WRZs by potentially limiting or precluding abstraction. A new CAR licence was considered as a discrete 'resource management' option within the Scoping Report and was assessed as such within the ER and included within the combinations of strategic options for certain WRZs, as it is a necessary requirement for a new abstraction.



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
20	SEPA	<p>Para 3.2.5 - It is surprising that there is no reference here to the projected future climate of Scotland and the implications this may have for water resource planning in the longer term (recognising that the WRP08 plans for a 25 year period). The current UK Climate Impacts Programme (UKCIP) scenarios should therefore be referenced and included within table 3.2. UKCIP is planning to publish new projections (UKCIP08) in November this year and where appropriate these should be considered as the WRP is finalised.</p> <p>Future climate change should feature within the list of environmental problems relevant to the WRP in 3.2.9. Climate change adaptation is also missing from the key objectives and policy messages in table 3.1</p>	<p>Please see response to point 10.</p> <p>Additional reference to climate change and in particular the UKCIP06 scenarios in the Addendum to the Environmental Report.</p>
21	SEPA	It would have been useful in considering specific effects in the WRZs to identify the WRZs on a map.	A map of the WRZs is not available; however the grid references of proposed schemes and individual maps of WRZs were available to inform the appraisal of potential options as presented in the Addendum to the Environmental Report.
23	SEPA	Disaggregate air from climatic factors; present how the WRP08 might interact with the projected climate changes (acknowledged Appendix C mentions acknowledgement of previous comment and a discussion on climate change)	Noted
24	SEPA	It would have been useful if, as well as setting out the findings by option, the overall effects of the plan in respect of the environmental receptors were set out.	SEA requires consideration of the potential effects of the WRP on a range of factors (set out Schedule 3 of the Environmental Assessment (Scotland) Act 2005). These factors are appropriately scoped within the objectives and reflect the review of other relevant plans, policies and strategies and the existing baseline. The assessment matrices then set out the assessments of the options against each of the objectives which have then been summarised in Table 5.3. In reviewing this approach for the addendum, further consideration will be given to the additional presentation of impacts by these factors for the plan as an additional means to communicate the cumulative effects.



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
25	SEPA	<p>Metering – No reference is made in the text to potential health impacts of metering, particularly among low income households. Appendix D does state that this is not likely to be significant as such vulnerable households would be protected through the billing scheme, but it is not clear how many households may be affected and how many would be protected.</p> <p>It would be useful to identify the protection scheme as a mitigation measure against potential health impacts arising from reduced use of water in low income households.</p>	Noted
26	SEPA	Leakage detection and repair – It is questioned whether using recycled material for repair is realistic as a mitigation measure.	Noted, this will be further considered, where relevant in the addendum.
27	SEPA	Water Treatment Works Optimisation – Would also likely result in water savings.	Noted
28	SEPA	The main negatives recorded in the table [5.1] are not reflected in table 5.4 and in the mitigation measures proposed. A greater resonance between issues identified and mitigation measures proposed would be expected.	Noted, this will be further considered, where relevant in the addendum.
29	SEPA	It is understood from 5.5.2 that where no decision has yet been taken on options within the additional 6 WRZs, the SEA will inform the choices made by Scottish Water as they will likely involve similar effects to those raised for other areas. Clarity on how this will happen would be useful in the SEA statement.	Noted
30	SEPA	<p>The mitigation measures are general and rather limited considering the impacts that have been identified. For example, many of the proposed activities within the 18 identified WRZs are likely to result in increased energy use and associated greenhouse gas emissions, however no mitigation measures to address this are proposed.</p> <p>Given the forthcoming Climate Change Bill and the ambitious targets that it will set, it would have been useful to better understand the climate impacts of both the WRP as a whole and the specific proposals and ways in which adverse effects could be addressed.</p>	Noted, please see response to point 10.



Table 1.1 (continued) Consultee Comments and Responses

Ref	Consultee	Comment	Response
31	SEPA	There appears to be considerable reliance upon CAR as a mitigation measure, which will address some of the environmental concerns, but may not address issues such as those around climate change.	A CAR licence should mitigate the effects of abstractions by imposing conditions to protect river flow requirements. This would not be expected to address the effect of options on climate change although in determining a licence, SEPA may consider climate change predictions.
32	SEPA	It would have been useful to explore and identify enhancement opportunities.	Table 5.4 includes potential enhancement measures. [think we could have gone a bit further with this]
33	SEPA	<p>The mitigation measures are cited as “proposed” and “potential” and there is no framework put forward to ensure their implementation.</p> <p>It is useful to identify a delivery framework that identifies (a) the mitigation (or enhancement) measure, (b) the organisation responsible for it and (c) when (either time or milestone) that measure should be implemented. Without this there is little assurance that the measures will in fact be implemented.</p>	<p>Noted, the proposed mitigation measures were appropriate to the level of the assessment and will become more specific as options become defined. The proposed monitoring measures will also be refined to reflect these changes.</p> <p>SW Business Plans for each regulatory period are prepared in accordance with requirements set by the Scottish Government, and for water related issues, in consultation with SEPA and DWQR. The final Business Plan contains ‘essential Ministerial Objectives’ to be delivered at costs agreed by WICS. For water resource planning, this includes investment to restore supply/demand balance and compliance with WFD in specific named Water Resource Zones.</p> <p>SW will receive the Final Determination from WICS in late 2009 and that point will know whether funding has been allocated to deliver the identified measures.</p>

