

Water for life and livelihoods



River basin management plan for the South East River Basin District Strategic Environmental Assessment: Statement of Particulars Updated December 2015

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1. Introduction

This Strategic Environmental Assessment (SEA) Statement of Particulars (SoP) sets out how the findings of the Environmental Report of the South East river basin management plan (RBMP) and the views expressed during its consultation period have been taken into account as the RBMP has been finalised and formally approved.

The SEA Statement of Particulars is a statutory requirement under the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), and summarises:

- how environmental considerations have been integrated into the South East RBMP
- how the Environmental Report has been taken into account
- how opinions expressed in response to the consultation on the Environmental Report have been taken into account
- the reasons for adopting the South East RBMP in its final form
- how monitoring of the significant environmental effects of the implementation of the South East RBMP will be carried out

1.1. River basin management plans

The purpose of a river basin management plan (RBMP) is set out in UK Ministerial Guidance:

“An RBMP should be a strategic plan which gives everyone concerned with the river basin district a measure of certainty about the future of water management in that district. It will include objectives for each water body and a summary of the programme of measures necessary to reach those objectives.”

The Water Framework Directive (WFD) requires member states to meet the following objectives:

- prevent deterioration in the status of surface waters and groundwater
- achieve ‘Protected Area’ objectives and standards
- aim to achieve good status for all water bodies
- aim to achieve good ecological potential and good surface water chemical status for artificial and heavily modified water bodies

In preparing the updated RBMPs the Environment Agency consulted in June 2013 on the range of ‘Significant Water Management Issues’ (SWMIs) that the RBMP would need to address to meet WFD objectives. There was a further consultation in October 2014 on the range of interventions (measures) that would be worthwhile to prevent deterioration, achieve protected area objectives and meet water body status objectives. Worthwhile measures are those that have been assessed as cost-beneficial without funding or timescale constraints. Following these consultations, the range of SWMI required measures has been reviewed and set out in the updated RBMP as proposed programmes of measures, under the following headings:

- measures to prevent deterioration
- measures to achieve 2021 outcomes
- measures to achieve outcomes for 2027 or beyond
- additional measures for protected areas

The focus of the updated RBMP is on programmes of measures that will achieve outcomes for 2021. These have been drawn from proposed investment plans of government and key sectors and set out measures where there is confidence that they are affordable, planned for 2021 and expected to achieve a WFD outcome.

The updated South East RBMP provides a summary of the extent of Significant Water Management Issues (SWMIs) that the proposed programmes of measures will address as follows:

- **Physical modifications** – affect 43% of water bodies in the river basin district

- **Pollution from waste water** – affect 40% of water bodies in the river basin district
- **Pollution from rural areas** – affect 30% of water bodies in the river basin district
- **Pollution from towns, cities and transport** – affect 9% of water bodies in the river basin district
- **Changes to the natural flow and level of water** – affect 7% of water bodies in the river basin district
- **Negative effects of non-native invasive species** – affect less than 2% of water bodies in the river basin district.

1.2. Strategic environmental assessment

The South East RBMP requires an SEA to be undertaken as part of its preparation under the SEA Regulations. The purpose of SEA is to ensure that information on the environmental effects of a plan or programme is gathered and made available as the plan is prepared and implemented. SEA requires that the Environment Agency:

- identify, describe and evaluate the significant environmental effects of implementing the Plan and any alternatives
- identify actions to prevent, reduce or as fully as possible offset any adverse effects
- provide for early and effective opportunity to engage in preparation of the plan – through consultation
- monitor the implementation of the plan to identify any unforeseen environmental effects and take remedial action where necessary
- report all of the above in an Environmental Report

For further details about how the assessment was undertaken and its findings, please refer to the South East Environmental Report.

<https://ea.sharefile.com/d-s838f0694eeb47619>

2. How environmental considerations have been integrated into the South East river basin management plan

The SEA was one of a number of ways in which environmental considerations have been integrated into the RBMP, as follows:

2.1. Plan preparation

The Environment Agency has prepared the South East RBMP in order to achieve long-term objectives for water management set by the EU Water Framework Directive. The river basin planning process identified a number of significant water management issues (SWMIs) specific to the South East RBD which will be addressed by the updated RBMP in order that all water bodies in the river basin district are improved to 'good' status.

The **updated RBMPs for consultation** presented a range of long-term measures to address the SWMIs that would prevent deterioration, achieve protected area objectives and meet water body status objectives, where all measures were appraised as cost-beneficial (or worthwhile) without any constraints on affordability or timescales for achievement.

The **updated RBMP for publication** has drawn on government and key sector plans to identify more specific programmes of measures that will achieve WFD objectives in more specific timescales. Where there is confidence of achievement by 2021 the updated RBMP provides programmes of measures that are used to predict improvements in water body status in cycle 2 (2015-2021). Where further measures are required to meet water body status objectives but are not considered affordable and deliverable in the next cycle, then the updated RBMPs continues to present a future scenario for 2027 and beyond of further 'worthwhile' measures. As well as delivering specific water body improvements, the RBMP aims to contribute a range of wider benefits to society that are identified in the SEA and the national impact assessment of RBMPs.

2.2. Stakeholder engagement and consultation

The RBMPs have been developed by the Environment Agency working closely with a range of partners and organisations. Contributions include significant interests in local environmental protection and improvement as well as specific environmental objectives in more detailed and local plans. The main partners are:

River Basin District Liaison Panels: which include representatives of key sectors and catchment partnerships that will play key roles in implementing measures and carrying out projects.

Catchment Partnerships: Taking a catchment based approach helps to bridge the gap between strategic management planning at river basin district level and activity at the local water body scale. Catchment partnerships are groups of organisations with an interest in improving the environment in their local area and are led by a catchment host organisation. They inform the river basin management planning process and help implement measures by:

- providing local evidence
- targeting and coordinating action
- identifying and accessing funding for improvements in the catchment
- incorporating river basin management planning into the wider environmental management of the catchment

Some of the partnerships will produce their own catchment or local plans.

Other water management plans and partners: Whilst the RBMP provides a long-term framework for managing the water environment in the river basin district, many water management issues are managed through other government and specific sector plans. These include flood risk management plans (FRMPs), water resource management plans, biodiversity plans etc.

2.3. Strategic environmental assessment

The primary role of the SEA during the preparation of the RBMP was to influence the appraisal of measures put forward for Operational Catchments and to avoid or moderate any measures that had the potential for significant adverse effects. Examples included measures which may have negative effects on the historic environment. The updated RBMP was moderated through this SEA process in time for the consultation.

The SEA was also used to inform the national impact assessment of RBMPs and the development of scenarios to support the updated RBMP for consultation.

2.4. Habitat regulations assessment

A Habitats Regulations Assessment (HRA) has been carried out on the updated RBMP for consultation and on the further details in the updated RBMP for publication. This is to determine whether the plan is likely to have significant effects on sites of nature conservation interest designated under the Habitats and Birds Directives or the Ramsar Convention¹. These are collectively referred to as European or Natura 2000 sites (N2K sites).

The updated RBMP is a strategic plan that summarises a range of government and key sector programmes of measures. The SEA and HRA assessments set out the potential effects at the level of detail provided but without the details of the nature or scale of actions that will be developed to implement the measures. Where the implementation of measures included in the RBMP are likely to result in significant environmental effects, the Environment Agency and its partners are committed to undertaking SEA (for plans and strategies), EIA (for projects) and HRA (for projects potentially affecting European sites). Furthermore, the partners will ensure that the implementation of measures complies with the requirements of the Water Framework Directive.

3. How the environmental report was taken into account

The Environmental Report found that overall, the South East draft RBMP is anticipated to have a positive effect on people and the wider environment. These positive effects are largely associated with measures to improve the sustainability of agricultural management practices, addressing pollution in urban areas and improvements to river corridors. Where negative effects have been identified, mitigation is proposed to manage these effects. Where there are opportunities to increase the positive effects, these have also been recorded.

The SEA review found that the draft RBMP aligns very well with the objectives of other plans and programmes in the South East, particularly those aimed at promoting sustainability and nature conservation. It has also been developed in coordination with the draft flood risk management plan to ensure continued alignment of the respective flood risk and water environment objectives.

The findings were generally expected given the key objective of the South East RBMP is to provide a framework for the protection and enhancement of water bodies in the river basin district. The summary of findings in Table 1 indicates that adverse effects of the plan are primarily local in nature and depend on the nature and design of the actions that will be developed and selected for a particular location, as well as the local environmental sensitivities. Mitigation of adverse effects and opportunities to implement wider environmental benefits are identified in the Environmental

¹ Habitats Directive: Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

Birds Directive: Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

Ramsar Convention: Formerly known as Convention on Wetlands of International Importance, especially as Waterfowl Habitat) 1971

Report and are considered appropriate for implementation during the implementation of the programme of measures.

Table 1: Summary of the main effects of the South East RBMP (from Environmental Report)

SEA factor	Summary of effects	Mitigation and opportunity
Water	<p>Significant positive effect associated with longer-term improvements in the quality of fresh water, providing benefits including reduced need for treatment of potable water..</p> <p>Local negative effect to some users on the availability of water for abstraction associated with measures to manage abstraction rates.</p>	<p>The negative effect on the availability of water for abstraction for some users could be partially mitigated through water efficiency measures to reduce the demand for water locally and thus potentially reduce abstraction restrictions and the negative effect on individuals. In some cases, an alternative supply could be sourced to mitigate the impact of a restriction in supply.</p>
Population and human health	<p>Local positive effects on people, health and the local economy through a better quality water environment and improved opportunities for recreation and leisure.</p> <p>Local positive effect is predicted with respect to freshwater and estuarine fisheries in the medium to long term.</p> <p>Local positive effect as a result of surface water run-off from agricultural land and improved attenuation and storage of water, helping to reduce flood risk to communities and infrastructure.</p> <p>Neutral effect overall on agricultural assets</p>	<p>The provision of outdoor greenspace is an important component for individual health and wellbeing. By improving the quality of the water environment, this will provide further opportunities for quality outdoor environments for use and enjoyment. This could include improved access to rivers, lakes and the coast.</p>
Soil	<p>Local positive effect on the long-term health on soils through measures to improve the health of agricultural soils through more sustainable land management.</p> <p>Local positive effect on the rates of soil erosion associated with measures to manage erosion.</p>	
Biodiversity, flora and fauna	<p>Significant positive effect on biodiversity particularly on aquatic habitats and species. This is associated with improvements in water quality due to measures to reduce pollution and an increase in the quantity of available habitat for wildlife and removal of barriers for fish.</p>	
Cultural heritage	<p>Local negative effect locally where measures modify or remove historic features, such as the removal or alteration of historic structures and excavation for river restoration.</p>	<p>Mitigation for this negative effect includes sympathetic design to avoid or minimise the effects on heritage and where it is not possible to completely avoid negative effects, careful recording and local preservation of features and artefacts of heritage interest. There will be opportunities to increase knowledge of and access to historic assets.</p>
Landscape	<p>Local positive effects associated with measures to naturalise the water environment.</p>	
Material assets	<p>Local positive effect on managing the damaging effects of flooding on people and property in the medium to long term due to measures to improve connectivity between water bodies and floodplains thereby slowing run-off.</p>	
Climatic Factors	<p>Local positive effect locally on carbon sequestration associated with measures such as tree planting.</p>	

4. How opinions expressed in response to the consultation on the environmental report have been taken into account

A consultation on the draft South East RBMP and the SEA Environmental Report was open from 10 October 2014 to 10 April 2015. The main SEA consultation questions were:

- Do you agree that we have sufficiently assessed the significant effects of the South East river basin management plan? Please describe any further aspects we should consider.
- Do you have concerns about the environmental effects of the river basin management plan that are not covered by this assessment? Please describe what they are.
- Are there other mitigation or opportunities that we should consider delivering with the proposed measures?

The overall majority of people who responded agreed with the conclusions that the plans will lead to significant positive effects on the environment and society and a wide range of potential positive and some negative effects more locally. This section only refers to the views expressed in relation to the Environmental Report.

A consultation response document has been produced nationally that includes a section that summarises the main themes from the SEA Environmental Report consultation and how these are being addressed:

<https://www.gov.uk/government/consultations/update-to-the-draft-river-basin-management-plans>

There were a range of responses specifically related to the South East Environmental Report and these are summarised in Table 2.

There were also a range of responses that relate to all RBDs and thus apply to the South East RBMP as well as other RBMPs, and these are further provided in Table 3.

Table 2: Summary of consultation responses for South East RBMP SEA

Main themes of responses	Summary consultation response () = main source of comments	How taken into account
Wider environmental effects	To note the importance of wider effects for implementation of RBMP e.g. Cultural impact of excluding ponies from rivers in the New Forrest (local authority) Impact on CO2 emissions of water treatment measures (local authority) Climate change resilience resulting from tree planting	This will be considered as part of scheme level environmental assessment and draw on specific sites and wildlife sensitivities
SEA process and value	Plan is too high-level Measures not sufficiently defined to carry out a meaningful or robust assessment SEA has not influenced, nor been fully-integrated with the plan (Natural England) Absence of reference to Landscape Character Areas and no explicit assessment of landscape impacts (Natural England) No assessment of the impacts of climate change on adaptation potential (Natural England) Needs integration with flood risk management measures (Natural England)	The SEA was undertaken at the level of detail of the plan and informed the development of measures during the economic appraisal stage. Levels of assessment at project level will be more specific in benefits, effects and mitigation requirements including landscape and climate change adaption. The flood risk management measures are considered further in the final RBMP and programmes of measures.
Other plans	SEA should take proper account of the in-combination and cumulative effects with other plans especially water company plans (Natural England)	Considered in preparation of final RBMPs with some details not expected until development of actions during implementation
Approach to HRA	New and proposed European sites need to be considered (Natural England) No systematic assessment of the potential impacts on designated sites (inc SSSI) or habitats of principal importance (Natural England)	Considered in preparation of HRAs for final RBMP
Monitoring	Monitoring strategy should include effects on SSSIs extent and condition and contribution to wider Biodiversity 2020 targets. (Natural England)	Considered in SEA proposed monitoring (see Table 4)

Table 3: Summary of consultation responses for the SEA of 'All RBMPs'

Main themes of responses	Examples () = main source of comments	How taken into account
Approach to HRA	How individual N2K sites and in-combination effects are considered (Natural England)	Considered in preparation of HRAs for final RBMP
SEA clarity	Energy provision not mentioned as ecosystem service benefit (energy sector) Poor farm practices as main source of rural pollution disputed (land management sector)	Levels of assessment at project level will be more specific in benefits, effects and mitigation requirements
SEA process and value	Ecosystems services approach lacks rigour and influence in SEA Undervalues social and economic benefits	The SEA was better able to inform the RBMP economic assessment using ecosystem services. It focussed on the qualitative benefits whilst the RBMP Impact Assessment provides the main cost-benefit valuation including social and economic benefits
Wider environmental effects	To note the importance of wider effects for implementation of RBMP e.g. <ul style="list-style-type: none">- abstraction effects on water quality and fish (river trusts)- disbenefits to water supply/drought from reduced abstraction (utilities sector)- disbenefits to recreation navigation from plan (boating sector)- lost opportunities for hydropower from plan (energy sector)- sea fish/angling benefits not mentioned- disbenefits to agriculture from plan overstated (NGO sector)	These will be key considerations for projects that implement RBMP measures when assessing wider effects and environmental requirements
Other plans	Unclear how RBMPs support Marine Conservation Zones (Natural England)	Considered in preparation of final RBMPs with some details not expected until development of actions during implementation

5. Reasons for adopting the South East RBMP in its final form

The consultation response document reports on both responses to the RBMP and FRMP consultation. A lot of the feedback provided was supportive of the draft proposals but many responses also highlighted areas for improvement including:

- more information on the approaches and methods used
- continued partnership working, with further integration of both planning and implementation
- all sectors to play their part in improving the environment and managing flood risk
- the Environment Agency to monitor progress better and share the results
- more clarity on and improved access to the information that the plans are based on

As a result of this feedback, changes were made to the final river basin and flood risk management plans including improvements to the format and structure of the plans. More detailed comments on specific areas of the plans are helping to shape and improve the data and information that forms the foundation of the plans and their implementation.

The Environmental Report determined that the Plan was likely to have significant positive effects on the environment, particularly in respect of biodiversity, water, population and human health. It also determined that any local negative effects would expect to be mitigated during implementation. The HRA further determined that any likely effects locally on European sites would be expected to be avoided or mitigated at a project level.

Taking into account these findings and the changes that have been made to the RBMP as a result of further consideration of the SEA process and the consultation, it is intended that the updated RBMP is adopted in its final (publication) form.

The main changes to the updated RBMP for publication has drawn from government and key sector investment plans in order to identify which long-term, 'worthwhile' measures would be affordable and able to achieve RBMP outcomes in cycle 2 by 2021. The main programmes of measures for 2021 in the South East RBMP are:

- water company investment programme
- flood risk management investment programme
- Countryside Stewardship
- Highways England's environment fund
- catchment level grant in aid funded improvements
- water resources sustainability measures
- Local Measures are proposed measures from 9 catchment partnerships

In providing a more specific set of programmes and timescales, the final plan has related these to the range of interventions (measures) set out to address significant water management issues in the consultation document and assessed in the SEA. Thus the changes to the final plan are not considered to change the findings of the Environmental Report. The HRA has similarly considered the consulted on measures and any more specific details in the final plan. Thus overall, the changes to the published RBMP are covered by the findings of the SEA, HRA and consultation processes.

In addition, the development of the RBMP in parallel to the new FRMPs has provided the opportunity to adopt a more integrated approach to overall water management. The SEA included a review of how the two plans related to each other as well as a wider review of other plans and policies related to the RBMP.

6. How monitoring of the significant environmental effects of the implementation of the RBMP will be carried out

This section sets out the requirements to monitor the effects on the environment of implementing the South East RBMP. The RBMP will be monitored throughout its life in order to assess whether objectives to improve or maintain the quality of the water environment are being met. At the heart of this will be annual reporting on water body classification and publication of monitoring data. Given the focus of the RBMP on protection and enhancement of the ecological quality of water bodies, this annual reporting of water body status will be the key monitoring regime and is not duplicated in this SEA Statement of Particulars.

The further monitoring indicators that cover wider significant effects identified by the SEA are shown in Table 4. The indicators have to be practical, cost-effective and strategic. Whilst it is preferable for the indicators to be able to isolate the effects of the plan, in practice this is not always possible, given limited resources. Instead, monitoring can provide an understanding of wider trends and assess the extent to which RBMP implementation is consistent with these. In order to have a nationally consistent approach to monitoring the effects of the RBMPs the framework focuses on those issues where effects are likely across all or most of the river basin districts. These will also be taken into account by baseline scoping for the SEA of the next cycle of RBMPs to be published in 2021.

Effects of individual projects will be monitored according to environmental action and/or monitoring plans devised during project level environmental assessments.

Table 4: Proposed information for monitoring significant effects of the RBMP on the environment

Issue	Indicator	Source of information
Food (e.g. crops, fruit, fish)	Agricultural statistics on land use, productivity and the environment Fishing industry statistics	Government publication of agricultural and fishing industry statistics
Water regulation (see also Protected Areas below)	Monitoring already part of the RBMP includes the WFD status of water bodies	RBMP monitoring information and WFD reporting.
Cultural heritage and landscape protection	Status of key heritage and trends from designated landscape plans	Historic England registers and monitoring data National Park and AONB plans
Recreation & tourism	Visits to water related natural environment (rivers, canals, lakes, coasts) Trends in angling and boating (where available)	Natural England engagement with the natural environment statistics Angling and boating activity trends (i.e. national statistics) Environment Agency statistics for salmonid and freshwater fisheries
Designated sites, biodiversity and habitat provision (see also Protected Areas below)	SSSI condition statistics Habitat provision from national programmes (where available)	Defra, Natural England monitoring of designated sites and biodiversity plans
Climate change	Monitoring of risks from impacts on water	UK Climate Change Risk Assessment (CCRA)
Protected Areas	Monitoring already part of the RBMP includes: Drinking Water Shellfish Waters Bathing Waters Nutrient Sensitive areas	RBMP monitoring information and WFD reporting Specific monitoring related to specific protected areas (e.g. Natural England for Natura 2000 sites)

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