

UKTAG Proposed Biological and Environmental Standards for River Basin Planning

Response Form

Part 1: About you

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Company/ Organisation Name (if applicable)	Energy UK

Please tick one box from the list below that best describes you/ your company or organisation.	
<input type="checkbox"/>	Private sector (National)
<input type="checkbox"/>	Private sector (Local/ Regional)
<input type="checkbox"/>	Third sector
<input type="checkbox"/>	Central Government
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Interest Group
<input type="checkbox"/>	Member of the public
<input checked="" type="checkbox"/>	Other (please describe): Trade Association
If you are responding on behalf of an interest group, have you obtained the views of your members:	
Yes	

<p>Responses and personal details will be treated in accordance with the appropriate legislation including, but not limited to, the Freedom of Information Act and General Data Protection Regulation.</p> <p>UKTAG will only use your contact details to keep you informed of this consultation and similar consultations in the future. Any contact details you provide to us will be kept securely for up to six years. UKTAG will not share your contact details with any organisations outside the partnership without your explicit consent. If you do not wish your details to be retained by us or if you have any specific requests/ concerns about how we store your data please then please indicate this in the space below.</p>
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Part 2: Your comments

Please provide your comments and feedback to the consultation below. Where you are not providing a response to a question please tick N/A.

River flows	No comment on this section []
<p>Q1. Do you support the proposals to revise the definition of High status water bodies to include set limits for artificially elevated flows?</p> <p>If not please explain why, together with any supporting evidence.</p> <p>We do not object per se to the proposal in respect of High status water bodies. However, we note that a part of the proposal is to recommend that the impact of artificially increased flows be considered when confirming Good status or determining what action is required to address water bodies at less than Good status. However, in so doing, it must still be recognised that water flows in these instances are purely indicators and that the actual ecology would need to be examined to determine whether restrictions on artificially elevated flows would in fact be necessary. In any case, we believe it is important to consult on this aspect of the current recommendation and on the development of relevant guidance to ensure that there is no unintended consequence (including, for example, for trading and water sharing on rivers which might otherwise occur, depending on the definitions of ‘artificial’ and ‘increase’).</p> <p>Furthermore, UKTAG has indicated that the current and separate guidance on river flows for Heavily Modified Water Bodies (HMWBs) should be revised to take account of the impact of elevated flows. Based on current understanding, this would potentially be a significant concern given that artificially elevated flows are often an integral part of an activity associated with HMWBs (e.g. hydro generation). Accordingly, if proposals are to be made to alter the HMWB flow guidance as suggested, it is vital that their occurrence should purely be viewed as indicators that warrant further investigation to determine whether or not there is, in that particular scenario, a detrimental ecological impact that needs to be addressed. Furthermore, to the extent that mitigation is considered necessary, it will be necessary to take account of the impact of that mitigation on the use of the water body and the associated Heavily Modified classification. As above, it will be important to have detailed consultation on this issue ahead of any proposed change to the guidance.</p>	<p>YES [] NO [N]</p>

<p>Q2. Do you support the proposals to take account of short-term abstraction in classification?</p> <p>If not, please explain why together with any supporting evidence.</p> <p>Yes – and we would encourage use of this thinking in relation to short-term exceedances of the abstraction that would otherwise be ‘allowed’ using the normal Environmental Flow Indicator approach more generally in abstraction licensing, resource allocation and trading contexts.</p>	<p>YES NO [Y] []</p>
<p>Q3. Are you content that the approach taken to revise the standards agrees with relevant EU guidance?</p> <p>No comment</p>	<p>YES NO [] []</p>

<p>Invasive species list</p>	<p>No comment on this section [Y]</p>
<p>Q4. Are there any invasive non-native species not included on the high impact list that may pose a significant risk to the water environment, and what are the reasons for this view?</p> <p>No comment</p>	<p>YES NO [] []</p>

<p>Nitrogen standards for lakes</p>	<p>No comment on this section [Y]</p>
<p>Q5. Do you support the proposals to introduce lake nitrogen standards alongside the existing standards for phosphorus?</p> <p>If not, please explain why, together with any supporting evidence.</p> <p>No comment</p>	<p>YES NO [] []</p>
<p>Q6. Do you support the proposals to introduce nitrogen as an independent supporting element in the classification of lakes?</p> <p>If not, please explain why.</p> <p>No comment</p>	<p>YES NO [] []</p>
<p>Q7. Do you agree with how the proposed standards have been derived and are you content with the evidence base used for the proposed standard?</p> <p>If not, please explain why.</p> <p>No comment</p>	<p>YES NO [] []</p>

<p>River fish FSC2 (Scotland)</p>	<p>No comment on this section []</p>
<p>Q8. Do you support how results from multiple sites are aggregated to give a water body level result?</p> <p>If not, please explain why, together with any supporting evidence.</p> <p>Yes, generally supportive – there is no reason to retain inconsistency with England & Wales. Only relevant to Scotland.</p> <p>However, a consequence of aggregating sites is that it could result in run-of-river hydro plants taking further and additional measures to increase compensation flows, thereby negatively impacting renewable energy generation output from hydro-electric power stations.</p> <p>There is concern that any future changes of this nature could have an impact on any SEPA Water Environment Controlled Activity Regulations (CAR) licence fees, specifically the new SEPA annual fee process planned to come into effect in 2021, which factors in a “compliance factor”.</p>	<p>YES NO [Y] []</p>

<p>We would expect SEPA to enter into discussions with hydro operators as to how these standards will be implemented within SEPA's Water Environment Controlled Activity Regulations and the possibility of needing to review existing CAR licences.</p>	
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<p>Emamectin benzoate EQS</p>	<p>No comment on this section [Y]</p>
<p>Q9. Do you support how the proposed EQS has been derived?</p> <p>If not, please explain your reasons why.</p> <p>No comment</p>	<p>YES NO [] []</p>
<p>Q10. Are you aware of any relevant data that has not been considered in the derivation of these EQS?</p> <p>No comment</p>	<p>YES NO [] []</p>

Part 3: How to respond

Consultation responses should be returned either by email or by post to the addresses shown below. All responses must be received by **Friday 5 July 2019**.

By email

UKTAG@environment-agency.gov.uk

By post:

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Environment Agency
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