

NATURA APPRAISAL PROFORMA

Casework Recording System Ref.

54123

File Ref.

CNS/CAR/LOCH-N
Copied to
SIT/SSSI/1688/INF

SITE DETAILS

1a. Name of Natura site affected & current status

River Moidart SAC

1b. Name of component SSSI if relevant

River Moidart

1c. European qualifying interest(s) & whether priority/non-priority:

Fresh Water Pearl Mussel

1d. Conservation objectives for qualifying interests:

To avoid deterioration of the habitats of the qualifying species:

- Freshwater pearl mussel *Margaritifera margaritifera*

or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features.

To ensure for qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site
- Distribution of the species within the site
- Distribution and extent of habitats supporting species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species
- Distribution and viability of the species' host species (salmonid fish)
- Structure, function and supporting processes of habitats supporting the species' host species

PROPOSAL DETAILS

2a. Proposal Application for Authorising an Activity for Sunbeam Aquaculture Ltd at Kinlochmoidart Hatchery.

2b. Date consultation sent:

14 April 2009

2c. Date consultation received

15 April 2009

2d. Name of consultee

SEPA

2e. Name of competent authority

SEPA

2f. Type of Case:

CAR

2g. Details of proposed operation (inc. location, timing, methods):

The proposal is to sink 2 new boreholes to abstract groundwater. There is currently a borehole abstracting 500m³/day. It is proposed to increase the abstraction to 1,000m³/day using the 3 boreholes in rotation.

Additionally it is proposed to abstract 7,863m³/day directly from the river, which represents an increase of 500m³/day from the current abstraction rate. The River Moidart Conservation Strategy advises 'The fish farm should not in any 24-hour period exceed 7,863m³' - the application is at the upper limit. The hatchery uses a 100% re-circulation system so all water goes back in (minus any loss from evaporation). The point of abstraction from and discharge to the river remains the same as at present (NM731720 and NM723718 respectively).

Abstraction will be year round.

APPRAISAL IN RELATION TO REGULATION 20 or 48

3a. Is the operation directly connected with or necessary to conservation management of the site? YES/NO If YES give details: NO

If yes and it can be demonstrated that the tests in 3b have been applied to all the interest features in a fully assessed and agreed management plan then consent can be issued but rationale must be provided, including reference to management objectives. If no, or if site has several European qualifying interests and operation is not directly connected with or necessary to the management of all of these then proceed to 3b.

3b. Is the operation likely to have a significant effect on the qualifying interest? Consider each qualifying interest in relation to the conservation objectives.

i) indicate which feature of interest could be affected by the proposed operation and briefly in what way; if none provide a brief justification and the proceed to v), otherwise continue:

ii) refer to other plans/projects with similar effects/other relevant evidence;

iii) consider scale, longevity, and reversibility of effects;

iv) consider whether proposal contributes to cumulative or incremental impacts with other projects completed, underway or proposed;

v) give Yes/No conclusion for each interest.

Some of the following boxes include summaries of guidance relevant to that stage. Once considered the text should be deleted as it is not part of the audit trail.

Freshwater Pearl Mussels: Yes

The proposed increase of 500m³ in groundwater extraction is unlikely to affect the river levels, flow rates or water quality to any significant degree because of the low volumes involved. Therefore, the proposed increase in abstraction using the 2 new bore holes in rotation with the existing borehole is unlikely to affect the habitat for freshwater pearl mussels.

The proposed increase of 500m³ in abstraction from the river represents a reduction in flow over [REDACTED] although it will be returned downstream. [REDACTED]

[REDACTED] Therefore, an assessment should be carried out on the effect of further reduced flows on any pearl mussels or host fish (either resident or migrating) in that reach.

The river water is passed through the fish tanks and therefore there is a likelihood that FWPM glochidia which are in suspension within the water will attach to the farmed fish. This therefore will act as a filter, removing a proportion of the glochidia from the river system and reducing the potential for natural recruitment. However, it is unlikely to be a significant change as the volume of water involved is not high and all the water will be re-circulated through the same abstraction and discharge points as at present.

There is no evidence that the current system has had an adverse effect on the qualifying feature or integrity of the site and the modifications are also not considered likely to lead to an adverse impact on site integrity.

Overall the proposal represents a small scale change to an existing operating system in the river catchment.

If no for all features, a consent or non-objection response can be given and recorded under 4 (although if there are other features of national interest only, the effect on these should be considered separately). If potential significant effects can easily be avoided, record modifications required under 3d.

If yes, or in cases of doubt, proceed to 3c.

3c. Appraisal of the implications for the site in view of the site's conservation objectives.

- i) Describe for each European qualifying interest the potential impacts of the proposed operation detailing which aspects of the proposal could impact upon them and their conservation objectives*
- ii) Evaluate the significance of the potential impacts, e.g. whether short/long term, reversible or irreversible, and in relation to the proportion/importance of the interest affected, and the overall effect on the site's conservation objectives. Record if additional survey information or specialist advice has been obtained.*

- iii) In the light of the appraisal, ascertain whether the proposal will not adversely affect the integrity of the site for the qualifying interests. If SAC and/or SPA and/or Ramsar site, give separate conclusions. If conditions or modifications are required, proceed to 3d.*

The most recent SCM for River Moidart indicates that the feature is in unfavourable condition as targets were not met for numbers of juvenile mussels and population density. The proposal is unlikely to affect site integrity as it is a relatively small scale change to an existing system.

3d. Conditions or modifications required.

Indicate conditions/modifications required to ensure adverse effects are avoided, & reasons for these.

<i>Condition:</i>	<i>Reason:</i>
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3e. Advice sought.

Include here details of or clear reference to, advice sought from AS, colleagues etc. If no advice sought give brief reasons/justification.

Reference was made to Bjerkland K (2003). The River Moidart Conservation cSAC Strategy. Conserving Natura 2000 Rivers, English Nature, Peterborough.

Advice received from Iain Sime.

4. RESPONSE (as entered in SNH Casework Recording System)

a) Natura Comments (for additional guidance see Natura Model Replies)

Not connected to conservation management of the site, likely significant effect but information provided/assessment already carried out shows that it will not adversely affect the integrity of the site but an appropriate assessment should be carried out – no objection.

b) SNH Comments (for additional guidance see LA Handbook App. V)

For SNH advice to other authorities:

Likely significant effect but unlikely to adversely affect the integrity of the site, but an appropriate assessment will be required – no objection.

For SNH response to request for opinion on effects of permitted development:

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For SNH response to application for consent/licence:

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Appraised by	Christine Welsh
Date	29 April 2009
Checked by	
Date	

Michelle Collier
Senior Registry Officer
SEPA
Graesser House
Fodderty way
Dingwall
IV14 9XB

Please ask for: Christine Welsh
E-mail: christine.welsh@snh.gov.uk
Your Ref: CAR/L/1024866
Our Ref: CNS/CAR/Loch-N
Date: 1 May 2009

Dear Mrs Collier,

**THE WATER ENVIRONMENT (CONTROLLED ACTIVITIES) (SCOTLAND)
REGULATIONS 2005
APPLICATION FOR AUTHORISATION OF AN ACTIVITY
CAR/L/1024866
KINLOCHMOIDART HATCHERY, CRASG, KINLOCHMOIDART**

Thank you for your letter of 14 April 2009 regarding the above application for authorisation of an activity. I have considered the details supplied and offer the following response.

SNH position

SNH has no objection to this proposal

Background

The proposal is for a technical variation to a licence. It is proposed to sink 2 new boreholes to abstract groundwater and increase the volume by 500m³/day and to increase abstraction from the river, also by 500m³/day. This will take the river abstraction volume to 7,863m³/day

The application site lies within the River Moidart Special Area of Conservation (SAC), designated for its freshwater pearl mussels.

Legislative Requirements for European Sites.

The legislative requirements are summarised in Circular 6/1995 as amended June 2000. Annex A provides further details of the legislative requirements.

SNH Assessment of the proposal

The River Moidart Conservation Strategy (Bjerkland K 2003). *The River Moidart Conservation cSAC Strategy. Conserving Natura 2000 Rivers, English Nature,*

Peterborough. advises that the volume of water abstracted from the river for the fish farm should not exceed,7,863m³/day and we note that the proposal will match this figure.

Although all abstracted water will be returned to the river, the proposed increase of 500m³/day in abstraction from the river represents a reduction in flow over [REDACTED]

[REDACTED] it is possible that the reduced flow rate will have a significant effect upon the pearl mussels. Consequently an appropriate assessment should be carried out on the effect of further reduced flows on any pearl mussels or host fish (either resident or migrating) in that reach.

SNH's advice is that this proposal is likely to have a significant effect on the qualifying interests of the site. However, SNH would further advise SEPA that on the basis of the appraisal carried out to date, that the proposal will not adversely affect the integrity of the site.

The appraisal referred to above considered the impact of the proposals on the following factors:

- the population dynamics of the freshwater pearl mussels in the River Moidart
- the water volumes involved, the water quality and distances between abstraction point and outflow.

It should be noted that SEPA is required to undertake an appropriate assessment of the implications of the proposal for the site in view of the site's conservation objectives for its qualifying interests. This assessment may be based on the above appraisal by SNH but you may wish to carry out further appraisal before completing the appropriate assessment.

If you require further advice from SNH please contact me at the address above.

Yours sincerely

[REDACTED]

Christine Welsh
Area Officer Lochaber

cc Alison Hutchins, SEPA fort William

Annex A

Legislative Requirements for European Sites

The site's status as a SAC under the EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the "Habitats Directive") means that the Conservation (Natural Habitats, &c.) Regulations 1994 as amended, (the "Habitats Regulations") apply. The requirements are summarised in Circular 6/1995 as amended June 2000 and include, at paragraph 12,

"The Regulations (48) require that, where an authority concludes that a development proposal unconnected with the nature conservation management of a Natura 2000 site is likely to have a significant effect on that site, it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated."

Under regulation 48 of the Habitats Regulations, this means that SEPA, as competent authority, has a duty to:

- determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
- determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

SNH recommends that the first bullet should only be accepted where it is a part of a fully assessed, and agreed, management programme.

The competent authority can only agree to the proposal under regulation 48 after having ascertained that it will not adversely affect the integrity of the site. If this is not the case, and there are no alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which in this case can include those of a social or economic nature. If you propose to approve the plan on the grounds of imperative reasons of overriding public interest then regulation 49 states that you must inform Scottish Ministers and you must not issue approval for a period of 21 days after receipt by Scottish Ministers unless notified otherwise. If proposals are allowed to proceed in accordance with regulation 49 then it should be noted that regulation 53 requires that Scottish Ministers shall secure that any necessary compensatory measures are taken to ensure that the overall coherence of Natura 2000 is protected.

File note

Visit to River Moidart, 1st July 2014.

Attending: Iain Sime, Corrina Mertens, [REDACTED]

We visited the River Moidart, downstream of Kinlochmoidart hatchery, to investigate the presence of sewage fungus and its possible damage to the River Moidart SSSI, SAC and resident freshwater pearl mussel population.

We entered the river approximately 100-150m downstream from the hatchery bridge. This was just downstream of a broken wooden/stone weir that extends about a third of the way across the channel. We noticed sporadic sewage fungus to grow in this part of the river. This became more prevalent as we moved upstream, as did the presence and extent of algal mats on the riverbed. At times, especially within 100m of the discharge point, these mats and the sewage fungus entirely covered the riverbed. These mats, and the sewage fungus, were not observed upstream of the discharge point. Filamentous algae was present up and downstream of the discharge point into the Moidart.

[REDACTED]
[REDACTED] All appeared to be feeding normally, with their siphons extending into the water column and responding to touch by clamming up. As we surveyed in an upstream direction, mainly along the southern half of the river channel, we recorded no freshwater pearl mussel until [REDACTED]

[REDACTED] This area contained significant algal mats and sewage fungus (see image below). It is my opinion that the conditions on the riverbed are such that they would not be able to sustain freshwater pearl mussel in this reach, particularly juvenile mussels which require oxygenated water to be able to freely penetrate into the riverbed.



[REDACTED]
[REDACTED] we recorded 14 pearl mussels. This 25m section of river was a run/riffle and the

Rhoda Davidson

From: Iain Sime
Sent: 05 November 2015 11:21
To: Corrina Mertens
Subject: RE: Kinlochmoidart hatchery

Hi Corrina,

That is really interesting. One, that they are getting glochidia coming in from their the dam – is that in the river or up at the loch. If it's the river, it'd be really interesting if they could tell us when that happened over the past few years. It would help with any further reinforcement work we might do with other populations.

The other thing is extending the pipe. Could that it may be extended to encourage mixing. Do you think, in the longer term, there might be mileage in really extending the pipe to the sea and directly discharge there? It would reduce any effluent problem in the river at a stroke. I realise that it might be a much larger amount of funding required within MH but we could, potentially, look at working with MH to try and obtain external funding via a project. Might be worth suggesting to SEPA to see if its something they would support before going back to MH?

Thanks,
Iain

From: Corrina Mertens
Sent: 05 November 2015 08:47
To: Iain Sime
Subject: FW: Kinlochmoidart hatchery

FYI – interesting re glochidia spat – maybe something we can use in future?
C

From: Macintyre, Stephen [<mailto:stephen.macintyre@sepa.org.uk>]
Sent: 04 November 2015 14:53
To: Corrina Mertens
Subject: Kinlochmoidart hatchery

From: Macintyre, Stephen
Sent: 04 November 2015 14:49
To: 'Corrina.mertens@snh.gov.uk.'
Subject: Kinlochmoidart hatchery

Hi Corrina – just a heads up on a few issues regarding Kinlochmoidart hatchery.

The requested improvements to the sites effluent treatment system has now been put in place and I carried out an inspection of this earlier today. I am hopeful this will make the treatment process better and more robust and ensure consistent compliance with the numeric effluent standards contained in the sites CAR authorisation permitting the discharge of effluent to the River Moidart. We will continue to sample the effluent at a frequency of x4 samplings per annum.

The site manager also indicated that they wish to investigate extending the outfall from the hatchery directly into the main river flow. If you recall it presently discharges to the confluence of a small burn and the edge of the river beside the hatchery. The river channel appears to have altered however over the years – the side of river with the

outfall is now mainly exposed gravel during low flows and as a result you see aesthetic impacts in this area and along the edge of the river for a short distance into the deeper pool downstream. By extending the outfall pipe across this exposed gravel area into the main flow it would improve dispersion characteristics of the effluent and prevent this localised area of impacts. I have no objections to this and would welcome it to address this area of impact in the river around the outfall – will require some limited works in the river (approx. 5m length of pipe) but thought I should advise so you can comment. Site manager contact [REDACTED] in case you need to follow up.

Site is also proposing to install filtration (within hatchery footprint) of the incoming water to address issues such as leaf litter in incoming water and interestingly mussel spat from upstream abstraction point (dam). At certain times of year the site notice mussel spat attaching to the gills of farmed stock – they want to prevent this and generally reduce any associated stress to fish gills before they are moved to sea where previous gill stress issues can result in more significant fish health issues. The plan is to have a continuous back wash of the planned drum filter which will wash any accumulated leaf litter and presumably mussel spat back into the river (a 20 micron filter has been suggested) just above the access bridge into the site. No issues for SEPA regulation but again copied to you for info – site seem to have a pretty good awareness of when mussel spat release occurs (a reported 2 day period within a 6 week window in the summer) and presumably preventing mussel spat from going into the site and returning to the river will be beneficial.

Give me a shout if you want to discuss.

Regards
Stephen

Stephen MacIntyre, Senior Environment Protection Officer
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Rhoda Davidson

From: Macintyre, Stephen <stephen.macintyre@sepa.org.uk>
Sent: 06 November 2015 09:40
To: [REDACTED]@sunbeamaquaculture.com'
Cc: [REDACTED]@sunbeamaquaculture.com'; Corrina Mertens
Subject: Kinlochmoidart hatchery_inspection 04.11.2015
Attachments: interim CAS report_CAR_L_1024866.pdf; CAS interim report_CAR-L_1001840.pdf

**The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) [CAR]
Kinlochmoidart Hatchery
Authorisation References – CAR/L/1001840; CAR/L/1024866**

Dear [REDACTED]

Following on from my visit to the site earlier this week I have recorded the outcome in SEPA's Compliance Assessment Scheme and have attached the requisite interim reports for both the CAR Point Source discharge authorisation and the CAR Water Resources authorisation. I hope the content of each reflects the action you have taken since the last SEPA inspection and our discussions on site around various associated aspects.

I would particularly summarise the following important points –

CAR/L/1001840

Effluent Treatment - I would acknowledge and welcome your response to previous concerns about the efficiency/condition of the effluent treatments system on site. The improvements implemented will hopefully provide for a more robust treatment process capable of producing a more consistent effluent quality in compliance with numeric standards. As discussed, I would highlight that if there was to be any future significant expansion of the site then it is likely that SEPA would be requesting a more formal and detailed review of the effluent treatment system with a view to provision of enhanced treatment facilities.

Outfall extension – we would welcome any proposal to extend the outfall into the main flow of the river in respect of the likely improved dilution / dispersion characteristics that would be offered to discharged effluent at the new location. This would hopefully address the present localised aesthetic impacts occurring in the vicinity of the present outfall during low flow conditions. However you should prior consult with SNH (Corrina Mertens) on any such proposal as the physical works to provide the outfall may require specific permission from SNH given the conservation designations of the River Moidart. I have copied Corrina into this e-mail for her information.

Use of Salt – you confirmed that at present there is some limited use of salt within the process at certain times of the year to encourage the smoltification process prior to the transfer of fish to sea. The formulations you stated that are used are Calcium Chloride and Magnesium Chloride. As I indicated, at present your authorisation does not permit the discharge of salt, notwithstanding the likely low concentration's used I would advise that no further discharges of salt solutions should occur. Discharging effluent outwith the conditions and requirements of your authorisation is an offence under the provisions of CAR. The use and discharge of salt formulations as a water conditioning treatment is an activity that requires to be specifically licensed under CAR and controlled by conditions of the authorisation. I would be happy to consider this further however and as discussed I would be grateful for further information on scale of use, periods of use and the treatment formulations and concentrations used.

CAR/L/1024866

There are no objections in principle to the use of a drum filter to screen incoming abstracted water prior to going into use at the hatchery. I acknowledge this will result in a discharge of filter backwash water to the river but considering the low risk nature of such a discharge (containing only naturally occurring matter) I can confirm that we would not seek to regulate under CAR. As above however if the structure returning water from the drum filter results in physical works within or adjacent to the River Moidart you should discuss this in advance with SNH.

If you would like to discuss any of the above please feel free to contact me.

Regards
Stephen

Stephen MacIntyre, Senior Environment Protection Officer
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1. Assessment Summary

Licence reference number:	CAR/L/1001840
ELC assessment:	No Breaches
Interim EMC assessment:	High Performance
Overall interim assessment:	Excellent
Safety risk assessment for site (Is the current RA adequate? Are there any particular additional risks? in place)	

2. Assessment Details

Date and time of assessment:	04/11/2015 10:50
Site name:	Kinlochmoidart Hatchery
Site address:	Kinlochmoidart, Acharacle
Assessment type:	Standard inspection

3. Components of licence assessed

Environmental Limit Condition (ELC)

Licence condition number	ELC assessment - (compliant, minor, repeated minor, gross or significant)	Description of non-compliance with ELC (include follow-up actions to rectify non-compliance, timescales and reporting requirements) - Where several breached ELCs are linked, refer to first condition number and associated non-compliance described
1.1.1	No Breaches	-
1.1.2	No Breaches	-
2.6.1	No Breaches	-
3.4.1	No Breaches	-
3.4.2	No Breaches	-
3.6.1(a)	No Breaches	-
3.6.1(b)	No Breaches	-
3.6.1(c)	No Breaches	-
3.6.1(d)	No Breaches	-
3.6.1(e)	No Breaches	-

Environmental Management Condition (EMC)

EMC attribute	Licence condition number	EMC assessment - (compliant, minor, major)	Overall assessment	Description of non-compliance with EMC (include follow-up actions to rectify non-compliance, timescales and reporting requirements) - Where there is a link to a breached ELC refer to condition number as identified above
Maintenance of plant, infrastructure and monitoring equipment (including calibration)	-	Compliant	Compliant	Improvement works undertaken as requested to effluent treatment system on site
Operational condition of plant and infrastructure	-	Compliant	Compliant	Improvement works undertaken as requested to effluent treatment system on site
Knowledge of licence by appropriate staff	-	Compliant	Compliant	-

4. Other items identified / discussed (include licence, development and good practice issues)

Inspection to review implementation of previously discussed upgrade/improvements to the sites effluent treatment system. Following work undertaken / agreed -

- new baffle plate installed between filter and settlement pond;
- Drumfilter serviced;
- new pump installed from primary sludge area taking overflow water back through drum filter;
- Bio blocks replaced and now in double layer structure;
- More frequent routine checks carried out on settlement pond to allow better phasing / identification of sludge removal.

Inspection of river downstream of outfall - some localised aesthetic impacts immediately confined to below outfall. Discussion on extending outfall pipe across gravel area exposed during low river flows into main flow of river - no objections in principle; SEPA would welcome aesthetic improvement but consultation required with SNH re any physical works required and requisite permissions needed re SAC designation.

Discussion on use of salt at the hatchery - confirmed formulations of Magnesium Chloride and Calcium Chloride used to encourage smoltification process. Authorisation does not however permit discharge of salt and further use should be discontinued. Any discharge outwith terms of the CAR authorisation would constitute an offence under CAR, SEPA happy to review position if further information presented on use / concentrations - application for variation would however be required to add salt formulations to the CAR authorisation. Application would require an assessment of potential environmental impacts to be undertaken.

5. Inspection specific details (complete all relevant sections)

Other SEPA staff present: none
 Operator representatives met on site: [REDACTED]
 Relevant weather: dry

6. Assessment sign-off

Name of inspecting officer: Stephen Macintyre
 Team name: West Highlands & Argyll
 Signature: [REDACTED]

Date signed:

5/11/2015

7. Office information only

Was the inspection announced?:	Yes
Adhoc / Follow Up:	Yes
Inspection code:	207866 CAR-PS
Schedule type:	NORTH_OPS-W_HI-AR-FW
Month scheduled:	-
Month completed:	04/11/2015
Registry copy required?	No
File reference:	CAR/L/1001840

Name of person who input data to NEMS:

[REDACTED]

Date of input to NEMS:

5-11-15



1. Assessment Summary

Licence reference number: CAR/L/1024866
 ELC assessment: No Breaches
 Interim EMC assessment: High Performance
 Overall interim assessment: Excellent
 Safety risk assessment for site (Is the current RA adequate? Are there any particular additional risks? in place)

2. Assessment Details

Date and time of assessment: 04/11/2015 10:50
 Site name: Kinlochmoidart Hatchery, Lochailort
 Site address: KINLOCHMOIDART HATCHERY, LOCHAILORT, INVERNESS-SHIRE
 Assessment type: Standard inspection

3. Components of licence assessed

Environmental Limit Condition (ELC)

Licence condition number	ELC assessment - (compliant, minor, repeated minor, gross or significant)	Description of non-compliance with ELC (include follow-up actions to rectify non-compliance, timescales and reporting requirements) - Where several breached ELCs are linked, refer to first condition number and associated non-compliance described
1.1.1	No Breaches	-
1.2.1	No Breaches	-
2.6.1	No Breaches	-
3.1.1	No Breaches	-
4.1.1	No Breaches	-
4.2.1	No Breaches	-

Environmental Management Condition (EMC)

no EMC data found

4. Other items identified / discussed (include licence, development and good practice issues)

Previous inspection of impounding works undertaken - 23rd July - condition of structure satisfactory.

Site is proposing to install a drum filter (within hatchery footprint) screen incoming abstracted water – no concerns or CAR regulatory implications. Contact should be made with SNH however should proposal to return water result in a requirement for an outfall structure that requires physical works within or adjacent to the river in respect of any required permissions relating to SAC designation.

2015 water abstraction data returns due for submission to SEPA by 31 January 2016. Return should be made in accordance with guidance and using return form on SEPA's website at <http://www.sepa.org.uk/regulations/water/abstractions/>.

5. Inspection specific details (complete all relevant sections)

Other SEPA staff present: none
 Operator representatives met on site: XXXXXXXXXX
 Relevant weather: dry

6. Assessment sign-off

Name of inspecting officer: Stephen Macintyre
Team name: West Highlands & Argyll
Signature:

[Redacted Signature]

Date signed:
5/11/2015

7. Office information only

Was the inspection announced?: Yes
Adhoc / Follow Up: no
Inspection code: 207866CAR_WR
Schedule type: NORTH_OPS-W_HI_AR-FW
Month scheduled: DEC
Month completed: 04/11/2015
Registry copy required? No
File reference: CAR/L/1024866

Name of person who input data to NEMS:
[Redacted Name]

Date of input to NEMS:
[Redacted Date]

Rhoda Davidson

From: Macintyre, Stephen <stephen.macintyre@sepa.org.uk>
Sent: 17 May 2016 15:40
To: Corrina Mertens
Subject: Kinlochmoidart Hatchery

Hi Corrina – just a quick heads up on development concerning Kinlochmoidart Hatchery

Operation has been taken over by The Scottish Salmon Company Ltd (TSSC) – site contact is [REDACTED]@scottishsalmon.com.

TSSC have also committed to implement welcome improvements to the sites wastewater treatment system – interim improvement will be put in place for remainder of 2015 with a longer term arrangements planned for 2016. There has been a recurring pattern of effluent quality compliance failures during the last 12 months which has been subject of ongoing attention by SEPA and which this work will hopefully address.

As part of the wider site development work TSSC are also putting in an inlet drum filter to screen physical debris (leaf litter) etc from the inlet water to the works. The plan was to put the reject water i.e. clean water with natural occurring debris through the site treatment system however I have advised that I don't think this is appropriate – there is no need to add clean water to the dirty water going through the treatment system which may in fact compromise overall process efficiency. I have advised it would be preferable to simply discharge this clean water back to the river. There is potentially an added benefit as it would mean that at certain times of year (with appropriate filter size) it may be possible to catch mussel spat before it goes through the site and return it direct to the river. I think I raised this general issue last year. Work is now under way on this and I have advised TSSC to contact yourself to discuss implications with return of water from the inlet filter (it's possible that no in river work would be needed - an outfall terminating on the edge of the bank is all that would be required) and the potential consequential benefits re collection / return of mussel spat.

I hope that they will be in touch soon but if not may be worth making contact direct.

Regards
Stephen

Stephen MacIntyre, Senior Environment Protection Officer
West Highland and Argyll Team, Scottish Environment Protection Agency, Carrs Corner, Lochybridge, Fort William
PH33 6TQ
t: 01397 704426 e: stephen.macintyre@sepa.org.uk web: www.sepa.org.uk

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Rhoda Davidson

From: Iain Sime
Sent: 03 June 2016 08:18
To: Corrina Mertens
Subject: RE: Kinlochmoidart Hatchery - new development -

Hi Corrina,

Thanks for the reminder about this.

I'd simply welcome and support Stephen's suggestion that the screened inlet water is returned direct to the river, rather than adding to the amount of water going through their treatment facility.

I'd also welcome TSSC's efforts to improve the quality of the discharge. As they are at the planning stage, can we suggest something? That they consider discharging direct to sea, rather than returning to the river? In the long term it may be very difficult to always provide a level of treatment that means the lower part of the SSSI remains viable, due to the sensitivities of the pearl mussels. As such, if they are considering longer term arrangements, it would be wise for them to consider something like discharging into the sea loch before making other significant investments.

Maybe suggest to Stephen and consider sending direct to [REDACTED] to ensure the message gets through?

Iain

From: Corrina Mertens
Sent: 17 May 2016 16:08
To: Iain Sime
Subject: FW: Kinlochmoidart Hatchery - new development -
Importance: High

Hi Iain any comments on the email from Stephen below?
And have you paid the landfill invoice?
Cheers
Corrina

From: Macintyre, Stephen [<mailto:stephen.macintyre@sepa.org.uk>]
Sent: 17 May 2016 15:40
To: Corrina Mertens
Subject: Kinlochmoidart Hatchery

Hi Corrina – just a quick heads up on development concerning Kinlochmoidart Hatchery

Operation has been taken over by The Scottish Salmon Company Ltd (TSSC) – site contact is [REDACTED]
[REDACTED]@scottishsalmon.com.

TSSC have also committed to implement welcome improvements to the sites wastewater treatment system – interim improvement will be put in place for remainder of 2015 with a longer term arrangements planned for 2016. There has been a recurring pattern of effluent quality compliance failures during the last 12 months which has been subject of ongoing attention by SEPA and which this work will hopefully address.

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occurring debris through the site treatment system however I have advised that I don't think this is appropriate – there is no need to add clean water to the dirty water going through the treatment system which may in fact compromise overall process efficiency. I have advised it would be preferable to simply discharge this clean water back to the river. There is potentially an added benefit as it would mean that at certain times of year (with appropriate filter size) it may be possible to catch mussel spat before it goes through the site and return it direct to the river. I think I raised this general issue last year. Work is now under way on this and I have advised TSSC to contact yourself to discuss implications with return of water from the inlet filter (it's possible that no in river work would be needed - an outfall terminating on the edge of the bank is all that would be required) and the potential consequential benefits re collection / return of mussel spat.

I hope that they will be in touch soon but if not may be worth making contact direct.

Regards
Stephen

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Rhoda Davidson

From: [REDACTED]@scottishsalmon.com>
Sent: 20 July 2017 14:55
To: 'Macintyre, Stephen'
Cc: Corrina Mertens
Subject: RE: Kinlochmoidart Hatchery_effluent improvement actions

Hi Stephen,

I was disappointed myself when I visited last week that the works had not been carried out, this will be rectified quickly, I would like to say however quite a lot of preparation work has been done, the large settlement area was pumped out completely and totally disinfected and pressure washed and a large amount of waste from the bottom removed, also all of the bio blocks were removed and disposed of.

I'm aware that the pipework has not been put in yet and part of the reason for that is we have discovered we need to lift the filter slightly as we are replacing all the seals which are on order at present as are new screens for the whole filter.

The Scottish Salmon Company now owns the site at that will help things move along much quicker now, [REDACTED]

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Is it within a correct distance from the water flow under Sepa rules?

Apologies again for the time its taking but moves have been made now to rectify this issue.

I look forward to hearing from you.

Regards
[REDACTED]

From: Macintyre, Stephen [mailto:stephen.macintyre@sepa.org.uk]
Sent: 20 July 2017 14:43
To: [REDACTED]
Cc: 'Corrina Mertens'
Subject: Kinlochmoidart Hatchery_effluent improvement actions

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 Kinlochmoidart Hatchery – Authorisation Reference CAR/L/1001840

Dear [REDACTED] as you may be aware I visited Kinlochmoidart Hatchery this morning to carry out an inspection of discharge quality and downstream impacts in the River Moidart. I was disappointed to find that none of the previous agreements relating to improvement work to the sites effluent treatment system has been carried out. There has additionally been no contact to advise why the work has not been implemented. Non-compliance with conditions of the CAR authorisation were identified.

Arising from the findings of my inspection today the I will write to you formally in response to my visit today. In the interim you would like to discuss please do not hesitate to contact me.

Regards
Stephen

Stephen MacIntyre, Senior Environment Protection Officer
Scottish Environment Protection Agency, Regulatory Services North, West Highland and Argyll Team, Carrs Corner,
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From: Macintyre, Stephen
Sent: 30 May 2016 15:04
To: [REDACTED]
Cc: [REDACTED]
Subject: 20160530_SM response_Kinlochmoidart Hatchery_effluent improvement actions

Dear [REDACTED]

**The Water Environment (Controlled Activities) (Scotland) Regulations 2011
Kinlochmoidart Hatchery – Authorisation Reference CAR/L/1001840**

Thank you for the written confirmation of our discussions and actions arising out of our meeting on site on the 17th May.

In response I would confirm my agreement to the remedial actions as outlined below and for you to commence work to initiate the changes. We welcome your agreement that the present effluent treatment system is in need of repair and commitment to implementation of improvements.

I would however add the following general comments –

- Please ensure that the new pipe from the drum filter (by passing) the settlement pond discharges directly into the outlet channel at a point where we can obtain a representative sample i.e. with sufficient drop/clearance for sampling;
- As indicated we would appreciate being kept advised as to important dates/timescales in this process – principally the cleaning / disinfection of the existing concrete settlement tank. During these operations please ensure appropriate precautions are put in place to prevent wash waters / used disinfectant solutions from discharging into the river – the preference would be that such solutions are also removed of site by licensed contractor. Alternatively disposal by over pumping onto land with an appropriate buffer zone to the river may be a suitable alternative. In this regards I would be grateful for confirmation of your intentions;
- As discussed we would expect to see the (discussed) replacement (fibreglass) settlement tank in place and operational during early 2017.

In the interim if there is any further assistance or advice that SEPA can offer at this stage please do not hesitate to contact me.

Regards
Stephen

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From: [REDACTED]@scottishsalmon.com]
Sent: 23 May 2016 12:00
To: Macintyre, Stephen
Subject: RE: Kinlochmoidart hatchery

Hi Stephen,
Thanks for meeting with me last week it was good to get things moving.
As discussed I hope to do some work on the effluent at Kinlochmoidart, my plan is to pipe the clean water straight from the filter to our existing discharge point taking out the middle settlement pond as this is causing a lot of the problems. Once I have that done I'll get MSIS in to completely empty all the pits get them pressure washed and disinfected, I'll then look at re-concreting the smaller existing settlement pond and making it fit for purpose this may mean we need to by-pass the filter for 1 or maybe 2 day's if that's acceptable.
I would make sure we gave you prior notice before any bypassing of the filtration system.
Let me know if the above is acceptable and I'll get started and will keep you updated of progress.

Cheers
[REDACTED]

From: Macintyre, Stephen [<mailto:stephen.macintyre@sepa.org.uk>]
Sent: 19 May 2016 15:37
To: [REDACTED]
Cc: [REDACTED]@sunbeamaquaculture.com'; [REDACTED]@sunbeamaquaculture.com'
Subject: Kinlochmoidart hatchery

[REDACTED] – thanks for opportunity to meet and discuss plans for the site this week. I have summarised our discussions in the attached Interim Compliance Assessment Reports for both site CAR authorisations - CAR/L/1001840 and CAR/L/1024866. Look forward to receiving confirmation of your plans for the effluent treatment system in due course (as discussed on receipt, I will confirm agreement by return) and the outstanding abstraction data returns for 2015.

Regards
Stephen

Stephen MacIntyre, Senior Environment Protection Officer
West Highland and Argyll Team, Scottish Environment Protection Agency, Carrs Corner, Lochybridge, Fort William
PH33 6TQ
t: 01397 704426 e: stephen.macintyre@sepa.org.uk web: www.sepa.org.uk

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From: Macintyre, Stephen
Sent: 19 May 2016 16:12
To: Macintyre, Stephen
Subject: Attached Image

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1. Assessment Summary

Licence reference number: CAR/L/1001840
 ELC assessment: Minor Breach(es) / 1 Gross Breach
 Interim EMC assessment: Low Performance
 Overall interim assessment: Poor
 Safety risk assessment for site (Is the current RA adequate? Are there any particular additional risks? in place)

2. Assessment Details

Date and time of assessment: 21/07/2017 10:45
 Site name: Kinlochmoidart Hatchery
 Site address: Kinlochmoidart, Acharacle
 Assessment type: Standard inspection

3. Components of licence assessed

Environmental Limit Condition (ELC)

Licence condition number	ELC assessment - (compliant, minor, repeated minor, gross or significant)	Description of non-compliance with ELC (include follow-up actions to rectify non-compliance, timescales and reporting requirements) - Where several breached ELCs are linked, refer to first condition number and associated non-compliance described
1.1.1	No Breaches	-
1.1.2	No Breaches	-
2.6.1	Minor	-
3.4.1	Gross	-

Environmental Management Condition (EMC)

EMC attribute	Licence condition number	EMC assessment - (compliant, minor, major)	Overall assessment	Description of non-compliance with EMC (include follow-up actions to rectify non-compliance, timescales and reporting requirements) - Where there is a link to a breached ELC refer to condition number as identified above
Operational condition of plant and infrastructure	-	Major	Major	-
Knowledge of licence by appropriate staff	-	Compliant	Compliant	-

4. Other items identified / discussed (include licence, development and good practice issues)

Inspection / site visit to review progress with upgrade/improvements to the sites effluent treatment system and to carry out downstream impact assessment.

Proposed improvements to effluent treatment system were previously agreed in principle - in summary use of bio blocks and final settlement tank in present form to be discontinued. New fibreglass settlement tank to be installed during 2017 with interim arrangements put in place for 2016 (effluent from drum filter to be piped to outflow channel, settlement tank to be emptied and cleaned with improvements implemented to blockwork/walls of sludge tank.

Inspection findings confirmed that improvements have not been delivered. Subsequent confirmation however that preparation work completed - settlement tank emptied, cleaned and disinfected. Commitment to complete remainder of identified work in the next 2-3 weeks. Further discussions / inspection to be carried out in respect of delivery of remaining improvement works.

Non compliance issues identified during inspection -

Condition 3.4.1 - The effluent shall be subject to a process designed and operated to be at least equivalent to a 60 micrometre mesh screen in the removal of solid matter. Assessed as **Gross ELC breach** – although the drum filter was in operation there was clear carry over of fine solid matter, including clumps of fungal growths (breaking off from the settlement tank) into the river.

Condition 2.6.1 - Other than as specifically permitted or limited by any condition of this licence, none of the authorised activities shall have a significant adverse impact on, or cause pollution of, the water environment. Assessed as **Minor ELC breach** – there was visible impact to substrate of river, including fungal growths out with the direct mixing zone around the outfall.

Operational condition of plant and infrastructure – effluent treatment infrastructure remains in a continuing poor condition. Assessed as **Major EMC breach** – failure to deliver previous commitments to improve operational condition of effluent treatment infrastructure and no communication or agreement to alternative timescale.

5. Inspection specific details (complete all relevant sections)

Other SEPA staff present: none
 Operator representatives met on site: general discussion with on site staff
 Relevant weather: sunny - low to moderate river flows

6. Assessment sign-off

Name of inspecting officer: Stephen Macintyre
 Team name: West Highlands & Argyll

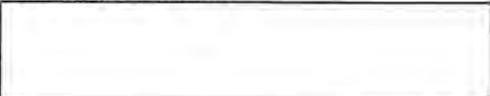
Signature: 

Date signed: 

7. Office information only

Was the inspection announced?: Yes
 Adhoc / Follow Up: n/a
 Inspection code: 207866CAR_PS
 Schedule type: NORTH_OPS-W_HI_AR-FW
 Month scheduled: OCT
 Month completed: 21/07/2017
 Registry copy required?: No
 File reference: CAR/L/1001840

Name of person who input data to NEMS: 

Date of input to NEMS: 

Rhoda Davidson

From: Macintyre, Stephen <stephen.macintyre@sepa.org.uk>
Sent: 21 July 2017 13:02
To: [REDACTED]
Cc: Corrina Mertens
Subject: Kinlochmoidart Hatchery_effluent improvement actions
Attachments: Interim CAS report_Kinlochmoidart hatchery.pdf

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 Kinlochmoidart Hatchery – Authorisation Reference CAR/L/1001840

Hello [REDACTED] – thanks for the quick response. It is reassuring that you intend to complete the remaining improvement works over the next 2-3 weeks – the general condition of the effluent treatment infrastructure remains poor and is reflected in the present quality of effluent being discharged and the downstream impact to the River Moidart. These improvements are a welcome first step but I would highlight that depending on success further improvements may be required especially around the siting of the outfall discharge point, noting the ecological importance and sensitivity of the downstream habitat forming part of the River Moidart SAC designation. I would appreciate it if you could keep SEPA advised of progress with this work – we will likely carry out a further inspection once completed.

Following on from yesterday's inspection I have attached an Interim Compliance Assessment report detailing the present areas of concern – ELC and EMC breaches were recorded resulting in an overall interim compliance assessment for 2017 of Poor. There is however scope to improve Compliance Assessment moving through the remainder of 2017 with successful delivery of the improvements works and a resulting improvement in discharged effluent quality.

With regards to future discussions [REDACTED] however I would be happy to discuss any issues with you [REDACTED] and I will be available this pm or between 28th July to 4th August. Subsequent to this one of my colleagues will assume a lead role for the site and we will advise on this in due course.

On the issue of the manure heap – we are aware and have spent time earlier this year reviewing proximity to the river and had discussions with [REDACTED] We appreciate the quantity increases and decreases according to time of the year – from yesterday's visit there was no evidence of any discharge from the manure heap in to the river. We will keep under review however and if you or your site staff have any specific concerns on future potential impacts to the river from this source then please raise them with us and we will follow up.

Regards
Stephen

Stephen MacIntyre, Senior Environment Protection Officer
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From: [REDACTED]@scottishsalmon.com]
Sent: 20 July 2017 14:55
To: Macintyre, Stephen
Cc: 'Corrina Mertens'
Subject: RE: Kinlochmoidart Hatchery_effluent improvement actions

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Apologies again for the time its taking but moves have been made now to rectify this issue.

I look forward to hearing from you.

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From: Macintyre, Stephen [<mailto:stephen.macintyre@sepa.org.uk>]
Sent: 20 July 2017 14:43
To: [REDACTED]
Cc: 'Corrina Mertens'
Subject: Kinlochmoidart Hatchery_effluent improvement actions

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Kinlochmoidart Hatchery – Authorisation Reference CAR/L/1001840

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From: Macintyre, Stephen
Sent: 30 May 2016 15:04
To: [REDACTED]
Cc: [REDACTED]
Subject: 20160530_SM response_Kinlochmoidart Hatchery_effluent improvement actions

Dear [REDACTED]

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Kinlochmoidart Hatchery – Authorisation Reference CAR/L/1001840**

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I would however add the following general comments –

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In the interim if there is any further assistance or advice that SEPA can offer at this stage please do not hesitate to contact me.

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From: [REDACTED]@scottishsalmon.com]
Sent: 23 May 2016 12:00
To: Macintyre, Stephen
Subject: RE: Kinlochmoidart hatchery

Hi Stephen,
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I would make sure we gave you prior notice before any bypassing of the filtration system.
Let me know if the above is acceptable and I'll get started and will keep you updated of progress.

Cheers
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From: Macintyre, Stephen [<mailto:stephen.macintyre@sepa.org.uk>]
Sent: 19 May 2016 15:37
To: [REDACTED]
Cc: [REDACTED]@sunbeamaquaculture.com'; [REDACTED]@sunbeamaquaculture.com'
Subject: Kinlochmoidart hatchery

[REDACTED] – thanks for opportunity to meet and discuss plans for the site this week. I have summarised our discussions in the attached Interim Compliance Assessment Reports for both site CAR authorisations - CAR/L/1001840 and CAR/L/1024866. Look forward to receiving confirmation of your plans for the effluent treatment system in due course (as discussed on receipt, I will confirm agreement by return) and the outstanding abstraction data returns for 2015.

Regards
Stephen

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From: Macintyre, Stephen
Sent: 19 May 2016 16:12
To: Macintyre, Stephen
Subject: Attached Image

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