

CENTRAL SCOTLAND FOREST TRUST RESPONSE to Scottish Executive Consultation:

DIFFUSE WATER POLLUTION FROM RURAL LAND USE

(closes Mon 13 March 2006)

1. Do you agree that we have accurately identified the water quality issues that need to be addressed? If not, why and what supports your view?

Yes, the main issues have been addressed.

2. Do you consider there are other problems not identified

We have not identified any other major problems.

3. What aspects do you consider may require regulation or to be more rigorously controlled using existing powers of enforcement?

We have not identified any aspects requiring further regulation or control.

4. Do you consider that advice on water pollution risks, within the PEPFAA Code and/or the Forest and Water Guidelines, is effective? If not, what else is required?

We consider that the FC Forest and Water Guidelines provide effective advice on water pollution risks in the forestry context. This could be backed up by additional written guidance on the new diffuse pollution regulations, and seminars if required (see also response to Q7)

5. Which measures to protect watercourses would you wish to see eligible for financial support under the planned Tier 3 of LMCs?

Since the Scottish Forestry Grants Scheme is currently under review and likely to be more closely linked to ERAD and LMCs, it is currently difficult to give an opinion on which *forestry* measures to protect watercourses should be eligible for financial support under Tier 3 LMCs, until the revised SFGS is made public.

6. Do you agree with the idea for self-audit/environmental checklist of the farm's environmental practice?

Yes, self-audit by the farmer has advantages, if external advice is also available.

7. We think it is important to help farmers/foresters/land managers understand the likelihood of water pollution from their enterprise. What is most likely to be effective?

- Advice/guidance/training/codes of practice/voluntary initiative etc?
- Seminars/farm visits/catchment officers?
- Structured Auditing?

Readily available Forestry Commission guidance documents are effective in relation to forestry issues of practice, so we recommend this approach is continued for diffuse water pollution in relation to forestry, backed up by seminars if required (see also response to Q 4). The guidance documents should have well advertised contact details for more advice.

8. Do you agree that farming should be subject to a regulatory structure similar to that already planned for other activities under CAR?

9. Do you agree that measures should be introduced as early as possible to enable us to meet WFD Targets?

Since diffuse pollution measures will be based mainly on General Binding Rules (to avoid an undue regulatory burden), we see no reason to oppose their early introduction, providing guidance for land managers is already in place.

10. Are you content that there should be general binding rules (GBRs) for activities which contain potentially polluting practices?

The 'light touch' regulatory approach of GBRs would seem to be appropriate for a supportive approach to farmers and other land managers.

11. Do you agree that specific problems in "at risk" catchments should be dealt with through targeted GBRs to be developed in consultation with the industry?

This approach would be a logical extension of the national GBRs proposed.

12. Do you agree with the proposed approach of combining regulations (GBRs) with the development of guidance, support and the promotion of voluntary action?

Yes. Guidance will be important both to explain how to meet the new GBRs and the reasons for their introduction.

13. Do you agree that the proposed GBRs and a suite of supportive measures is the right approach? What should they include?

Yes, see response to Q12.

14. How might the proposed approach best be developed?

15. Are there any further factors we need to take into account?

Grazing riparian buffer zones is currently allowed under Tier 2 of LMCs, providing there is no environmental damage. Certain grazing regimes of riparian woodlands have been suggested as being beneficial to the biodiversity of both the woodland and the waterbed, so this may also be worthwhile exploring as a positive management method in cases of the buffer zones being woodlands – and therefore may need to be taken into account in diffuse water pollution regulations.

16. How should the Executive work most effectively with the agricultural sector?

17. Can a similar approach be used for forestry as for agriculture?