

Appendix D. Marine Policy Assessment

The following sets out the assessment of the proposal against the relevant policies of SNMP as required by Section 10 of the Marine Licence Application Form for Construction Projects.

SNMP Policy	Assessment of Compliance
<p>Policy GEN 1 General planning principle</p> <p><i>There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan.</i></p>	<p>The proposed scheme seeks to maintain the existing structure and will contribute to the long-term use of existing Forth Road Bridge. Overall it is considered that the proposed scheme is consistent with the policies and objectives of SNMP. As such the proposed scheme does not conflict with Policy GEN 1 of the SNMP.</p>
<p>Policy GEN 5 Climate change</p> <p><i>Marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change.</i></p>	<p>Overall, the design and assessment of the proposed scheme has had regard to policy objectives to minimise effects on climate change. While it is anticipated that the proposed scheme will not necessarily reduce GHG emissions during construction, the scheme will not result in an increase in vehicular movement post construction and when compared with relevant UK Carbon budgets and Scottish Carbon reduction targets no significant effect is assessed in relation to climate.</p> <p>In addition, the principle of the proposed scheme in refurbishing an existing asset to ensure its long-term use, is consistent with the objectives for climate change mitigation and adaptation identified at a national scale with respect to using existing assets. As such, the proposed scheme does not conflict Policy GEN 5 of the SNMP.</p>
<p>Policy GEN 6 Historic environment</p>	<p>While the Forth Road Bridge is a category A listed structure, the proposed works comprise of necessary maintenance works to ensure its function and viability is maintained and will largely comprise of like for like replacements.</p>

SNMP Policy	Assessment of Compliance
<p><i>Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance.</i></p>	<p>The proposed scheme would keep the Bridge in its intended use in the long-term thus ensuring the future maintenance of the structure and preserving the way the bridge is understood, experienced and appreciated.</p> <p>Thus, the proposals are not considered to conflict with the provisions of Policy GEN 6 of the SNMP.</p>
<p>Policy GEN 7 Seascape / Landscape</p> <p><i>Marine planners and decision makers should ensure that development and use of the marine environment take seascape, landscape and visual impacts into account.</i></p>	<p>Since the works seek to replace existing features for maintenance purposes it is anticipated that there would be no significant effects upon the seascape or landscape environment from any permanent development associated with the works. As such the proposed works do not conflict with Policy GEN 7 of the SNMP.</p>
<p>Policy GEN 8 Coastal process and flooding</p> <p><i>Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding.</i></p>	<p>The minor nature of the works do not give rise to potential impacts on coastal processes or contribute to flood risk.</p> <p>As such the proposed works do not conflict with Policy GEN 8 of the SNMP.</p>
<p>Policy GEN 9 Natural heritage</p> <p><i>Development and use of the marine environment must (a) Comply with legal requirements for protected areas and protected species, (b) Not result in significant impact on the national status of Priority Marine Features (c) Protect and, where appropriate, enhance the health of the marine area.</i></p>	<p>A detailed consideration of the potential for any likely significant effects on the conservation objectives of the following European sites, in the context of The Conservation (Natural Habitats, & c.) Regulations 1994 (as amended) (referred to at the Habitat Regulations), has been undertaken in a Habitats Regulations Appraisal (HRA) for the proposed works under Appendix C.</p> <p>Implications for the Firth of Forth SPA and Ramsar and Forth Islands SPA's conservation objectives were avoided through design of the works programme and through application of mitigation measures. It is identified that mitigation to safeguard the conservation objectives of the breeding tern qualifying interests, through prevention of significant disturbance, will also contribute to safeguarding the conversation of other species of the SPAs and Ramsar sites.</p>

SNMP Policy	Assessment of Compliance
	<p>Although a precautionary approach has been taken in relation to the anticipated programme and methods for the Proposed Works included in this HRA, the Contractor may identify requirements to amend these, for example due to bad weather delaying activities, or improved methods. If Proposed Works do change in nature or timing then a no worse environmental test will be undertaken by the Contractor, and NatureScot and/or Marine Scotland (as appropriate) will be consulted to confirm the protection of European and Ramsar sites is assured and the conclusions of the HRA remain valid.</p> <p>With mitigation measures identified in the HRA in place, it is concluded that there will be no implications for the conservation objectives of the Firth of Forth SPA and Ramsar sites and the Forth Islands SPA for the five year duration of the Proposed Works. There will therefore be no adverse effects on site integrity (AESI) for the sites, either alone or in combination with other plans and projects.</p> <p>With respect to Priority Marine Features, the nature of the works are unlikely to result in significant underwater noise and therefore not expected to affect marine species, such as fish. In addition, the Inner Forth is not a particularly important area for marine mammals with occurrences of cetaceans relatively low and the closest designated seal haul-out being 8km away. This is also predicated on the mitigation measures proposed those being:</p> <ul style="list-style-type: none"> • All works are on or suspended from the bridge deck (i.e. no works at or below water level). • Strict pollution controls will be in place, including full encapsulation when required (i.e. during grit blasting, painting, etc.) • Where barges or other vessels are required, the number and during is minimal (i.e. it is expected that for the New Suspended Span Underdeck Access Gantry a single barge is required for 1-2 days). <p>As such the proposed works do not conflict with policy GEN 9 of the SNMP.</p>

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<p><i>Policy GEN 10 Invasive non-native species</i></p> <p><i>Opportunities to reduce the introduction of invasive non-native species to a minimum or proactively improve the practice of existing activity should be taken when decisions are being made.</i></p>	<p>It is anticipated that access to the site during construction would be taken principally from the existing road network and that there would not be a requirement to carry out works using marine vessels and equipment with the exception of work for the New Suspended Span Underdeck Gantry; thereby reducing potential pathways for transfer of non-native marine species.</p> <p>Consequentially, the proposed works do not conflict with the requirements of SNMP Policy GEN 10.</p>
<p><i>Policy GEN 11 Marine litter</i></p> <p><i>Developers, users and those accessing the marine environment must take measures to address marine litter where appropriate. Reduction of litter must be taken into account by decision makers.</i></p>	<p>As part of the identified mitigation measures with the HRA, the Contractor will be required to develop a CEMP to provide a framework for the implementation of construction activities, setting out how the Contractor intends to operate the construction site. The CEMP will contain measures to avoid litter from construction entering the marine environment.</p> <p>As such the proposed scheme does not conflict with Policy GEN 11 of the SNMP.</p>
<p><i>Policy GEN 12 Water quality and resource</i></p> <p><i>Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related Directives apply.</i></p>	<p>The HRA states that potential changes in water quality from pollution events (e.g. release of lead-based paint, paint removal chemicals, grit-blasting debris, accidental spillage and runoff) during works have the potential to have an indirect effect on the Firth of Forth. Deterioration of intertidal habitat could degrade the feeding resource for bird species, whilst for migratory fish species, increased siltation or a higher incidence of suspended solids could disrupt feeding behaviour, and increase of suspended solids or introduction of harmful chemicals could impact gill physiology and reduce oxygen uptake. However, best practice construction methods (CIRIA, 2015) will be implemented to protect the wider environment, including the use of appropriate pollution controls (i.e. Guidance for Pollution Prevention (GPPs)), such as a strict re-fuelling protocol and removal of all loose materials from the intertidal area. These measures are embedded in the construction methodology via the Construction Environmental Management Plan (CEMP) and are a legal obligation to be employed irrespective of the European designation of the site, and are not specifically required to avoid LSE.</p>

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	<p>As such the proposed scheme does not conflict with the requirements of Policy GEN 12 of the SNMP.</p>
<p>Policy GEN 13 Noise</p> <p><i>Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects.</i></p>	<p>Mitigation measures such as the preparation of a CEMP, developing and implementing a Construction Noise Management Plan (CNMP) (see Appendix E), the appointment of an ecological clerk of works and soft start process as a well as a range of other mitigation measures identified in the HRA (Appendix C) such as environment training for employees and application of best practice have are methods which can be used to reduce potential impacts upon the noise sensitive species.</p> <p>With the application of mitigation, it is considered that any adverse noise or vibration effects associated with construction of the proposed scheme are unlikely to be significant.</p> <p>For the operational phase, it is anticipated that the proposed scheme will not change the traffic flow, speed or composition on the local road network and as such any change in operational noise and vibration at NSRs is unlikely.</p> <p>As such the proposed works do not conflict with Policy GEN 13 of the SNMP.</p>
<p>GEN 14 Air quality</p> <p><i>Development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits.</i></p>	<p>It is assessed that with an appropriate CEMP implemented, there are not predicted to be any significant residual effects on air quality during the construction of the proposed scheme.</p> <p>During operation of the proposed scheme there are no potentially significant air quality effects as there is not anticipated to be a change in traffic flow, speed or composition of vehicles on the road network and therefore changes in pollutant concentrations from vehicle emissions are considered unlikely.</p> <p>As such the proposed works do not conflict with Policy GEN 14 of the SNMP.</p>