

## request to call in SEPA decision re CAR/L/1178014

Theresa Nelson <[REDACTED]>

Fri 10/22/2021 5:00 PM

To: EQCAT@gov.scot <EQCAT@gov.scot>

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My original objection to the CAR licence application by DawnFresh Ltd for the South Bute site:  
ANON-[REDACTED]

This is a request to Ministers to call in the decision issued by SEPA regarding CAR/L/1178014. I reiterate all my objections in my original response but in making this request would wish to focus on the fact that SEPA has not assessed the potential risk posed by fish farm pesticide discharges to the health of water users who come into contact with the waters near to and in the vicinity of the proposed fish farm site, from kayakers to sailors but particularly the open water swimming community.

I am a facilitator for the Bute Outdoor Swimming Society and have either swum myself around many sections of the Bute coastline or helped facilitate the swimming of other persons around said coastline. The site of the proposed fish farm was used for two events during which open water swimmers swam from Kilchattan Bay to Glencallum Bay, with many doing the return journey as swimming as well instead of returning on foot via the West Island Way. As well, we have helped facilitate two swimmers in swimming the entire Bute coastline. The Bute Outdoor Swimming Society currently has 544 members and there are many non-members who contact the group when they are visiting the island to ask for information. Open water swimming is rapidly increasing in popularity, particularly as a result of COVID and the resulting closure of leisure centres as well as due to more 'staycations'. The Open Water Swimming Society was constituted in 2006 with 300 members. It now has over 100,000, with over half a million visitors to the OSS website (and wildswim.com) in 2020. The health and safety of such a large and expanding group cannot and should not be ignored by a body that is meant to protect them. SEPA's legal obligations are

### 15.—(1) *Before determining an application SEPA must—*

- (a) assess the risk to the water environment posed by the carrying on of the activity referred to in the application;*
- (b) if the application is in respect of an activity that it considers has or is likely to have a significant adverse impact on the water environment—
  - (i) assess the indirect effects of that impact on any other aspects of the environment likely to be significantly affected;*
  - (ii) consider any likely adverse social and economic effects of that impact and of any indirect environmental effects identified in accordance with sub-paragraph (i); and*
  - (iii) consider the likely environmental, social and economic benefits of the activity;**
- (c) assess the impact of the controlled activity on the interests of other users of the water environment;*
- (d) assess what steps may be taken to ensure efficient and sustainable water use;*
- (e) apply the requirements of the legislation referred to in Part 1 of Schedule 4, including, in particular, the provisions of Article 4 of the Directive and Article 6 of the Groundwater Directive 2006; and*
- (f) have regard to the provisions of the legislation referred to in Part 2 of Schedule 4.*

SEPA has not done this for the DawnFresh South Bute proposal. Its 21 day notice letters say expressly that **'the potential for human health impacts arising from azamethiphos, deltamethrin or hydrogen peroxide releases from fish farms is not considered as part of SEPA's determination under CAR.'**

**I respectfully request that Ministers call in this SEPA decision and ask that more research is done regarding the potential impact of the above listed chemicals on all water users, but particularly open water swimmers, before a licence is considered.**

Regards,

