Cyswllt Amgylchedd Cymru | Wales Environment Link

Why nature needs us to better protect our rivers

February 2021

Introduction

Wales Environment Link is calling on Senedd Members to approve The Control of Agricultural Pollution Regulations. **Unless we take urgent action and ensure that pollution is controlled at source, it will be too late to recover our river ecosystems.** We must not confuse the critical risks facing our fresh water with the separate need to support farming communities struggling with the consequences of Brexit and the Covid-19 pandemic. The people of Wales want clean rivers **and** thriving rural communities.

River Basin Management Plans for Wales highlight *"diffuse pollution as a key reason for failure to meet good ecological status in a number of rivers".* The 2020 State of Natural Resources Report (SoNaRR) states that:

- 66% of river water bodies fail to achieve good ecological status under the Water Framework Directive (WFD) classification;
- no freshwater ecosystem type achieves a high score for all four resilience attributes;
- three species associated with rivers, white-clawed crayfish, freshwater pearl mussel and southern damselfly - are at risk of extinction in Wales;
- the latest salmon and sea trout stock assessments show a continuing decline; and
- **one of the major causes is continued widespread agricultural diffuse pollution,** resulting in elevated nutrient (such as nitrogen and phosphorous) and sediment loadings into freshwaters.

Natural Resources Wales recently stated that **over 60% of protected rivers in Wales exceed phosphate pollution limits** – this includes the Rivers Cleddau, Eden, Gwyrfai, Teifi, Tywi, Glaslyn, Dee, Usk and Wye . These rivers support some of Wales' most special wildlife like Atlantic salmon, freshwater pearl mussel, white-clawed crayfish and floating water-plantain. Currently, there are minimal regulations controlling farm pollution in Wales; it is mostly governed by voluntary 'good practice' guidelines called the Code of Good Agricultural Practice (CoGAP). As seen highlighted above, voluntary measures are not working.

What would the Welsh Government's regulations do?

The Control of Agricultural Pollution Regulations align Wales with other parts of the UK **and turn good practice guidelines into a set of clear and consistent mandatory measures.** They also align Wales with recognised EU standards that will support future trade. They will be essential if Wales is to market its produce based on sustainability under Brand Wales.

The regulations will apply from 1 April 2021 but will be **phased in over a period of 3.5 years.** The phased approach will provide farmers with time to gain an understanding of the requirements, to seek advice before the rules apply and to make any necessary changes to their farm management practice. The new regulations will:

- **Formalise elements and principles of the Code of Good Agricultural Practice (CoGAP)**, which all farmers should be following already, so this should not result in any significant changes in practice.
- **Introduce a no spreading period during the winter months** for manures in which 30% of the Nitrogen is readily available – in practice this is slurry and potentially chicken manure but not farm-yard manure. The

no spreading period will reduce environmental risk at the most sensitive time of the year and ensure that this valuable asset is used when it can provide most benefit to the farm business.

- **Provide farmers with information to determine the amount of nitrogen being produced by livestock** to help inform management decisions.
- **Establish a minimum storage capacity requirement for slurry**. Farms that don't produce slurry can continue to store farm-yard manure in heaps, including in fields, provided they follow guidelines and manure heaps are located far enough away from water bodies not to cause pollution.

As the new regulations will have greatest impact on slurry-based systems its impact is most likely to be felt by the c.1600 predominantly dairy farms in Wales (which is also the sector responsible for most pollution incidents). NRW data from its recent dairy project indicates around 50% do not have sufficient storage to manage slurry effectively (measured against the SSAFO 4 months requirement). For these farms, the Welsh Government has indicated funding will be available to help them respond and has committed £44m to help improve on-farm nutrient management infrastructure. In some cases what may be required are relatively low-cost solutions to keep clean and dirty water separate e.g. maintain/improve guttering and roofs over existing slurry stores. If a farm does not produce slurry then the regulatory approach will have little impact on them.

A pan-Wales approach allows for regulation of all areas and is ready for likely intensification of the industry moving into new, more sensitive areas, including the impacts of short-term leases for dairy production outside traditional areas that we are already seeing. If the regulations were not pan-Wales these new operations would be able to avoid geographically defined areas of increased regulation. **This proportionate approach ensures that there is regulation where needed and allows for future changes within the industry.** The phased approach and support grants provided by the Welsh Government will enable necessary improvements.

The regulations also allow eighteen months for the industry to develop its own scheme if that would produce the same or a better outcome, and Ministers must review them after two years to "*consider any submissions on an alternative suite of measures to those in these Regulations for preventing or reducing pollution caused by agriculture.*"

Whilst these regulations will help to prevent pollution of watercourses, they will also provide the following benefits:

- **Nutrients used more efficiently on farms** – Mark Sutton, environmental physicist at the Centre for Ecology and Hydrology emphasizes that: *"Many of these methods offer cost savings for farmers, reducing the need for bought-in fertilizer. […] Where capital grants are available, these can help farmers with the up-front costs of equipment, but ultimately the goal is that low-emission methods end up paying for themselves."*
- **Reduced losses of nitrogen will reduce ammonia losses to the atmosphere –** Ammonia air pollution is considered the prime cause of the worst air pollution in Europe and significantly impacts our most important habitats. In Wales, farming is the dominant source of ammonia emissions (86% in 2015). Only an estimated 5% of farm emissions come under direct regulation; which are those from the largest pig and poultry units (40,000 birds, 2,000 pigs or 750 sows that require a permit).
- **Tackle climate change** – Nitrous oxide emissions via synthetic fertilizer and manure is a long-lived greenhouse gas, persistent for an average of 114 years in the atmosphere and is up to 300 times more potent than carbon dioxide.
- **Protect terrestrial ecosystems** – A recent global biodiversity assessment highlighted the build-up of reactive nitrogen in the environment as one of the most significant threats to global biodiversity. NRW

stated "*ammonia is causing dramatic landscape-scale impacts on virtually every terrestrial ecosystem"*. Studies across the UK and Europe have highlighted how nitrogen from agricultural ammonia is affecting biodiversity: grasslands are losing species, which can affect insects including pollinators, and fungi that help trees and other plants to grow are in serious decline. In Wales, the most recent data from 2018 shows that 89% of sensitive sites suffered excess levels of nitrogen. Certain veterinary medicines in animal excrement finding its way into watercourses can have a pronounced impact on invertebrate populations which constitute the foundations of the freshwater food chain and consequently on the many species of fish, birds and mammals which prey upon them.

- **Protects human health and quality of life for rural communities** – Ammonia emissions are increasingly being linked to premature deaths from respiratory diseases due to ammonia's ability to react with other airborne pollutants. Slurry or manure entering a watercourse can carry with it bacteria harmful to human health, impacting upon sources of drinking water and the ability to bathe. Rural communities are increasingly affected by the smell associated with large amounts of slurry and manure spreading in their area, with particular impacts for tourism.

We ask all Members of the Senedd to consider the very real need to protect human and environmental health and vote for these regulations to be passed as a necessary tool to help tackle the nature and climate emergency.

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales. WEL is a respected intermediary body connecting the government and the environmental NGO sector. Our vision is a thriving Welsh environment for future generations.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.

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