

Response to ‘Fund and resource an action plan to save the River Wye’ correspondence

NRW is fully committed to working with a range of key stakeholders to improve the condition of the Wye and there are several current projects and groups that have been established to better understand and address water quality in this iconic river.

Recognising the large numbers of letters received raising common concerns and queries, we have attempted to provide the following response on the questions raised.

Q1: Introduce General Binding Rules (minimum standards) into the Agricultural (Wales) Act and fund a dedicated Natural Resources Wales enforcement and advice team to implement.

NRW has worked with Welsh Government officials as they develop proposals for the Agricultural Bill content. We have provided evidence on the effectiveness of our regulatory principles options, one of which is the use and outcomes of General Binding Rules. Their introduction is, of course, a decision for Welsh Government to make.

Q2. Issue a statement revoking Natural Resources Wales’ statement that Intensive Poultry Units are not linked to agricultural pollution in the River Wye in light of the clear evidence from Lancaster University that details the link.

It is important to be clear about what NRW has said in relation to poultry units and nutrient issues in the Wye catchment – what we have said is that we have not found any evidence for a direct connection between poultry farms and waterbodies failing SAC targets. This is not to say that poultry farms are not contributing to these issues. The reasons for failures on the river Wye and its tributaries are from a range of sources which does include agriculture and indeed subsequent source apportionment modelling work has shown this.

NRW's Evidence Report Compliance Assessment of Welsh River SACs against Phosphorus Targets found that the failures in parts of the Wye (some of which are caused by episodic high phosphorus concentrations) require action to address them. The report analysed data from the NRW routine monitoring programme against the JNCC phosphorus targets which are set as a 3 year average. The overall pattern of failures found through the assessment of routine water quality monitoring data in the Wye does not support the hypothesis that poultry units are the cause of failures of the JNCC phosphorus targets failures on the Wye. This is because there is no direct relationship between the location of poultry units and the locations of failures.

To measure the ecological impact of the failures identified in the Phosphorus Compliance Assessment report, NRW is carrying out an intensive programme of diatom and macroinvertebrate sampling and analysis across the Wye in Mid Wales this year (Spring and Autumn 2022). Diatoms are useful indicators of the impact of nutrient enrichment and macroinvertebrates are useful for assessing the general health of river ecosystems. The aim of this survey work is to provide a more detailed understanding of the spatial location of different pressures, especially in relation to nutrients. The data and results will be published in an NRW Evidence Report and used to inform work to reduce nutrient input as well as target the location of interventions on the Wye SAC as part of the River Restoration Programme.

Q3. Introduce the requirement for a full environmental permit for all Intensive Livestock Units (chicken and pig) within Special Area of Conservation rivers.

NRW implement and enforce the current requirements of the Environmental Permitting (England and Wales) Regulations 2016 which currently prescribes the thresholds for intensive rearing of pigs and poultry, below which an environmental permit is not currently required. Any changes in relation to the permitting thresholds for livestock types and numbers in Wales is a matter for Welsh Government to consider.

Q4. Issue a detailed and staged action plan to work with all parties, including UK Government and the Third Sector, across the Wye catchment (England and Wales) to action joint measures and mitigation to address all pollution on the river and set defined targets to reduce nutrient pollution with immediate and rapid effect.

A detailed and staged plan (The Wye Phosphate Action Plan) already exists as part of the Wye Nutrient Management Plan. This Action Plan applies to the whole of the River Wye catchment, in Wales and in England. The Action Plan has been reviewed and restructured in light of the recent case law (the Dutch Case) and sets out the actions planned or further needed to reduce Phosphate. Actions in the plan are divided into sections on point sources, diffuse sources, catchment-scale actions, monitoring, engagement, governance and reporting. Responsibility for delivery of the actions will be through a number of delivery organisations across England and Wales.

The Wye Nutrient Management Board is made up of NRW, Natural England, Environment Agency, Herefordshire County Council, Powys County Council, Brecon Beacons National Park Authority, Monmouthshire County Council, Dŵr Cymru Welsh Water, as well as third sector bodies including the Wye and Usk Foundation and oversees the delivery of this plan.

Q5. Agree commitment from Welsh Government and Natural Resources Wales to actioning a water protection zone across the whole catchment.

Water Protection Zones (WPZs) are existing mechanisms under the Water Resources Act 1991, to protect sensitive water bodies from the impacts of pollution and other harmful activities. In Wales, designating an area a WPZ is the responsibility of Welsh Ministers.

WPZs are an option if the weight of evidence suggests other measures and mechanisms will not achieve the required environmental standards.

Currently NRW's effort is focussed on identifying the causes of failure and seeking to address these by existing mechanisms. Through this process evidence will be collated of the need for any additional regulation, such as WPZs.