

Partnership Meeting

Supplement to the agenda for

Wye Catchment Nutrient Management Board

Wednesday 11 October 2023

2.00 pm

3. UPDATE ON ACTIVITY SINCE LAST MEETING

Pages

3 - 8



Update from NRW to the Wye NMB

October 2023

1. Welsh Government Ministerial Governance

New governance arrangements have been established to oversee the delivery of the First Minister's Action plan which was produced following the Water Quality summits hosted in Wales and chaired by Mark Drakeford.

These include a Ministerial Oversight Group which will consist of the First Minister, Minister for Climate Change, Minister for Rural Affairs, and NRW Chair. A Programme Lead and a support officer will serve as a link to all the Oversight Groups and ensure the actions in the First Minister's Action Plan are being met.

The NMB Wales Coordination Group has been established to oversee the NMBs, with the Chairs of the NMB's being represented on the Group. This will be Chaired and facilitated by Welsh Government (WG). The draft ToR for the Coordination Group has been produced by WG with the intention for the local Boards to use the aims and objectives as a basis to create their own ToR.

The third WaterQuality summit will take place in November.

2. Wye catchment activities

- We carried out a drone survey in the Afon Elan catchment in the stretch between Claerwen reservoir and Caban-coch reservoir and then through the section downstream to the river Wye. With very few nutrient sources in this part of the river, this work helps us better understand how discharges from the reservoirs themselves give rise to changes in sediment load in this part of the river.
- 9 visits to farms holding sheep dip permits have been carried out on Mithil and Gwenlas Brook in February. No issues were found although one farmer will be surrendering his permit and using a mobile dipping contractor in future. We used these visits as an opportunity to educate these farmers on the requirements of the new Wales agriculture regulations.
- Ongoing work on the Llynfi, currently have covered the upper catchment and now focusing on Llangorse.
- Identified and rectified large manure heap in Talgarth, which was directly impacting the Llynfi. Potential reason for elevated phosphate readings seen by citizen science recordings downstream, have also identified several other issues with large manure heaps leaching into water courses in the catchment and are progressing with enforcement action.

- 7x waste water treatment works inspections undertaken within the upper wye catchment since June 2023 (From Rhayader down to Cilmery/Beulah). Follow up work on going on issues identified.
- 12x visits undertaken of permitted abstractions within the Wye catchment area
- 3x cross compliance farm visits/inspections completed in the Wye catchment dcarried out jointly with Rural Inspectorate Wales.

3. Incidents

- 28x Incident reports received within the Wye catchment since July 2023. Follow up work ongoing on 7 of these incidents.
- Please encourage your neighbours and friends to report incidents of any kind on the Welsh Wye to our 24 hour incident centre on 0300 065 3000 as soon as possible so they can be assessed and investigated.

4. Wye data Sondes

Six water quality sondes have been deployed on the Wye since late April/early May Summer 2023 has been cooler and wetter than summer 2022, so this year's sonde data from the Wye shows less evidence of algal bloom formation compared to last year. In mid-July, Xylem, the framework supplier for our sondes, installed a telemetry system to work with our sonde at Glasbury, on a trial basis. The telemetry sends data to a cloud-based server to allow users to view real-time data being collected by the sonde.

We commissioned UK Centre for Ecology and Hydrology (UKCEH) to undertake an analysis of the algal communities at each of the 6 locations on the Wye where our sondes are installed. Although algal numbers were low at the time of sampling, they were much higher at the downstream location (Redbrook, on the England-Wales border) than sites further upstream, with some interesting differences in community composition between all 6 sites. We are in discussions with UKCEH about undertaking additional, more in-depth algae analyses in the future.

5. NRW's SAC Rivers project

A project has been running in NRW for the SAC rivers water quality issues we first reported in 2020. This project is required it enable NRW to fulfil its statutory obligations for the sustainable management of natural resources and our wellbeing duties with respect to the 9 riverine SACs listed in the Habitats Directive. Tackling water quality problems in Wales is also a key priority for the Welsh Government.

Latest update

- We have updated our Planning advice (v3) and this is live on our web site [here](#).
- We are clarifying our policy on constructed wetlands for treatment.
- We have published [nutrient neutrality principles](#) on our web site.
- We are committed to working with WG and others on the key actions for the First Minister follow up summit held on 8th of March.

- SAGIS modelling – we have completed the independent quality assurance of the Source Apportionment (SAGIS) models for all of the SAC rivers and conclude that they are fit for purpose for wastewater planning. Whilst it is difficult to apportion an exact figure to agriculture due to the nature of the pollution, we are confident the numbers in the model demonstrate the scale of the input from agriculture.
- Review of permits – there is a duty under Article 6(2) of the Habitats Directive and associated Regulations to take appropriate measures to avoid the deterioration of SACs. One of the appropriate measures we have decided to take in relation to managing the phosphorus levels in our SAC rivers is to review the permits of larger discharges (20m³/day or more) into SAC rivers that contain phosphorus to ensure that the permit holders contribute their ‘fair share’ of the reduction in phosphorus levels required to avoid deterioration. There is an agreed list which is 152 permits for the 9 SAC rivers (plus 19 permits as part of AMP7). Work is expected to take around 18 months to complete. The work is dependent on the AMP timetable and agreed outputs.
- We have undertaken a review of our approach to dealing with Intensive Poultry Units (IPUs) in the planning process. Our new approach allows better application of the Habitats Regulations and case law to the fate of phosphorus throughout the chain of custody of manures and slurries i.e. from generation to spreading to land.
- Nutrient Management Boards (NMBs) have been set up for the failing SAC rivers (Wye already has a NMB) and NRW will be represented.
- Other water quality attributes – we are undertaking a compliance assessment against targets for the other water quality attributes in the JNCC Common Standards Methodology Guidance (i.e. Biochemical Oxygen Demand, Dissolved Oxygen, Total ammonia, unionised ammonia, pH, Acid Neutralising Capacity and Trophic Diatom Index). We are also looking at any potential implications. We do not yet have an agreed publishing date.
- Other habitats – we will update the lines to take soon on marine and lakes. Currently our agreed lines to take for marine is – ‘Since the publication of the ‘Compliance Assessment of Welsh River SACs against Phosphorus Targets’ report NRW has sought legal advice in respect of our Marine Protected Areas. Following receipt of that advice we are reviewing the data on marine water quality within our SACs. We expect to provide further information later this year’.
- Citizen science - NRW have written to the various groups undertaking citizen science initiatives on the River Wye explaining our position following closure of the Cardiff University coordination project and how we hope to use the data collected. [NRW Wye Citizen Science Advice](#)

6. Poultry Permits

We are currently reviewing our policy and procedural requirements in relation to off-site manure management, particularly within the context of the Environmental Permitting Regulations 2016 and the Conservation of Habitats and Species Regulations 2017.

Whilst we are reviewing our policy and procedural requirements, we have decided to pause the determination of any IF permit or variation applications, where the result would be an increase in bird numbers.

This issue is receiving our urgent and ongoing attention. We will inform customers of the outcome once our policy position is confirmed.

7. Enforcing the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR)

These regulations came into force on 1 April 2021 and are subject to transitional periods until 1 August 2024. As measures are transitioned into law become a requirement of Cross Compliance. All farmers and landmanagers in Wales who are claiming the Basic Payment Scheme (BPS) and/or Welsh Government Rural Development land based schemes must adhere to Cross Compliance requirements. Any identified failure to meet the Cross Compliance standards would result in payments being reduced, recovered or withheld by Rural Payments Wales. NRW is obliged to report Cross Compliance breaches to Rural Payments Wales under a Service Level Agreement since 2005 and continue to do so.

Welsh Government has provided funding to create two new teams across Wales to focus on the enforcement of these regulations. Recruitment has began into two new teams with 2 x Team Leaders, 5x Senior Officers and a further 12 officers already appointed. These teams will be completing prioritised visits to farms across Wales to assess compliance with these new regulations and take enforcement action as required.

8. Upper Wye Restoration Programme

NRW is preparing a £10M, 5 year programme of works on the Upper Wye (from Hay upstream) to address ecological issues and risks in the Upper Wye, and improve the rivers long-term resilience to Climate Change. The main focus is on the Wye SAC but the project area also incorporates tributaries of the Upper Lugg to provide a catchment approach.

The Programme will have workstreams covering respectively: Targeted farm visits and partnership working with farmers to reduce pollution and the risk of pollution; In-river, riparian and floodplain habitat restoration works; Improving fish access; Invasive species management. There will also be monitoring and reporting workstreams.

Following a short delay to enable funding issues to be resolved, we are now progressing recruitment. We hope to have the Upper Wye team leader in place in November and Senior staff by around Christmas. The recruitment of the rest of the team will take place in the New year.

