

Nutrient Management Board Update

Organisation:	Environment Agency
Representee:	Martin Quine
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Actions on Phosphate Action Plan contributing to:	<ul style="list-style-type: none"> • Monitoring, Evidence and Modelling • Agriculture • Water Resources • Water Industry • EA Funded Projects • Citizen Science
Actions on Phosphate Action Plan recent work has contributed to:	All the above, including input to TAG sub-groups and strategic work with Defra to scope longer-term policy and funding initiatives.
Brief progress update on activities	<p>Monitoring, Evidence & Modelling</p> <ul style="list-style-type: none"> • In August we released our latest report. https://consult.environment-agency.gov.uk/west-midlands/river-wye-water-quality/supporting_documents/Wye_Report_Q1_2022_23.pdf • We have committed to chairing the Technical Advisory Group (TAG) Evidence Subgroup and will therefore be reducing the frequency of our integrated data analysis reports as a result to biannual. The next report is scheduled for January 2023. • We continue to manage and update our public facing webpage. • We have submitted our Monitoring Commission for 2023/24 which focuses additional resource into the Wye Catchment. We are awaiting an affordability assessment due by end of December. • We have secured funding from EA national to deploy additional sondes and autosamplers in 2023 as we did in 2022 and will review the River Wye High Temperature and Algal Bloom Warning System. <p>Agriculture</p> <ul style="list-style-type: none"> • We have completed 134 farm inspections to date so far this year in the Wye catchment (report date 15/12/22). All farms with identified issues are followed up with actions to achieve regulatory compliance. Of these inspections 22 have been targeted at intensive poultry units. • Out of the 134 farm inspections, 20 were found to be non-compliant with the regimes we inspected, or with the areas/aspects/parts of the regulations we inspected.

- Across the whole of the **West Midlands 292 farm inspections** have been completed so far. This indicates **45%** of West Midlands farm inspection resourcing is being targeted to the Wye Management Catchment.
- We are increasing awareness of Farming Rules for Water (see appendices) and associated farming regulations through proactive collaboration and communication. Natural England's Catchment Sensitive Farming blog was published on 4 December 2022 and we have worked with the NFU on an article on farm inspections for their January farming magazine British Farmer and Grower.
- We will be running an online lunchtime workshop (by invite from NFU) with farmers in January 2023 on the Farming Rules for Water inspections and compliance.
- Permitted poultry farms in the Wye catchment are being required to report N & P excreted in livestock manures. Data for 2022 is to be reported by end of February 2023. The requirement to report this data is being introduced first in specific catchments where there are significant diffuse pollution concerns associated in-part with intensive pig or poultry operations. Wider roll-out for all permitted farms will follow in January 2024.
- We have developed new GIS tools to spatially map pollution risks, phosphate loads and agricultural data. In 2023 we will begin to utilise these tools in combination with additional support from our national Remote Sensing Team to improve how we target activities and to increase the number of inspections.
- We have recruited an Agriculture Account Manager to engage with key stakeholders in the agriculture and food supply chain. This role will lead on strategy development and the implementation of measures aimed at reducing nutrient inputs across the agricultural sector. Initial focus will be on the Wye catchment in England, taking a catchment-based approach with a range of partner/stakeholder groups.

Water Resources

- A total of **93 compliance inspections** have been carried out by EA in the Wye Catchment this year, which identified **20 non compliances**. In total of **343 inspections have been completed across West Midlands**.
- We have completed the New Authorisations programme in the Wye Catchment so most previously exempt activity is now licensed.
- WMD moved into Drought status on 23 August and Drought Recovery status on 23 November. Recent rainfall in late October and throughout November has led to an improving situation with rivers rising to normal ranges or above and some respite to Hands Off Flow conditions.

Water Industry

- We are currently working with Dŵr Cymru Welsh Water (DCWW) on the 2024 Price Review (PR24) Water Industry National Environment Programme (WINEP). DCWW have applied for an extension to their PR24 (AMP8) WINEP submission.

- SIMCAT/SAGIS/Optimiser for the Wye model has been updated and are being used to inform the PR24 WINEP.
- A review of DCWW 2020 data for event duration monitors (EDM) spills to the environment has been completed. This focused on all network combined sewer overflows with more than 40 spills a year.
- We would normally inspect six of DCWW's operator self-monitoring (OSM) sites and 12 descriptive inspections per year. The planned number has been increased to 20 OSM and 20 descriptive inspections.
- Prioritisation of drought response postponed delivery of water company inspections in Q1 & Q2. We have since delivered 5 OSM inspections and four descriptive inspections, resulting in the need for additional sampling locations at one site and the need to have an appropriate upstream Urban Waste Water Treatment Directive (UWWTD) sampling location at another.

EA Funded Projects

- **Wye P WEIF partnership project** (until March 2023) with the Wye and Usk Foundation includes:
 1. Focus of supply chain engagement.
 2. Focus of Farmer engagement to promote farming best practice and regenerative farming.
 3. Takes the Rephokus study and ground truthing it with a focus on P levels and land drains.
 4. NFM opportunity development and delivery in the Garren and Dore Catchments.
- **Resilient Wye Water** (until March 2023) with Wye Valley AONB focusing on water resources.
- **Wye SASS** (until March 2023) with Farm Herefordshire developing evaluation methods and supporting the development of a website for dissemination of best practice, developing a community, and supporting event booking and evaluation.
- **Wye SAC** (until March 2023) with Herefordshire Rural Hub CIC focusing on delivering a project promoting soil testing and compliance with the regulations.
- **FCRM NFM project** (until 2027) Delivered by Herefordshire Council, delivery started with contractor (WUF).
- **River Arrow catchment Project** - Developing tools to map opportunities and quantify the multi-layered benefits of Nature Based Solutions.

Citizen Science (CS)

- CS monitoring has continued across the Wye catchments with data added to Epicollect. We now have agreement from all parties for data to be shared openly across the monitoring groups and more widely.
- Following our July monitoring report recommendations, we have new monitoring sites identified by CPRE for the Lugg catchment that will now be included in the programme.

- We are considering how soil sampling (total phosphorous and Olsen P) may be undertaken in collaboration with landowners and other partners. This is following discussions with NFU considering previous soil sampling in the Garren catchment by Wye Salmon Association.
- There is consensus that monitoring for P would be extremely useful in order to establish soil baseline data in the Wye catchment, however a standardised monitoring approach would need to be developed and agreed.
- We now have approval for £11k to provide additional monitoring equipment (phosphate test kits), which is being administered via CPRE.
- We will continue to support and work closely with all the CS groups whereby data will inform future work programmes and regulatory effort.

APPENDICES

Advice & Guidance Letter

Farm Inspections in the **XXXX** area

Dear Sir/Madam

I am writing to advise you that we are carrying out regulatory farm visits in your area to identify the sources and reduce the impact of agricultural pollution on water quality.

Should we arrange a visit with you, we will check that you are complying with the environmental regulations that apply to your farm business. These are the key records required by the regulations that we will be inspecting.

The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 - Farming Rules for Water (FRfW) - Planning for Crop and Soil Need

Regulation 4 of the FRfW requires that each application of organic manure or manufactured fertiliser:

is planned so that it does not exceed the needs of the soil and crop on that land, or give rise to a significant risk of agricultural diffuse pollution, and takes into account the weather conditions and forecasts for that land at the time of the application.

It is a regulatory requirement that all land managers plan each application of organic manures and manufactured fertilisers to cultivated agricultural land. Cultivated land is any land that has been physically cultivated in the last year or had manure or fertiliser applied in the last 3 years. Any plan should be based on up-to-date soil analysis results (within the last 5 years). We will ask you to provide evidence of your **Nutrient Management Planning and Soil Analysis**.

There has been recent Statutory Guidance issued by Defra to the Environment Agency setting out what it should consider when enforcing these regulations, but it does not change the requirements detailed in this letter or the Farming Rules for Water.

Action required – ensure you have up to date soil analysis and evidence of nutrient management planning as outlined.

Key reading/ resources:

[Farming rules to protect watercourses - policy paper \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/644442/farming-rules-to-protect-watercourses-policy-paper.pdf)

[Rules for farmers and land managers to prevent water pollution - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644442/rules-for-farmers-and-land-managers-to-prevent-water-pollution.pdf)

[Applying the farming rules for water - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644442/applying-the-farming-rules-for-water.pdf)

[Nutrient Management Guide \(RB209\) | AHDB](https://www.ahdb.co.uk/resources/nutrient-management-guide-rb209)

The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO Regulations)

These rules apply if you store silage, slurry, or agricultural fuel oil. There are general rules applicable to each of the 3 substances, as well as specific rules for storing and handling each one. The following information will be requested as applicable to your business:

- Location, dimensions and volume calculations of any slurry lagoons/ stores, solid manure stores, fuel tanks and silage silos
- The location of any clean and dirty yard drains and the size of yard area (in m²) draining to the slurry and dirty water systems

- Your slurry storage capacity calculation
- Your silage effluent tank storage capacity calculation
- Construction details, including analysis of soil type, depth, and permeability results if the structure is constructed from earth.

Action required – ensure you have up to date records as outlined above (as applicable to your farm business)

Key reading/ resources:

[Storing silage, slurry and agricultural fuel oil - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
[Slurry wizard | AHDB](http://www.ahdb.co.uk)

The Nitrate Pollution Prevention Regulations 2015 (NVZ)

Nitrate Vulnerable Zones (NVZs) have been designated by Defra to protect water quality from agricultural nitrate pollution which impacts drinking water abstractions and affects life in our rivers, streams, lakes, ponds, and sea. Find out if your land lies within an NVZ here: <https://environment.data.gov.uk/farmers/>

If you are farming in an NVZ, the Nitrate Pollution Prevention Regulations require you to act to store, plan and apply organic manure and nitrogen fertilisers within specific times, areas and application limits and keep records of this, as below:

ACTIONS	LIMITS	RECORDS
<ul style="list-style-type: none"> • Spreading restrictions when applying organic manures and manufactured fertiliser to land • Requirements for the storage of slurry and other organic manure • Planning nitrogen applications before spreading 	<ul style="list-style-type: none"> • 170 kg N/ha from livestock manure 'Farm Loading Limit' • 250 kg total Nitrogen per hectare (N/ha) 'Field Limit' for applying organic manures • 'N-max' average Nitrogen application limits for most crop types across the farm 	<ul style="list-style-type: none"> • Farm Risk map • Livestock Manure Nitrogen Farm limit calculation • Storage calculation • Nitrogen Management Plan • Field records • N-max calculation

Action required – ensure you have up to date NVZ records as outlined above (as applicable to your farm business). Visit [Catchment Sensitive Farming: Nitrate Vulnerable Zone \(NVZ\) Record Keeping and My Farm Business \(nutrientmanagement.org\)](http://www.nutrientmanagement.org) for step-by-step guidance.

Key reading:

[Nitrate vulnerable zones - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
[Using nitrogen fertilisers in nitrate vulnerable zones - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
[Storing organic manures in nitrate vulnerable zones - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

If you already have the required records as detailed within this letter, you may send them to the email address below so that we can review them in advance of any visit.

If you'd like us to talk you through any of the requirements or what to expect during a farm visit, then please call the number below for an introductory informal discussion. Please also get in touch should the information we hold about you not be accurate, such as contact/ farm details, that way we can update our records.

Yours sincerely

REGULATION

EA INSPECTIONS



What should you expect?

Receiving a letter from the Environment Agency (EA) can be stressful, but the NFU, alongside the EA, wants to help members make an inspection an opportunity, explains NFU Environment Adviser Alastair Heinrich

We've been working together with the EA to summarise the process and offer insights on how to prepare. Here's what you need to know...

WHY MIGHT I BE INSPECTED?

EA officers check that farmers are complying with environmental regulations, including those controlling slurry, silage, nitrate, and diffuse pollution. Farms are chosen for a variety of reasons, usually due to concerns over the water quality in the local rivers. Being selected for an inspection doesn't mean you've done something wrong.

"We are not here to catch you out, we are here to help you understand what the regulations mean, assess if you are complying with them and, if you aren't, to work with you to make changes to protect the environment and reach compliance," says Senior EA Officer Karen Price.

HOW CAN I PREPARE?

You'll be contacted by either phone, email or post to arrange a date and time. The officer conducting the inspection will send you a letter confirming arrangements and explaining the documents and areas they'll need to see. If you can provide any documents by email ahead of the inspection this will usually help reduce the time an officer will spend on your farm. The documents they could ask for include a Nutrient Management Plan with soil samples, risk maps, drainage plan, NVZ documents (if applicable) and slurry store calculations.

WHAT SHOULD I EXPECT?

The whole inspection usually takes between one and three hours, but may be longer depending on the size of your farm and the advice needed. The EA will look at:

- Fuel storage: Condition of both tank and hoses, age, bunding, spill kits and any signs of potential pollution.
- Silage clamps: Condition, age, flooring, drainage, effluent collection, and any signs of potential pollution or run-off.
- Slurry storage: Condition, age, structure, overtopping, quantity of storage and any signs of potential pollution or run-off escaping.
- Farmyard manure store: Condition, age, flooring, drainage, effluent collection, and any signs of potential pollution or run-off escaping.
- General yard drainage: Clean and dirty water separation, clean draining areas kept clean, condition of gutters and downpipes, no signs of contaminants.
- Fields: Checking that reasonable precautions are being taken to prevent soil erosion and run-off, location of livestock feeders, poaching near watercourses and large areas of poaching within the fields, and that non-spreadable areas are being adhered to.
- Chemical storage: Looking at how and where it is stored.
- Pesticide handling areas: Where the sprayer is filled and cleaned, water sources, washings disposal, training.

Should any non-compliances be found, the officer will discuss the actions needed and agree an appropriate and reasonable timeframe for completion.

WHAT HAPPENS AFTERWARDS?

You'll receive a post-inspection report, usually within two weeks.

It will outline any actions required and completion timeframes. If circumstances mean you are no longer able to meet the agreed timeframe you should contact the officer to let them know and agree a suitable extension if possible.

The EA uses an advice-led approach to help farmers comply with regulations, but they also have a range of alternative actions including enforcement tools. The post-inspection report will make it clear when this is the case.

HOW WAS IT?

Lincolnshire farmer Emma Billings had her first EA farm inspection with Caroline Hook, an agriculture regulations inspection officer.

"Caroline checked various paperwork and I gave her a tour of the farm. It went really well. Caroline checked that we were correctly complying with farming regulations, from preventing nitrate pollution, to the way we stored oil and silage. We talked about how safe farming practices can help to limit pollution and she advised us on how some minor issues could be improved. I found this particularly useful as she gave me advice specific to my farm, and a reasonable deadline to get the work done by.

"My advice to farmers who are perhaps nervous about the farm inspection is, firstly, don't panic! The letter they send will include a list of all the information they might need, including your general farm records. This is mostly the same as what we do for our annual Red Tractor inspection. Also, the inspectors are very helpful. They are there to support you, to listen to your concerns and offer practical advice which will specifically benefit you and your farm."