
Lesley Griffiths AM, Cabinet Secretary

By Email

28th June 2017

Dear Cabinet Secretary

Afonydd Cymru and the Angling Trust & Fish Legal are writing on behalf of the inland fisheries sector and Wales' 33 rivers (including eight Special Areas of Conservation), the ecology and potentially significant rural economy that is currently being devalued.

We have met with several of your officials and described the rapid decline in salmon and sewin fisheries in Wales and highlighted that we believe the principal cause is the pollution of rivers from unsustainable land use, and in particular forestry and agriculture.

There are two essential problems that threaten: Wales is now the farm pollution capital of Europe especially in the South West and Monmouthshire. There have been just short of 100 significant pollutions since November last year (source: NRW) including significant fish kills in Afon Teifi SAC (2) and elsewhere around Wales. The angling business in Wales should bring in between £150 and £200million pa to rural areas and is at serious risk.

Angling Trust has written to you on several occasions about these problems, but have yet to see any substantial evidence in the replies we have received that action is being taken, or even being planned, to address them with any urgency. Our requests for a meeting with you have also all been turned down, which is in contrast to our regular access to Ministers and Secretaries of State in Westminster.

Secondly, it is with considerable dismay that the natural resource of inland fisheries has not been included in the Sustainable Management consultation launched last week. While there is mention of commercial marine fisheries, with an estimated value of just £9.3million, this is dwarfed by the revenue from recreational angling. We note too, that Welsh Government declined to support a bid for all eight SAC Rivers to the EU Life fund. Our recent meeting with your officials revealed nothing of substance nor any future plans or direction, save to learn that NRW had advised that climate change would bring a premature end to our migratory fisheries, thus making them not worthy of further attention.

Fisheries have progressively been eliminated from presentations on ecosystem services and the latest consultation seems to be leaning towards opening up access to water by swimmers and paddlesports enthusiasts which, as we have highlighted in previous consultations, would have a significant deleterious effect on angling and the many businesses it supports in rural Wales. All but one of 23 salmon rivers fail their conservation target.

Small wonder then, that those who hold more extreme views than ours see a concerted plan to end the inland fisheries of Wales.

Good water quality is a function of how well or otherwise land use issues are managed and recent evidence points to increasingly rapid deterioration, invariably from elevated levels of Phosphate and soil erosion. Across the border in Herefordshire, there has been success in bringing about change and improvements in water quality in the Wye SAC, driven by the need to comply with the Habitats Directive.

This was achieved with a partnership of a Rivers Trust (Wye and Usk Foundation, leader) Dwr Cymru, Hereford Council, Statutory bodies, Wildlife Trusts, farmers and others. Upstream, Powys planners have permitted so many chicken units that highly reactive phosphate from chicken manure is unpicking the improvements downstream. Clearly they see themselves as outside the requirements of Habitats Directive – as a recent FOI request has shown – and a recent algal bloom in the upper Wye and Tywi confirms the extra loading which is diagnostic of excess Phosphate levels.

Current legislation (Water Act 1973, Environment Act 1995 and MaCAA 2009) require government to “Maintain, Improve and Develop” our fisheries, although ignored in recent Welsh legislation. We list the areas that have most significantly failed:

- Weak legislation/regulation for the installation of Anaerobic Digesters: repeated failures causing severe pollution have brought no change.
- Storing Silage, Slurry and Agricultural Fuel oil (SSAFO): The start point of 1991 for the application of this regulation in Wales leaves the early and most likely to fail installations outwith the regulation. The recent Afon Honddu pollution was caused by an old lagoon.
- Manure Spreading. NVZs are the bare minimum requirement to comply with Habitats and Water Framework Directives although the regulations are insufficient to prevent pollution of surface waters.
- Penalty for pollution: Unlike industry, farmers face very low fines if they pollute rivers. Faced with a choice of spending £100,000 on a new slurry pit, or risking a £10,000 fine in the event they are caught polluting, few are encouraged to invest in their infrastructure.
- Development planning has failed to take into account cumulative, negative effects of multiple developments (e.g. chicken units)
- Costs of water purification falls on water rate payers, not on farmers. Polluters escape paying and are receiving high levels of public subsidy which, in the absence of controls, is encouraging unsustainable land uses (e.g. Feed in Tariffs for AD units which encourage growth of maize).
- Inadequate baseline regulations for GAEC which, have lower standards than those in England. With regulation increasing in Herefordshire, damaging farming practises are being imported from England to Wales to escape regulation and enforcement.
- NRW is proposing significant exploitation controls for salmon and sewin, while agreeing that they deal with the symptoms and not the cause of the problem. There have been plenty of opportunities and funding to manage some of the river specific issues (as the Wye and Usk have done with clear and tangible uplifts in salmon numbers and other biodiversity increases) but opportunities have been missed elsewhere.

It seems that Welsh government is not championing the quality of our rivers and inland fisheries and so the onus falls on us. Given the significant deterioration, generally and the probable extinction of salmon in at least one SAC river, what incentives does Welsh Government need to take urgent and concerted action to tackle the widespread and endemic problem of water pollution?

Our one hope appears to be making a formal complaint to the EU while the UK is still a member, or considering legal action regarding the deterioration of ecological status as the Angling Trust and Fish Legal have done in England. The evidence is compelling. Can we be spared having to do this with some immediate and timely action?

We propose the following immediate actions which are realistic and achievable:

1. An enforcement clampdown by NRW, issuing warnings to polluting farms and encouraging them to seek advice.
2. Reform of Farming Connect to move rapidly away from support for increasing production to tackling soil and nutrient loss from farms (which will improve the farmers bottom line and
3. Redirection of grant payments away from, for example, concreting yards to the measures which have been so successfully deployed by the Wye and Usk Foundation;
4. Tightening up the GAEC: remove the exemptions for GAEC 5 so that the regulations mirror those in England;
5. Funding a national programme of advice and rectification, from Afonydd Cymru and its members, to back up the enforcement campaign;
6. Reform of the SSAFO regulations to bring facilities built before 1991 immediately into regulation and focus the grant system on improving slurry pits and clean and dirty water separation, while increasing the penalty for pollution.
7. Requiring all poultry units to be permitted by NRW, rather than only those above 40,000 birds, and request Powys council takes into account the compound effect of the industry on the Wye SAC.

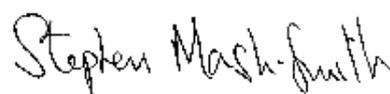
Your officials suggested to us that you might be willing to meet with us and visit a farm to see the potential for corrective action to be taken and to discuss our proposals and any other ideas which would help deliver a better environment for Wales. We would be happy to facilitate such a site visit if you would find it useful, or to meet with you in your offices to discuss how to address these very serious issues as a matter of urgency.

Yours sincerely,

(signed)

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