
Lesley Griffiths AM
Cabinet Secretary for Energy Planning and Rural Affairs
Welsh Government

cc. Hannah Blythyn AM, Minister for the Environment

By email

31st January 2018

Dear Cabinet Secretary

Industrial Scale Pollution of SAC Rivers in Wales

We would like to highlight the scale of the agricultural problem within Wales and the urgency which action is required.

Afonydd Cymru was awarded a contract by NRW to survey the rivers of Wales. The purpose was to develop a plan that could be put in place if funding became available. It was envisaged that actions such as fish pass construction and habitat restoration would bring about a reverse in declining migratory fish populations. Initially the rivers included were the Teifi and Tywi.

However, we have identified that the principal problem is that a significant number of holdings discharge raw slurry directly into rivers and streams. Whilst others have the courtesy to spread slurry on open fields or ground, it is so wet, that a pathway is provided to get this toxic substance directly into rivers. Sadly there are no fish left to die in many places and so reporting relies on the few people on the ground to spot the intermittent changes of colour and smell. This chronic and devastating problem is not confined to the SAC Rivers Teifi and Tywi but it is widespread throughout Wales.

In southwest Wales the total slurry production exceeds any possibility of safe disposal or reuse without very significant change in regulation and deploying certain innovative solutions. Whilst extolling the virtues of voluntary measures, and promising to work with stakeholders, it's clear that these successful and innovative schemes seem unlikely to be part of WGs solution leaving us to conclude that we must take our concerns elsewhere.

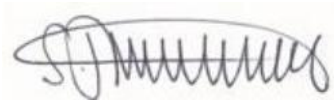
In Powys, a large number of chicken units have been approved for construction without any consideration of the in-combination effect on the environment. An FOI to the planning office confirms this. The Upper Wye has experienced a number of algal blooms confirming that the amount of phosphate breaches the SAC prescribed level, while downstream, one of our trusts, the Wye and Usk Foundation, is working closely with the Environment Agency to reduce levels so that Herefordshire can fulfil its development plans, which are held back by high phosphate levels.

Shortly, NRW will be presenting their fisheries byelaw proposals to reduce exploitation of salmon. They accept that angling is not the cause of decline and that a voluntary effort has made good progress in this area. By contrast they seek mandatory solutions while accepting that they do not deal with the cause, which principally is water poisoning. I can offer little to allay the fears amongst owners and anglers that the current policy for agriculture and lack of one for inland fisheries is going to do anything other than eliminate our valuable freshwater fisheries.

Your last letter stated that you felt obligated to introduce appropriate legislation only while we are members of the EC. For this reason, Afonydd Cymru is of the opinion that the only solution is a Judicial Review and/ or a formal complaint to the European Commission and the Future Generations Commissioner. We are currently in discussion with counsel and intend to press ahead as a matter of urgency.

Notwithstanding the above, we remain keen to explore any alternative but effective solutions

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Marsh-Smith', written over a light grey rectangular background.

Dr Stephen Marsh-Smith OBE Chief Executive Afonydd Cymru, the Rivers Trusts of Wales

Fighting for Wales' rivers