

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

By email

2<sup>nd</sup> January 2018

Dear Cabinet Secretary

### **Written Statement on Nitrate Vulnerable Zones 13<sup>th</sup> December 2017**

Welsh Government has led the world with innovative approaches and legislation for sustainable natural resource management with noble aspirations to leave the environment in a better place for the next generation. Water quality assessment, like a blood sample, is the best measure of how successful these policies have been.

We are therefore very grateful for your comments about the severity of water pollution in Wales and the need for something to be done about it. The continuing upward trend of river pollution events, especially diffuse effects, will spell the end of inland migratory fisheries and the essential boost to the rural economy and employment that this natural resource should bring. We have already seen significant declines in rivers such as Tywi, Teifi, Cleddau, Taf and, in fact, any rivers associated with a concentration of dairy farming. By contrast, there has been a significant recovery in the Wye where a lot of work has been carried out by the Wye and Usk Foundation especially in the English part of the catchment through an innovative partnership with the Environment Agency.

If inland fisheries (and clean water) are to remain valued resources to Wales, it is essential to have robust and properly enforced regulation. We are pleased to see that an all Wales approach will be taken, though it is unclear whether this involves an NVZ. Regulation should be allied with specific farm advice (preferably from trained NGOs) that focus on water quality.

However, reading your statement there is a strong suggestion that voluntary measures will play a significant part in the process and this was backed up by BBC Wales's report with comments from jubilant farmers and their union. The problem is that on a given catchment, any farmer not complying with controls will annul the good work of those who stick by the rules. Non-compliance, of course has the added incentive in that it gives a significant competitive advantage.

There also appears to be no clear distinction between the concern for phosphate and nitrate pollutions in your statement. Both have prescribed upper limits in their relevant directives and both

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result from farm pollution. However, there are areas in Wales where the levels of phosphate are now so high (it attaches to surface soils which ends up in the rivers) that it will take generations to recover even if spreading stopped today. Bearing in mind the added costs to farmers of adhering to the rules, are you certain that self-regulation is the best way to start the lengthy process of correcting this when there has been such a disastrous record in the past?

You mention working with stakeholders. I'm afraid Welsh Government's history of working with riparian owners, anglers, inland fisheries and others with an interest in the aquatic environment has been minimal to date. May we therefore suggest that owners of rivers, anglers and those whose business is destroyed by water pollution are represented in the next consultation? It seems that every aspect in managing pollution is controlled by the polluters themselves.

We also repeat the offer to you and/or your staff to visit a comparable farm that one of our trusts (the Wye and Usk Foundation) has worked with to ensure that its operations, including intensive poultry units, big dairy herds, a safe, successful anaerobic digester and maize growing comply with regulations, in this case an NVZ. 850 homes are supplied with electricity and excess phosphates are exported. It is just a few miles over the border in England and demonstrates a workable and economic solution that should be applicable in Wales.

Finally, I am sure you are aware of Albert Einstein's definition of doing the same thing over and over again and expecting a different result?

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Marsh-Smith', written in a cursive style.

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

Fighting for Wales' rivers