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Further to Afonydd Cymru's (AC) letter dated 30th November on our concerns in relation to Core Management Plans (CMP), we have recently received the published Reasons for Not Achieving Good Status (RNAGS) under the Water Framework Directive (WFD). These were published last week on Water Watch Wales.

AC would like to work with NRW to understand what we see as inconsistencies and differences between the CMPs and WFD in Wales. AC would expect to see linkages between the Core Management Plans and the RNAGS. Where designated species and habitat is impacted by issues we would expect those issues to form part of the RNAGS. A basic review of the data indicates that this is not the case.

We provide a very high-level summary on some rivers to illustrate this, appended to this letter. It is in no way a thorough review of the WFD data.

This week, I met with Ben Wilson to discuss some work we will be commencing with NRW under the Strategic Allocation Funding to understand WFD data specifically in relation to our fisheries work. We would welcome a similar approach to some of the other areas in which we work across water quality.

The importance of the data upon which we all base solutions and planning cannot be underestimated and is outlined below:

- Water companies in Wales are currently developing their PR24 draft business plans. A significant element of PR24 will be the delivery of statutory obligations under the National Environment Programme (NEP). The NEP should be informed by both the CMP and the RNAGS and AC would expect to be able to see issues identified in both which are associated with water company operations to be the foundation for the NEP. The inconsistencies between both of these data, and with what we know is impacting our rivers, hinders this.
- The Welsh Government (WG) Better Water Quality Taskforce has assumed that the resolution of some failing elements of river water quality will be met by WG funding linked to the WFD programme.
- We would expect phosphate compliance failures, identified in February 2021, to be resolved through Management Actions identified in the CMPs and through RNAGS. There are

inconsistencies between all three of these data sources, so sources of failure identified through SAGIS are not reflected in either the CMPs or RNAGS.

- Nutrient neutrality applied in Wales on 5 SAC rivers in conjunction with a planning embargo on housing and agricultural development is underpinned by understanding the sources and causes of failure AND by having an action plan in place to fix.
- The First Minister Phosphate Summit in July 2022 made eight recommendations. One of those recommendations was to look at the feasibility of applying a nutrient trading system in Wales. Nutrient trading requires a clear separation to be in place between mitigation required to fix baseline SAC failure (to ensure that it meets favourable condition status) and mitigation required to offset new phosphate entering the system such as new housing or new agricultural development. Whilst there is no clear understanding of the reasons for failure on a SAC river and clearly identified options to meet favourable condition status, we do not believe nutrient trading can progress in Wales on SAC rivers.

Afonydd Cymru would welcome trying to understand the data across these sources better with the aim of development of solutions to improve the current status of our rivers.

We request therefore that any meeting on CMPs also considers the data now published under RNAGs. We look forward to understanding how we can collaboratively develop this understanding.

Kind regards,



Gail Davies-Walsh, CEO
Chris Mills, Chair

High Level WFD RNAGS issues:

This is not an exhaustive list but merely some observations from data.

Wye

- The CMP identify significant failure from diffuse pollution, the scale of which is not reflected in the RNAGS at all
- Only 5 tributaries are failing in the RNAGS due to sewage discharges. This is not consistent with either the CMP or the Compliance Assessment of Welsh SACs against Phosphorus Targets, February 2021

Usk

- There are no barriers to migration identified on the main Usk, despite barriers to migration being identified in the Review of Consents process in 2008 and those barriers being included on the 4 Rivers for LIFE programme.

- Again, no impacts to flow are identified on the Usk. NRW are currently working as part of UWAG with Welsh Water and Canal & Rivers Trust on the River Usk to finalise abstraction licences to protect flows on the SAC river.
- Failures for phosphate are not consistent with the Compliance Assessment of Welsh SACs against Phosphorus Targets, February 2021, for example, Rhiangoll has the highest level of failure but does not feature within the RNAG
- Impacts from sewage discharges are only identified on tributaries of the Usk, despite Welsh Water currently investing significant funds to resolve failures on the main Usk .
- Significant failures from septic tanks was identified as part of the Compliance Assessment of Welsh SACs against Phosphorus Targets, February 2021. We see none identified in RNAGS.

Tywi

- We note that Llyn Brienne dam is identified as a RNAGS on the Tywi due to the impoundment. This has not been applied consistently to all impoundments?
- RNAGS has no failures due to phosphate despite Compliance Assessment of Welsh SACs against Phosphorus Targets, February 2021 showing otherwise
- RNAGS reports impacts from the Forestry sector only upstream of Llyn Brienne (whilst the CMP says that there are none). In fact, no other impacts from the Forestry sector are identified across any river in the RNAGS. This is despite the CMP noting a number of failures and impacts.

Cleddau

- Canaston weir has a NRW-owned fish pass that was identified as causing failure to fish migration on the Cleddau during the Review of Consents process. It is not identified on the RNAG, even though it is a key and critical delivery option on the 4 Rivers for LIFE programme and is probably one of the most significant barriers to fish migration in Wales
- Phosphate failure is only identified on 4 tributaries. This is not consistent with the Compliance Assessment of Welsh SACs against Phosphorus Targets, February 2021 **Dee**
- Phosphate failures on the Dee as a result of water company operations are *only* reported on the Alyn in the RNAGS. There is significant failure from Welsh Water identified in the Compliance Assessment of Welsh SACs against Phosphorus Targets, February 2021
- In fact, according to the RNAGS phosphate failure only occurs on the Alyn tributary and nowhere else in the river catchment (from any source).
- Agricultural failure is only identified on the Deepford Brook. We compare this to the CMP which detailed positive and resolving actions undertaken on this brook.

Gwyrfai

- No RNAGS are noted in the Gwyrfai. The CMP for the Gwyrfai indicates that the river is not in favourable condition.

Eden

- RNAGS only reports issues with hydropower operation in the catchment. The CMP, which shows significant failure, implies otherwise.

Ely

- The RNAGS notes phosphate failure in only three waterbodies and then at only two WWTW discharges. We do not think this is consistent with source apportionment modelling undertaken by Welsh Water in AMP6 in the catchment.

