Action plan - Relieving pressures on SAC river catchments to support delivery of affordable housing.

Overview

Our Special Areas of Conservation (SAC) rivers support some of Wales's most precious biodiversity and are an important source of health and well-being for our communities. As such we need to do more to protect and enhance them. Phosphorus pollution in Wales' SAC rivers is a serious issue which defies easy solutions, with more than 60% of our most precious SAC rivers failing phosphate targets.

Whilst this action plan focusses on the issue of unlocking development, we are also mindful of our commitment to improve the general health of rivers in Wales. The River Basin Management Plans (RBMPs) in Wales outline a programme of measures necessary to prevent further deterioration, work towards achieving good overall status and support the achievement of the conservation objectives for SAC rivers. The Prioritised Improvement Plans (PIPs) and Thematic Plans summarise the proposed actions needed to help improve the condition of the sites.

Phosphorus pollution is having an impact on our natural environment, our communities, and the economy. For example, there is a clear and pressing need for the development of more housing in Wales. Good quality housing impacts positively on health, mental health and education and plays a vital role in ensuring people's basic needs are met. Planning rules are strictly regulated in SAC areas. Water quality is therefore one of the reasons the development of essential new homes has been paused, impacting on the Welsh Government's commitment to build 20,000 new low carbon social homes to address the housing crisis.

Phosphate pressures come from multiple sources including runoff from rural areas and business; wastewater infrastructure (including storm overflows and consented activities such as sewage treatment works); misconnections from faulty plumbing, and small private septic tanks and sewage treatment plants. For each SAC, source apportionment work demonstrates the share of phosphate pollution attributable to each sector (link)[1].

There is a need to reduce nutrient concentrations to ensure Welsh rivers are as resilient as possible to climate change, and to current and emerging water quality pressures to ensure the benefit is felt by people and communities today, and for future generations. A thriving water environment is essential for supporting healthy communities, flourishing businesses, and biodiversity.

There is no single measure which will solve this crisis and there is no quick fix: the 'legacy effect' means that it may take many years before we see any change. The Welsh Government's Programme for Government commits us to improving water quality, which can only be done if we

[1] SAGIS-SIMCAT (Source Apportionment Geographical Information System - Simulation of water quality in Catchments) is the main water quality catchment modelling tool that is used by NRW and Regulators across the UK. Natural Resources Wales (NRW) commissioned a quality assurance of these models and concluded that the five models are in line with agreed guidance and are fit for the purpose of informing wastewater planning decisions.

have full engagement and a Team Wales approach, where government, regulators, and all relevant sectors – work together, over the immediate and medium-term to realise long-term results to improve the water quality in our rivers. This Action Plan contains a set of measures that partners have agreed to undertake as a first step in moving us towards more favourable SAC River water conditions and allow development to recommence.

Our Commitments

On 18 July 2022 the First Minister convened a summit to discuss phosphorus pollution of SAC rivers in Wales. The Summit brought together senior representatives from regulators, water companies, developers, local government, farming unions, academia, and environmental bodies to discuss the development of a strategic and joined-up approach to improving the quality of our SAC rivers. The following eight areas of intervention were identified at the summit.

1. Establish Nutrient Management Boards and fit for purpose governance and oversight arrangements.
2. Enabling nature-based solutions.
3. Identify and implement appropriate short-term measures.
4. Develop an all-Wales nutrient calculator.
5. A consolidated ‘menu’ of potential mitigating actions and interventions.
6. Catchment consenting.
7. A platform for nutrient offsetting and exploring potential for nutrient trading.
8. A long-term roadmap supported by an action plan.

Significant work by all stakeholders has allowed a greater understanding of the issues identified at the first Summit and allowed a more detailed Action Plan to be developed including greater certainty over the time scales involved in delivering the range of actions set out below.

Failing SAC River Catchment Action Plan

Theme		Action	By when
1	We recognise the need for a joined-up approach and the need for fit for purpose governance and oversight arrangements to support decision making in failing SAC rivers.	• Local Authorities (LAs)/National Parks will set up Nutrient Management Boards/Catchment Partnerships and Welsh government (WG) will provide up to £415,000 of revenue funding in 2022-23.	**Completed**
		• Natural Resources Wales (NRW) and Welsh Government will provide a clear direction on the role and function of the Nutrient Management Board's (NMB) as a result of the review undertaken by Afonydd Cymru	**April 2023**
		• NRW and WG will work with NMBs to draft a Nutrient Management Plan template.	**April 2023**
		• Each NMB shall produce an outline Nutrient Management Plan.	**September 2023**
		• NMBs and WG will work together to provide sufficient levels of funding for 2023-24 and 2024-25 and then to explore future funding options.	**May 2023**
		• As part of the wider consideration of water quality challenges, WG will set out a streamlined, focused, and cost-effective governance framework with representation from government, regulators, and partners. This will include oversight arrangements for a joined-up approach to the NMBs in the failing SAC catchments.	**September 2023**
		• WG established the Special Area of Conservation River Oversight Group (SACROG) bringing together key stakeholder from across the sector to provide strategic direction and guidance to the Welsh Government, regulators, and delivery organisations to support in the	**Ongoing**

		identification of solutions and delivery of measures to reduce phosphorus levels in river SAC catchments.	
2	In line with our obligations under the Environment (Wales) Act 2016, Well-being of Future Generations (Wales) Act 2015 we recognise the need to use natural solutions more effectively in order to deliver multiple benefits.	• NRW and WG will agree a Service Level Agreement on the enforcement of the Control of Agricultural Pollution (CoAP) Regulations, to mitigate nutrient loading and to reduce the impact on the environment. • DCWW to share information and learning on wetland schemes currently under development. • NRW will clarify its permitting policy on Constructed Wetlands for treatment. • WG Programme for Government is delivering nature-based flood management in all major river catchments, expanding wetland and woodland habitats, working across government to better integrate nature-based solutions ensuring it is fully incorporated into the Sustainable Farming Scheme (SFS). • WG will commission follow up work on the Construction Industry Research and Information Association (CIRIA) “Using Sustainable drainage systems (SuDS) to reduce phosphorus in surface water runoff” for new developments to determine how SuDS can further contribute to nutrient neutrality. • NRW will explore the provision of a database of projects undertaken, detailing timelines, funding, and other relevant factors which contribute to reducing nutrient loading in the catchment and move towards meeting water quality targets to bring the sites into favourable condition. • Environment Platform Wales (EPW) will, through working across Welsh universities and partner research institutions, facilitate the	**Completed** **Ongoing** **June 2023** **Ongoing** **Ongoing** **September 2023** **Ongoing**

		provision of existing water quality related evidence and act as a catalyst for the delivery of new research to fill knowledge gaps. • EPW will deliver a 'Better Water Quality for Wales' Conference in June 2023 with the aim of expanding awareness of existing policy needs and the research initiatives providing the evidence to support them.	**June 2023**
3	There is a need to work constructively with the agriculture sector to find solutions to excess nutrients in the soil and SAC rivers of Wales.	• Farming Connect will offer advice and support to help farmers to take action to improve water quality, including training and on-farm events in failing SAC catchments. • Under Rural Development Programme (RDP) 2014-2020, the WG offered farmers capital grants to make infrastructure improvements for improved nutrient management and pollution prevention. Now the RDP is closed, the WG Rural Investment Schemes offers 40% grants, fully funded by WG to carry out the same improvements. These schemes and information about them can be found at Rural Grants and Payments. • WG will ensure that Agricultural representation is present at all NMB's/Catchment Partnerships in Wales • WG will work with existing groups, including the Wales Land Management Forum (WLMF) sub-group on agricultural pollution, to encourage innovation and achieve measurable outcomes in reducing excess nutrients in SAC rivers. • Farming Unions and organisations will promote and provide sources of advice and guidance to farmers on good practice with regards to nutrient management planning and other measures to enhance water quality, through ongoing engagement programme. Also recognising situations of shared ownership between landlords and tenants.	**Ongoing** **Ongoing** **Ongoing** **September 2023** **Ongoing**

		• Farming Unions and organisations will continue to work with the WLMF sub-group on agricultural pollution, in line with the framework agreed in the 2018 Progress Report. • Farming Unions and organisations will continue to advocate and explore options to progress the implementation of the Water Standard, a voluntary, farmer-led nutrient management approach in Wales taking into consideration where there is a sharing of responsibilities. • Farming Unions and organisations will continue to signpost farmers to advice and guidance in relation to the requirements of the Control of Agricultural Pollution Regulations, alongside the development of advice and guidance from WG, including an FAQ document on agricultural tenancies.	**Ongoing** **Ongoing** **Ongoing**
4	Current planning constraints can be addressed by delivering short term solutions.	• WG will provide refresher training for local planning authorities on Habitats Regulation Assessment (HRA) and detailed training on phosphates and HRA for authorities within affected SAC catchments. • WG to facilitate a case study workshop to take an in-depth review of a small number of housing schemes delayed due to phosphate issues. • WG will provide practical guidance for local planning authorities on HRA and phosphates to consolidate training already completed. • WG and Home Builders Federation (HBF) have established a task and finish group to identify options for temporary private treatment plants in sewered areas. • DCWW will discuss with WG; any additional investment available from the current Asset Management Plan (AMP).	**Completed** **March- April 2023** **July 2023** **April 2023** **Ongoing**

		• NRW to undertake a review of water discharge permits prioritising those from wastewater treatment works affecting social housing and in failing SAC catchments where possible for those in scope (i.e., 20m3/day or over Dry Weather Flow). Permits will be issued through a phased approach. • DCWW to monitor discharges for phosphorus and assess headroom in relevant permits. • WG will consider funding innovative technologies to enable near real time monitoring of our rivers and waterways. • NRW will explore the acceptability of Citizen Science data. • Local Planning Authorities will continue to allow developer led mitigation to be brought forward unless it compromises the strategic mitigation strategies of the NMBs. • DCWW has identified where investment or modifications are required at its sites based along SAC river catchments to be delivered as part of their Phosphorus program over the next AMP period.	**July 2024** **September 2023** **July 2023** **September 2023** **Ongoing** **Ongoing**
5	Development of a unified nutrient calculator to directly aid planning decisions on nutrient neutrality and will have the ability to take account of catchment-level data, local features and needs.	• WG, following stakeholder agreement on the specification, will appoint a contractor to develop a nutrient calculator(s) suitable for all LPAs to use across Wales, building on the calculators already produced for specific catchments. • WG will endorse and promote use of the All-Wales calculator.	**June 2023** **September 2023**
6	We recognise the need to give clarity to stakeholders	• NRW will publish a menu of mitigating measures.	**June 2023**

	on the suitability of potential mitigation actions and interventions to reduce pollution.	• WG will continue to work with stakeholders, through the WLMF sub-group on agricultural pollution, on interventions to tackle agricultural pollution, including the implementation of measures contained within the CoAP Regulations.	**Ongoing**
7	A unified approach to catchment consenting in failing SAC rivers is required.	• DCWW will commission work to prepare a proposal for SACROG following pre-consultation with WG. • DCWW & NRW will review similar policy and permitting approaches in England and identify lessons that can be identified from these projects. • WG will map out the policy and regulatory framework needed to support catchment permitting approaches in failing SAC rivers.	**April 2023** **July 2024** **October 2023**
8	Currently there is a lack of understanding across the sector in providing practical measures within catchments which could be provided by Nutrient Trading and therefore there is a need for further investigation.	• WG will commission Waste & Resources Action Programme (WRAP) to produce a high-level report exploring how the approach of the Netherlands could be used to reduce the nutrients entering the Wye and Usk catchments and outlining an options appraisal for circular nutrients management. • DCWW are undertaking a detailed feasibility study of a trading platform for the Usk. • WG will convene a Nutrient Trading Task and Finish Group which will consider the outputs from the feasibility study. • WG will produce a report for SACROG on the findings of the Task and Finish Group and report on the next steps required to take forward nutrient trading. • NRW and WG will consider the proposed regulatory changes recommended in the other workstreams and identify any further principles or regulatory requirements that may be required to enable nutrient trading subject to consideration of the Task and Finish Group Report.	**May 2023** **March 2023** **April 2023** **September 2023** **December 2023**