



Senedd Cymru  
Pwyllgor yr Economi, Masnach a Materion  
Gwledig  
Rheoliadau Llygredd Amaethyddol  
APR - 30  
Ymateb gan: Salmon & Trout Conservation  
Cymru

Welsh Parliament  
Economy, Trade, and Rural Affairs Committee  
  
Agricultural Pollution Regulations  
  
Evidence from: Salmon & Trout Conservation  
Cymru

To -

Economy, Trade, and Rural Affairs Committee  
Senedd Cymru  
Cardiff Bay  
Cardiff  
CF99 1SN

From –

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10<sup>th</sup> September 2021

**SENEDD CYMRU**  
**Consultation on Agricultural Pollution Regulations**

**Response by Salmon and Trout Conservation Cymru**

**Introduction**

Salmon and Trout Conservation Cymru welcomes the opportunity to respond to this consultation and trusts the committee will find our comments helpful in resolving the issues surrounding the implementation of regulations designed to protect the freshwater environment from the impacts of agricultural pollution.

Since its foundation in 1903, Salmon and Trout Conservation (S&TC) has been the leading advocate for the welfare of the wild fish of Britain. Upon receiving charitable status in 2008, S&TC revised its activities to focus solely on science-led campaigns and has enjoyed many successes in its efforts to defend the ecological integrity the freshwater environment. Wild fish are natural indicators of the well-being of our streams and rivers and we remain resolute in our mission to protect their interests wherever and whenever they may be challenged.

As an independently funded charity, S&TC is able to speak and act without fear or favour and is beholden to none but its charitable objectives. Our activities in Wales are conducted under the title Salmon and Trout Conservation Cymru (S&TC Cymru).

Our response to this consultation is set out over the following pages.

## Our Response

1. The fragile nature of the freshwater environment makes it particularly susceptible to the impacts of pollution and consequently requires robust and sufficiently resourced protection. Even seemingly minor incidents of pollution or failures in land management can have catastrophic consequences for the naturally evolved ecology of a stream or river, sometimes to the extent of precipitating crashes in plant and animal populations to the point of potential local extinction. Similar in effect but far less visible is the pernicious blight of diffuse pollution which slowly but surely suppresses natural processes, again to the point of collapse and potential local extinction.
2. The Committee will be aware from the 2020 State of Natural Resources Report (SoNARR) of the dire state of our rivers where widespread diffuse agricultural pollution is identified as a major contributory factor in their decline. We trust the Committee is also aware of troubling reports from Natural Resources Wales of a continued decline in wild salmon and sea trout stocks to the point that all of the former and all but a few of the latter are facing the very real threat of failing to maintain viable populations. While other factors are undeniably also at play, the suffocation of spawning gravels and the much-reduced abundance and diversity of riverfly larvae and other invertebrates as a direct result of both point source and diffuse agricultural pollution are major factors in the decline of populations of wild fish.
3. Given the linear connectivity of rivers, just one source of pollution can have profound consequences for the entire downstream system, resulting in environmental degradation and financial impacts far beyond the interests of the perpetrator alone. This also results in reputational damage, not only to the Welsh agricultural sector, but also the wider rural economy and the international standing of Welsh produce.
4. S&TC is therefore firmly of the opinion that a suite of universal regulations designed to address the impacts of modern agricultural practices is essential to preserve the natural integrity of our streams and rivers.
5. A review by S&TC Cymru of predecessor voluntary codes of good practice, including the current Code of Good Agricultural Practice for the Protection of Water, Soil and Air for Wales (2011), shows consistency since 1991 and, in some cases, since 1985, in the advice given to Welsh farmers on methods of practice that would avoid polluting our streams and rivers. The earlier codes, covering 1985 to 2011, reviewed by S&TC Cymru were:

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- The Code of Good Agricultural Practice (MAFF 1985)
  - The Code of Good Agricultural Practice for the Protection of Water (MAFF 1991).
  - The Water Code – The Code of Good Agricultural Practice for the Protection of Water (DEFRA 1998)
  - The Water, Soil and Air Code: Protecting our Water, Soil and Air. A Code of Good Agricultural Practice for farmers, growers and land managers (DEFRA 2009); and
  - The Code of Good Agricultural Practice for the Protection of Water, Soil and Air for Wales (Welsh Assembly Government 2011)
6. We concluded that despite the industry being granted several decades to embrace and comply with voluntary measures with which there seemed to be little if any recorded discontent, the impacts of pollution on the freshwater environment continued to grow as these guidelines were all too frequently ignored. The need for statutory regulations as laid out in The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 should therefore be seen as the inevitable response to the failure of the voluntary codes to deliver the necessary environmental improvements.
  7. S&TC Cymru is well aware that many farmers operate to commendable levels of stewardship and is mindful of their concerns. In that respect we concede there may be certain instances where the full weight of the regulations might not be required, although even here we would expect those using the land to do so in such a way that causes no harm to the freshwater environment. Nevertheless, there exists a stubborn element who have consistently ignored the historical voluntary codes of practice and will probably have equally scant regard for the new regulations. Regrettably, therefore, we conclude that the effective enforcement of universal regulation is the only viable means of ensuring the reduction and eventual elimination of agricultural pollution.
  8. With reference to the scope of the regulations, we cannot emphasise too strongly the need to extend them to include equal if not greater emphasis on the control of phosphates. Phosphates are markedly more damaging to the freshwater environment than nitrates and as such should be specifically cited within the regulations.
  9. Unnaturally excessive sediment burden resulting from plough wash and run off due to high rainfall can be as much of a threat to the naturally evolved ecological balance of the freshwater environment as other anthropogenic stressors, impacting upon all life forms from algae and plants to invertebrates, fish, birds and mammals. An increase in the production of fodder and biofuel crops and the cultivation of potatoes has accelerated the sediment burden of several rivers over recent years and is already having a deleterious effect on their general biodiversity. Excessive application of lime can also impact upon the freshwater environment. We would therefore wish to see similar standards set for this practice as with other land treatments.
  10. We also believe the committee's scrutiny will provide a timely opportunity to revise the current scope of the regulations to reflect the negative impacts of not only the excessive application of all forms of nutrients, but also the dispersal of veterinary pharmaceuticals

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contained in manures and poultry litter, and agricultural cleaning products emanating from parlours and yards.

11. As has been previously noted, analysis by NRW of salmon and sea trout stocks reveals a continuing decline in the abundance of both species. The most recent figures show them to be at such woefully low densities that spawning numbers may be insufficient to ensure the viability of future populations. In 2019 the Minister for Environment, Energy and Rural Affairs responded to these troubling facts with her call for a “Salmon and Sea Trout Plan of Action”, underlining NRW’s concerns and reinforcing the need to act with urgency in restoring and protecting these valuable fish. S&TC Cymru was a member of the sub-group of the Welsh Fisheries Forum charged with developing this plan and we considered a universal suite of regulations for the control of agricultural pollution to be central to its success.

As the impacts of intensive production become ever more manifest S&TC Cymru believes it is essential that ambitious and enforceable regulatory standards for agricultural practices be in place with which all farmers and land managers are required to comply. Historical and ongoing failures within the sector to follow voluntary measures have left Government with little choice but to impose such a regulatory framework. We believe it is now in the interests of all parties that a universal suite of regulations remains in force, amended as suggested above, in order that we might restore and protect our rivers and the wild fish and other wildlife that rely on them for their very existence.

We offer these comments in good faith and remain available to discuss our thoughts on the matter in greater detail at any time.

**Richard Garner Williams**

**Swyddog Cenedlaethol Cymru / National Officer for Wales**

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