

Minutes

Wales Land Management Forum (WLMF) Agri-Pollution Sub Group

Monday 16th December 2019

Welsh Government Offices,
Rhyd-y-Car Business Park,
Merthyr Tydfil

1) Welcome & Apologies (*Chair*)

1a Apologies received from:

Kate Snow, United Utilites
Bob Vaughan, NRW
Michelle Van-Velzen, NRW
Geri Mills, NRW

1b Introductions

Confirmed attendance:

Zoe Henderson, NRW (Chair)
Dennis Matheson, TFA
Danielle Hitt, DCWW
Steven Bradley, DCWW
Nigel Elgar, DCWW
Rachel Lewis-Davies, NFU Cymru
John Mercer, NFU Cymru
Lorna Davis, NFU Cymru
Aled Jones, FUW
Creighton Harvey, CFF
Jamie McCoy, AHDB
Sarah Hetherington, NRW
Marc Williams, NRW
Nichola Salter, NRW
Matt Lowe, NRW
Mark Alexander, WG
Andrew Chambers, WG
Spencer Conlon, WG
James Ruggeri, HCC
Stephen Marsh-Smith, WEL

Guests:

Keith Owen, Kebec
Keri Davies
Richard Roderick

1c Declaration of Interest

No declarations of interest made in respect of Agenda Items.

2) Minutes from meeting on 23rd October & outstanding action points

Due to limited time it was agreed that if there were any comments from the minutes to send to Geri Mills. Previous actions will be sent out to members by Marc Williams.

Action Point 1: Any comments from the previous minutes to be sent to Geri Mills (All)

Action Point 2: Marc Williams will circulate any outstanding actions to members on the Sub Group

3) Agricultural Regulation Update

Mark Alexander, WG, provided an update to the group on the statement the Minister made last week that the introduction of the proposed regulations will be laid early in the new year following further engagement with stakeholders. The Minister wants the best for Wales for water quality and to stop the high level of agricultural pollution.

The Minister wanted to explore with the group whether there is the possibility of achieving the same or greater outcomes of the regulations with being less prescriptive. The concept of Earned Autonomy will look at achieving the same or better environmental outcomes than the regulatory measures alone that are more prescribed in the proposed regulations. The Minister will decide what measures will be included in the regulations and will consider an Earned Autonomy element to provide flexibility of management.

WG would like the views of the group on Earned Autonomy but they pointed out that this is not a voluntary approach and the Earned Autonomy will be part of the regulations, to allow elements of flexibility where same or greater outcomes can be achieved than prescriptive measures of the regulations. This will give an opportunity for individual farms to tailor practices to achieve the same or better outcomes. The Chair had researched Earned Autonomy which has been described as the norm and something to be lost if quality or delivery fails. Highest performing organisations are subject to less central control and allowed increased operating freedoms. WG confirmed that this would be similar to what has been proposed.

WG wants to drive compliance across the industry and recognises there are other measures to support the outcomes to be achieved rather than just regulations, examples from the ACDC report, River Axe report and the Catskills. There was a concern that tenant farmers would not be able to comply with the proposed regulations without tenancy reform or if transitional periods are insufficient. WG recognises there are difficult constraints on tenant farmers but believes the regulations will be achievable by everyone but there will be support through the Sustainable Farming and Our Land Scheme.

Closed period on spreading was used as an example of how Earned Autonomy could be

implemented. This is set in the regulations but through Earned Autonomy there is potential opportunity for the application of nutrients during that period for some farmers. However, they will need to provide evidence on the condition of the soil type, weather etc. To enable this to happen the right decision-making tools, advice and support, and record keeping farmers so that they can demonstrate that the practices being undertaken is sustainable and appropriate.

Exemptions on recordkeeping for some farmers, particularly sheep farms, was raised but the level of risk will be assessed for each individual farm to inform a decision on exemptions. Level of performance and compliance will be checked through future schemes which will help farmers to understand the added value they can have for business development and environmental benefit, along with enforcement through regulations. WG aim is not to prosecute farmers but want to achieve best outcomes for the environment across the whole of Wales and there is evidence to show that products are produced sustainably.

During the transitional period there will potentially be an opportunity for investment in time or capital across the whole of Wales. It was raised that farmers need to establish a baseline to identify what is achievable over a period of time to undertake changes on farms, with an element of flexibility and potential funding. By providing this opportunity to the industry will ease the pressure and reduce the fear of the regulations when they are introduced.

Creighton Harvey highlighted that the introduction of the regulations is not to criminalise farmers, but the idea is for them to comply and change their behaviour to reduce point source and diffuse pollution. The number of prosecutions in relation to point source pollution is relatively small and the regulations will ensure that farmers behave responsibly but the idea is that with support, education and finance the situation of pollution will reduce.

Mark Alexander stated that the Minister will consider all the different options, full range of measures and advice provided to her by the officials. The Chair highlighted that NRW would struggle to regulate the whole of Wales unless there is a consideration for further resources. All the advice and options including the views on Earned Autonomy will be provided to the Minister later in January, but no date has been set. A meeting to discuss the RIA is set with the WLMF S-G on 6th January 2020, therefore the views and comments on the Earned Autonomy can also be expressed and discussed.

WEL expressed their concerns that they are the victim with their businesses suffering from agricultural pollution. However, TFA expressed that achievements had been made over the past 2 years working as a multi-stakeholder group to reduce the impact of agricultural pollution. Lorna Davis pointed out that improving water quality is not just the responsibility from agriculture but is on everybody. The farming industry is keen to get involved but often the services are not available to learn more about improving water quality. The Chair wanted to highlight that the group is moving forward to support farmers and there is an opportunity for the group to input all the knowledge and experience gained in the last 2 years to try and influence in the most positive fashion for the farming industry.

NFU Cymru strongly oppose an all Wales NVZ approach which will punish farmers that have not polluted or have low risk of pollution. Jamie McCoy, AHDB, raised that farmers want to do a good job and the Earned Autonomy could be a great opportunity for the industry to farm sustainably but must be careful that this does not increase regulations for those who are already complying with current regulations and reward businesses who are undertaking risky practices.

A briefing paper outlining WG position on Earned Autonomy and the ask of the group will be produced by WG prior to Christmas along with a deadline for comments. WG want the group to consider Earned Autonomy and welcome views on the option to be included within the advice to the Minister and its place within the regulation.

Action Point 3: WG to produce a short briefing paper on Earned Autonomy and Marc Williams to circulate to the Sub Group. *Discharged*

4) Voluntary approach to Nutrient Management Update

Lorna Davis provided a presentation and an update on the voluntary farmer led approach to nutrient management project. As the project is coming to an end most of her time is being spent writing the final report. The aim of the project was to design a blue print for Welsh agriculture to demonstrate improvements on water quality by enabling farmers to utilise their on-farm nutrient assets far more accurately and efficiently.

In the last 12 months Lorna has engaged with over a 1,000 farmers across Wales and has visited other areas across the UK identifying examples of how farmers have developed and delivered improving water quality as part of their farm business. From the visits there have been positive responses with farmers wanting to manage the risk and start to understand how to identify the risk and associated costs.

The benefits of the Farmer Led Approach are the development of advice and guidance to provide a clear direction, partnership working, efforts to secure farmer 'buy-in' and co-ordination with the wider policy agenda. Lorna has been to various county shows across Wales using the engagement model to discuss with farmers, hosted many water quality seminars and has attended county NFU Cymru meetings.

As part of the project the Water Standard has been developed, which is the main part of the document that is currently in draft. The development and delivery of the Water Standard would include a number of steps that farmers must undertake to identify the levels of risk they pose to water quality. The next steps include education to all who engage with agriculture, innovation, markets for delivery, industry goals to reach net zero challenge, and farmer values. The draft document will be reviewed by partners and the Water Technical Group before it can be shared.

5) West Wales Water Quality Improvement Project 2019

Stephen Marsh-Smith provided a quick introduction of the six Rivers Trust in Wales and how they divide their work between in-river activities such as fish passes and habitat restoration, and wider land use issues on rivers. Most of the funding is obtained from the EU but other funding streams come from Welsh Government, NRW, anglers and from Enforcement Undertakings arising from pollution incidents. There are 17 farm advisors in the Welsh Trusts.

The West Wales Water Quality Improvement project (ACDC) was funded by DCWW to help

identify issues on farms to remove phosphates from rivers that are impacting the water industry. Two catchments were selected – Western Cleddau in Pembrokeshire and the Afon Ceri, a tributary of Teifi in Ceredigion. Two advisors were employed to undertake the project for 2 years where they cold called on farms, assess them and to produce a report for the farmer. There was a grant to be used for infrastructure improvements on the farms. Scimap was also used which assess runoff across land and highlights the risk areas and safe areas.

All farms that signed up received free soil sampling, infrastructure funding and a copy of the Scimap identifying the runoff risks on their holding. There was good uptake by farmers from cold calling with over 40% farms visited in both catchments, around 30% declining, and 25% deferred visits. In total, 217 individual recommendations were identified to farms which included slurry store capacity, clean and dirty water separation, manure management, silage storage, and stock access to rivers.

At the end of the project a total of £130k worth of improvements were identified and averages £2,000 per farm, this ranged between £11,000 and £200. The grant offered was 50% of the overall cost with farmers paying the other 50%. Not all grant offers to improve poor infrastructure were taken up by farmers, out of the 61 farms being offered a grant, 20 farmers accepted. Financial limitations within the business were also a concern in order to match fund grant offers.

There were issues with the phosphate (P) calculation used in this project to determine the overall P removal from watercourses as a result of the infrastructure improvements. The P loading figure used is 0.1kg/m³ of dirty water at 0.5% dry matter, and there is concern that rainwater will only be dirty water if fallen on certain yards with certain uses. Some yards may be slightly dirty producing lightly fouled water and the P figure could be overestimated. In other cases, yards where they are producing slurry can have a higher loading if reaching a watercourse. The report identified from the farm visits in both catchments can remove 4.6 tonnes of P annually.

The final report has been produced by Afonydd Cymru, which has been circulated to the Sub Group, showing the findings from the project.

6) Arrangements for future Sub Group meetings

- Monday 20th January 2020, TBC
- Monday 17th February 2020, WG Offices, Aberystwyth

7) Update on relevant diary activities

WLMF Task and Finish Group on Regulation on 6th January 2020

Action Point 4: Circulate the RIA and agenda by Friday 20th December 2019 ahead of the T&F Group meeting (Welsh Government) *Discharged*

8) Any other business

Action Point 5: Add an agenda item to discuss the exit strategy for Agrisgop group at a

future WLMF Sub Group meeting (Marc Williams, NRW)

Action Point 6: Stephen Marsh-Smith would like to see an explanation of the current WFD assessment and for the changes made by the next meeting (Nik Salter, NRW)

9) Catskills Discussion

Nigel Elgar, DCWW, provided an introduction of the Brecon Beacons Megacatchment (BBMC) group and trip to the Catskills Mountains. The aim of the study tour was to see how the organisations in the Catskills engaged with the farmers and has kept going for 25 years. The tour (October 2019) visited the Croton catchment and the Catskills along with attendance at the annual agricultural tour, which includes local ministers and regulators.

The surface water is conveyed by gravity from the watersheds to 9.5 million consumers in New York City, 90% of the water is unfiltered. The Watershed Agricultural Council (WAC) was established to work with farm and forest landowners in the New York City Watershed region to protect water quality. They believe that protecting water at its source was the most cost-effective and environmentally sound approach than the large costs of constructing and maintaining filtration systems.

Keri Davies and Richard Roderick, farmers within the Brecon Beacons National Park, visited the Catskills with DCWW and provided information and experiences from their visits to the Sub Group. They thanked DCWW and the Sub Group for their financial support to visit the area in order to bring back lessons learnt and apply to the farming industry in Wales, particularly as part of the BBMC.

A five-tier step is used as a basis for the Whole Farm Plans (WFP) which includes:

- 1) Preliminary survey which gathers basic farmers information
- 2) Lists an Environmental Impact Assessment and identifies water quality concerns
- 3) Outlines the WFP detailing a water quality strategy and farm viability
- 4) Investments in the WFP with technical and financial assessments and work priorities to be implemented
- 5) Evaluation of the WFP and any further issues will be revised.

When the farmers had reached tier 5 with all infrastructure completed, they were given a credit system based on rewarding for best practices. The nutrient management plans that WAC officers produce will include weighing the muck spreaders and look at the farm maps and suggest the qualities and areas to spread the manure on the farm holding. Precision Feed Planning included analysis of silage bales and all feed on the farm to accurately plan the feeding of animals during the winter based on need and no excess being fed, which reduces the amount of nutrients produced and being spread to land.

Forest Management Plans have been produced with 75% of the Watershed has been forested with re-established natural woodland, which were once productive dairy farming land that were later abandoned. Research has found that high levels of phosphate continues to enter watercourses which shows that woodlands that are establishing do not remove the phosphate. By planting trees along rivers, it has resulted in colder water which can act as self-cleaning and improve the water quality.

Keri and Richard were given a tour of the WAC head office which housed all the different departments in one place. This would be the equivalent of having Farming Connect, WG, DCWW, NRW and planners all in the same building. This approach seemed to help, but they all work together which is a more efficient way of delivering the outcomes they wanted to achieve.

There are limited regulations on farmers in the Catskills and the Directors of WAC used a voluntary approach to reach the aim of clean drinking water. There is a lot of emphasis on how to approach and communicate with farmers, overcoming the language problem by advising and not telling. Visits would be undertaken annually with a detailed review being done every 3 years. The credit system was based on the area at £10/acre and the stocking rate on the farm by weighing livestock which was around £11 per 1,000lbs. If the farmer adheres to the NMP the payment would be issued on an annual basis. This payment was in terms of credits, which is banked with WAC. The credit could be used against anything that improves water quality, e.g. muck spreader. The risk mapping used was very accurate and providing the farmer adhered to the recommendations this also contributes to the credit system.

Creighton Harvey asked whether there were any regulations of stocking density in which they responded that each farm was limited to 299 cows. If this number was exceeded a different regulatory regime applied. Creighton Harvey raised how the scheme outlined would apply to the intensified dairy industry of south west Wales where it was possible that a farm could have 2,299 cows.

Farmers have been given 100% funding from WAC for infrastructure to improve water quality. WAC is trusted intermediary and all work is locally led, science based and voluntary with no regulations. The people in the area are very keen of promoting the Catskills marketing brand and are proud of the produce. Richard and Keri would like a marketing brand to be applied to regions in Wales, especially highlighting the work like the BBMC.

For the project to work in the Catskills there needed to be an uptake of more than 85% farmers signing up within the first 5 years for the voluntary scheme and by signing up they would be exempt from regulations. The 'buy-in' of farmers is fundamental for the scheme to succeed.

10) Site Visit to Water Treatment Works, Llwynon

Postponed

The Meeting was closed.
