

## **River Action response to Environment Act targets consultation May 2022**

**Do you agree or disagree with the level of ambition proposed for an abandoned metal mines target?  
[Agree/ Disagree/ Don't Know]**

**[If disagree] What reasons can you provide for why government should consider a different level of ambition.**

The proposed target for abandoned metal mines is less ambitious than the Water Framework Directive and only covers a very small proportion of the substances of concern. Furthermore, while abandoned metal mines are an important pollution source to address, they nevertheless represent a small proportion of the overall industrial pollution load which is otherwise unaddressed by the targets presented for consultation here.

**In addition to the proposed national target, we would like to set out ambitions for reducing nutrient pollution from agriculture in individual catchments? Do you agree or disagree that this approach would strengthen the national target? [Agree/ Disagree/ Don't Know]**

**[If agree] Why do you think ambitions for reducing nutrient pollution from agriculture in individual catchments will strengthen the national target? What factors should the government consider when setting these ambitions?**

We strongly support a catchment-specific approach: targets for reducing nutrient pollution from agriculture in certain catchments must be significantly more ambitious and have significantly shorter-term deadlines than the national targets.

For rivers such as the Wye which have been significantly degraded by agriculture pollution already and are estimated to have just years left before they are ecologically dead, the national targets set out in this consultation will unfortunately have little to no impact. Reducing phosphate inputs is the key to saving the Wye, but this needs to happen within the next year or two. A reduction of 40% by 2037 would quite simply be too little too late and is tantamount to a death sentence for the river.

We propose that the Government both sets a target under the Environment Act for improving the condition of all existing protected areas and also introduces a 'special measures' designation for catchments in severe distress, ensuring that they receive the immediate protection and resources. With regards to the River Wye specifically, River Action recently called for the implementation of the following special measures under an urgent 'Plan to Save the Wye'. We would suggest that these might inform targets for that catchment and may provide a useful template for other catchments:

1. A planning moratorium on the construction of new, or expansion of existing, intensive livestock production units and on the construction of any new anaerobic digestors (ADs), unless their digestate outputs are nutrient-neutral.
2. A requirement for all Intensive Poultry Units (IPUs) within the Wye catchment to have approved by the end of 2022 and implemented by 2023 a Manure Management Plan for export of chicken litter out of the catchment for utilisation in parts of the UK which would otherwise be importing fertilisers.
3. A requirement for all free range egg-producing Intensive Poultry Units to have approved by the end of 2022 and implemented by 2023 a Nutrient Runoff Mitigation Plan, whereby water courses are protected from nutrient run-off from chicken ranges by nature-based solutions such as river buffering and reed bed filtration.

4. Bringing medium and smaller-sized IPU progressively within the scope of environmental regulations over the next 5 years by reducing permitting thresholds.
5. A requirement for all watercourses in the Wye catchment to be protected by continuous river buffers of a minimum of 10 metres.
6. The allocation of additional funding by the UK and Welsh Governments to the Environment Agency and Natural Resources Wales to monitor implementation.
7. Any non-compliance to result in enforcement actions which could lead to the closure of the IPU or AD in question.

**Do you agree or disagree with the level of ambition proposed for the nutrient targets? [Agree/ Disagree/ Don't Know]**

**[If disagree] What reasons can you provide for why government should consider a different level of ambition?**

The crisis facing our rivers cannot be overstated: we are heading into yet another summer with every river in the country failing to meet basic environmental standards. Our wildlife is disappearing, our rivers are not fit to swim in, and government and regulators so far appear to have been unable to get to grips with the scale of this crisis. We simply cannot afford any rolling back of the meagre protections and incentives we already have for our rivers.

In that context, we are concerned that the proposed targets appear to be less ambitious than Water Framework Directive targets as well having considerably longer timeframes for their achievement. We believe that, in practice, the proposed targets would allow our rivers and streams to continue to decline through a general lack of ambition to improve the natural environment, alongside a specific lack inadequacies in the levels of on-the-ground monitoring, measurement and enforcement, and that these must be substantially strengthened before they are put to a parliamentary vote. The limited ambition and scope of the water targets as drafted also risks undermining the achievement of the biodiversity targets covered elsewhere in this consultation.

First, the lack of a target for the overall health of our rivers is a significant step backwards. Once the WFD target expires in 2027, unless there is a new overall target set under the Environment Act, we will be left with a major gap in UK environmental legislation. That would substantially contradict and undermine the Government's commitments and the intent of this Act and would be significantly out of step with the level of public outcry over the current state of our rivers.

Regarding the agriculture target specifically, while it is encouraging to see the inclusion of sediment within the target as this has the potential to drive much-needed improvements to land management practices, we would urge the Government to expand the scope of this target to explicitly include other substances of concern in the agricultural supply chain, such as pesticides and antibiotics.

We also urge the Government to increase the ambition of the agriculture target. Especially set against the 80% reduction in inputs required from the water sector, 40% reduction for the agricultural sector appears to be significantly lower than is both possible and necessary and we would therefore urge reconsideration. Agricultural pollution is now accepted as contributing to at least half the cause of all river pollution. There is no justification for its target to be 50% more lenient than that given to the water companies.

Furthermore, it is hugely concerning that this target will be measured based on modelling, which may or may not be based on sound assumptions, especially in a context where the Environment Agency has limited resources and capacity to effectively ground truth these measurements. We have a highly

valuable yet underutilised resource in the form of the highly motivated and effective citizen scientist movement up and down the country and the Government should be drawing on this to support monitoring, providing support for the standardisation of measuring techniques, funding for testing equipment and a platform for submission of data. Citizen science data should be backed up by the roll-out of automated real-time monitoring across our waterways.

Regarding the wastewater pollution target, it is of significant concern that this target is limited in scope, covering only wastewater from treatment plants and not from Combined Sewage Overflows, which are such a significant component of the sewage pollution issue, and covering only certain pollutants.

Finally, across the board, no targets will be effective unless their existence is backed up by effective enforcement action, properly funded and resourced to the extent that it acts as a genuine deterrent to potential polluters (and a genuine support to those whose businesses, livelihoods and recreation are threatened by continued pollution). We strongly advocate for a re-funding of the EA's enforcement capabilities as a matter of urgency.