

## **River Action response to Nature Recovery Green Paper consultation May 2022**

### **7. What degree of reform do we need to ensure a simpler and more ecologically coherent network of terrestrial protected sites?**

**[Option 1/ Option 2/ Option 3/Other/ No reform/ Don't know]**

We urge the government to focus not on long reform processes for the sake of reform, but instead to recognise the scale of the biodiversity crisis we are facing and act accordingly by strengthening all nature protection designations and urgently implementing the measures required to prevent these being simply 'paper parks'.

Our rivers are in crisis – we are now heading into 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 agencies and regulators are currently unable to act as a sufficient deterrent to industrial and agricultural polluters.

To begin to address this crisis we urge the government to:

- Retain and boost the legal protections afforded to sites designated for nature conservation, such as the River Wye Special Area of Conservation. All of our protected areas must be properly protected, and for severely threatened river catchments such as the River Wye there must be an additional level of protection in the form of some kind of 'special measures' designation which allows for the rapid deployment of actions such as those outlined in River Action's Plan to Save the Wye.
- Set a target under the Environment Act for improving the condition of existing protected areas, as well as an overarching target for the restoration of the health of our rivers and a more ambitious target for the reduction in agricultural pollutant input to our rivers.
- Complete a representative nationwide network of protected areas, including more highly protected areas – and some form of 'special measures' designation for areas such as the River Wye catchment which are in immediate severe distress. This could involve the setting of more ambitious targets for such catchments and additional funding for local inspections and enforcement.
- Ensure that regulators have adequate powers and duties to protect our rivers and other wildlife conservation sites, and crucially that the Environment Agency is adequately funded and resourced such that it can effectively monitor protected sites and take enforcement action sufficiently severe to deter polluters. The lack of any enforcement action to implement the existing Farming Rules for Water demonstrates clearly that such resources are currently totally inadequate.

### **11. How do we promote nature recovery beyond designated protected sites?**

The key to promoting the recovery of our rivers both within and beyond designated protected sites is support for more sustainable and regenerative agricultural practices.

Our rivers are in crisis, with every single one failing to meet basic environmental standards. At the same time, this is also a crisis period for farmers and our food system. We urgently need a government response that acknowledges that the system is broken and looks for solutions that help both people and nature, rather than trading off the two. In addition to the suggestions made under Q10 we also urge the Government to:

- Establish a soil fertility and fertiliser plan that dramatically reduces the country's dependence on imported inorganic fertilisers and increases nutrient recycling through the wise use of manures and

wastes, supporting farmers' livelihoods by improving soil fertility and sustainability and also dramatically improving our water quality and therefore protecting freshwater life. For example, certain river catchments have excessive nutrient surpluses due to intensive livestock production – such as the Wye. Government intervention should facilitate and incentivise the processing and transportation of these nutrients to those parts of the country with nutrient deficits, thus replacing imported fertilisers.

- Provide agricultural support payments through the ELMS scheme to reward farmers who do the right thing for our rivers, such as properly managing manures and fertilisers or restoring riparian habitats and creating natural buffers between agricultural land and watercourses.

## **12. Do you see a potential role for additional designations?**

While all of the UK's rivers are in crisis, some are in particularly acute crises – notably one the River Wye, which many estimate has just a few years left before it is ecologically dead.

River Action would therefore urge the Government to consider a highly protected, or 'special measures,' designation for rivers in severe distress, whereby resources would be committed to enable the rapid implementation of emergency measures. For the River Wye, we have published a 'Plan to Save the Wye,' detailing the measures that would be required there with urgent effect:

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 disposal of litter.
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.
4. Bringing medium and smaller-sized IPUs progressively within the scope of environmental regulations over the next 5 years.
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 the closure of the IPU or AD in question.

## **29. What are the most important functions and duties delivered by DEFRA group ALBs (arm's length bodies) to support our long-term environmental goals?**

The Environment Agency's monitoring, inspection and enforcement functions are absolutely crucial in preventing the devastation of our rivers. At present, however, their limited resources and capacity have reduced their effectiveness in fulfilling these functions. So long as a farmer can expect to rarely be inspected and a water company can absorb the meagre penalty fines as imposed as just another 'cost of business', sufficient deterrents do not exist to force corporate action and ultimately save our rivers.

We therefore urge the government to focus its consideration of potential ALB reform on:

- Ensuring that regulators have the powers and duties they need to protect our rivers and wildlife.

- Increasing the funding and resources provided to the Environment Agency and other environmental protection agencies so that they can fulfil those duties, with a particular focus on enabling adequate prosecutions for water pollution incidents.

- Supporting ALBs in joined-up working (both within England and also with counterparts in devolved administrations, for example joined-up working of the EA and Natural Resources Wales in the cross-border Wye catchment).

**35. What mechanisms should government explore to incentivise the private sector to shift towards nature-positive operations and investment?**

At present, there is little incentive for the private sector (notably water companies and large agribusinesses) to reduce their pollution of rivers because they are very unlikely to be caught and, if caught, they are unlikely to be prosecuted or fined at a level that causes them a real issue.

Government should dramatically scale up monitoring of water quality (via more on-the-ground Environment Agency staff, automated real-time water quality monitoring, and a properly supported and coordinated citizen science movement) to facilitate effective enforcement action at a level which drives real efforts by corporates to clean up their act.

The government also needs to support financial incentives that drive behaviour change, for example through ELMs and specifically the Woodlands for Water farm payment scheme to fund river buffer zones.