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Gweinidog yr Amgylchedd a Datblygu Cynaliadwy
Minister for Environment and Sustainable Development



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-383
Ein cyf/Our ref JG/05808/12

William Powell AM
Chair Petition's committee

committeebusiness@Wales.gsi.gov.uk

18 April 2012

Dear William,

Thank you for your letter of 26 March regarding a petition against the proposed designation of Llangorse Lake as a Nitrate Vulnerable Zones (NVZ).

The EC Nitrates Directive (91/676/EEC) is intended to reduce water pollution caused by nitrates from agricultural sources and to prevent any further pollution. The Directive is transposed in Wales by the Nitrate Pollution Prevention (Wales) Regulations 2008. Since the introduction of the Directive in 1991, Member States are required to assess and designate areas as Nitrate Vulnerable Zones (NVZs) and produce an Action Programme of measures to reduce levels of nitrogen entering watercourses.

Member States are required to review their implementation of the Directive every four years. The outcome of the review is used to make appropriate amendments to the NVZs and/or the measures in the Nitrates Action Programme. The last review undertaken by the Welsh Government in 2007 resulted in 2.3% of the land area of Wales being designated as NVZs and introduced a strengthened range of measures in the Nitrates Action Programme.

The recent consultation on the Review of Nitrate Vulnerable Zones in Wales which closed on the 16 March invited opinions from individuals and organisations on proposals to:

- revise the coverage of Nitrate Vulnerable Zones
- modify the Nitrates Action Programme measures implemented within the Nitrate Vulnerable Zones.

The consultation was published on the Welsh Government website and was sent to a wide range of stakeholders.

Over the last 12 months, my officials have been working with a NVZ Methodology Working Group to ensure that the method for identifying NVZ's makes use of the best techniques and data available, in order to gather evidence and in particular, learn lessons from previous designation exercises.

Acting upon feedback received during the last review of NVZs, we have ensured the inclusion of farming representatives and independent academics in the Methodology Working Group.

The Group includes representation from the National Farming Union (NFU), the Country Landowners Association (CLA) and the National Farming Union Cymru (NFU Cymru). Group members guided, informed and challenged the development of the NVZ designation methodology, which has provided a high level of transparency to a very technical process.

Llangorse Lake was included as a draft NVZ designation within the consultation as it met set criteria in the NVZ assessment process. This is the same for all new draft NVZ designations which have been proposed based on the latest evidence and data from the Environment Agency about waters in Wales that are classed as nitrate polluted waters under the Directive.

The NVZ assessment methodology used for the 2012 review of surface water quality in England and Wales adopted a weight of evidence approach. It combined observed data from monitoring with data on agricultural land use calculated using a national-scale nitrate leaching model.

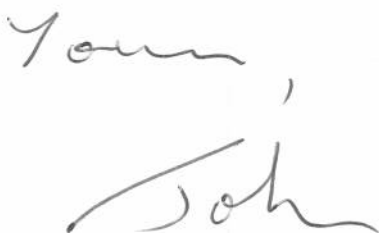
Diffuse nitrate loads from agriculture were derived from the results of the NEAP-N model (Environment Agency, 2008; Anthony *et al.* 1996; Lord and Anthony, 2000; Silgram *et al.* 2001).

The model contains data related to average annual soil drainage, nitrate flux and concentrations from diffuse sources at a 1 km² resolution. It used average climate conditions (1971-2000) and data on agricultural land use based on the 2010 Defra Agricultural Census. The model excluded any point source or urban contributions.

Since the consultation closed, my officials are now in the process of summarising and analysing all the responses received. Following analysis of the responses on the issue of the approach to designation of NVZs, I have made a decision that we should continue our policy of designating discrete NVZs. The interim summary of responses on this issue will be published on the Welsh Government website shortly. The next steps are to prepare the detailed maps showing the areas to be designated as NVZs along with information and supporting data that explain the rationale for designation of each area. This information will be available on the Environment Agency website by mid May and will write to all affected landowners.

You may wish to be aware that there is a mechanism in place for landowners who are not content with proposed NVZ designated areas to appeal. Full details on the appeal framework will be provided to all affected landowners. Following this, it is intended that the final changes to the proposed NVZ designated areas will be made under the Nitrate Pollution Prevention (Wales) Regulations which are proposed for implementation in 2013.

We intend to publish a full Government response to the consultation shortly and a copy of the consultation document is attached for your information.



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