



Eich cyf/Your ref P-06-1398
Ein cyf/Our ref HIDCC/05546/24

Jack Sargeant AS
Cadeirydd y Pwyllgor Deisebau
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Mehefin 2024

Annwyl Jack,

Diolch am eich llythyr dyddiedig 30 Mai a amlygodd broblemau ychwanegol a godwyd gan Grŵp Cymunedol Achub y Teifi.

Rwy'n falch bod Ofwat wedi cytuno i weithio gyda Cyfoeth Naturiol Cymru (CNC) i ddatblygu a llunio cais i'w Cronfa Arloesi yn y dyfodol, yn dilyn canlyniad siomedig cais Arddangoswr Teifi. Byddai'r cyllid hwn yn helpu i ehangu'r gwaith sydd eisoes yn digwydd yn nalgylch Teifi.

Er gwaethaf hyn, rydym wedi cymryd y mater o ariannu gwelliannau ansawdd dŵr o ddifrif. Ers 2022, mae Llywodraeth Cymru wedi darparu cyllid cyfalaf o £40m i CNC i fynd i'r afael â phroblemau ansawdd dŵr ledled Cymru. Mae hyn wedi cynnwys prosiectau yn nalgylch Teifi.

Fel y deisebwyr, rwy'n falch o sut mae Dŵr Cymru Welsh Water (DCWW) wrthi'n gweithio tuag at leihau ffosforws mewn elifiant o'u gweithrediadau yn y Teifi. Fodd bynnag, rwy'n cydnabod y gall llygredd ffosforws ddod o lawer o wahanol ffynonellau, gan gynnwys dŵr ffo o ardaloedd gwledig a busnesau, seilwaith dŵr gwastraff (gan gynnwys gorlifoedd storm a gwaith trin carthffosiaeth), camgysylltiadau o blymio diffygiol, a thanciau septig preifat bach a gweithfeydd trin carthffosiaeth.

Mae achosion, cyfranwyr ac effeithiau llygredd dŵr ar draws afonydd Cymru yn amrywiol ac yn gymhleth ac o ganlyniad i hyn, mae angen ymyriadau gwahanol ar bob afon. Byddwch yn ymwybodol bod y cyn-Brif Weinidog wedi sefydlu proses Uwchgynhadledd Afonydd a Chynllun Gweithredu Afonydd i gydnabod hyn a chyda'r nod o ddod â'r rhanddeiliaid ynghyd â'r ysgogiadau perthnasol i alluogi dull traws-sector o wella ein hafonydd.

Mae Llywodraeth Cymru wedi sicrhau bod bron i £1.5m ar gael i Fyrddau Rheoli Maethynnau, sy'n cael eu comisiynu fel byrddau a arweinir yn lleol ac sy'n atebol yn ddemocrataidd i asesu maint a ffynonellau llygredd ym mhob un o'u hafonydd Ardal

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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Cadwraeth Arbennig (ACA) yr effeithir arnynt, ac i nodi a chefnogi darparu atebion wedi'u targedu. Mae pob bwrdd wrthi'n datblygu cynllun rheoli maetholion i fynd i'r afael â'r heriau sy'n gysylltiedig â lefelau ffosfforws yn eu hafonydd. Mae disgwyl i waith Bwrdd Rheoli Maetholion Teifi roi gwell dealltwriaeth i ni o lefelau maetholion yn yr afon – un o brif achosion ansawdd dŵr gwael – a'n helpu i nodi ymyriadau tymor canolig i'r tymor hwy sydd eu hangen i gefnogi adfer a gwella ein hafonydd ACA.

Ar gyfer llawer o afonydd ACA sydd wedi'u heffeithio gan lygredd ffosfforws, nodwyd mai defnydd tir gwledig yw'r prif gyfrannwr. Mae Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) 2021 (Rheoliadau CoAP) Llywodraeth Cymru yn un offeryn y mae Llywodraeth Cymru wedi'i roi ar waith i fynd i'r afael â pheryglon llygredd dŵr o weithgareddau amaethyddol a'u lliniaru. Cafodd y gweithredu ei ledaenu dros bron i bedair blynedd, gyda'r mesurau terfynol yn dod i rym erbyn diwedd eleni. Gwnaed hyn i roi mwy o amser i fusnesau fferm yr effeithiwyd arnynt i gydymffurfio ag un o'r gofynion mwyaf heriol.

Er mwyn cefnogi'r canlyniadau a fwriadwyd gan Reoliadau CoAP, rydym wedi cynnig dros £31m o gymorth uniongyrchol tuag at fuddsoddiadau seilwaith ar y fferm i helpu ffermwyr i fodloni'r gofynion. Mae'r buddsoddiad hwn wedi cefnogi:

- y Cynllun Buddsoddi mewn Rheoli Maetholion yn 2022;
- Y Cynllun Gorchuddio lardiau drwy ein Grantiau Bach;
- cyflawni Cytundeb Lefel Gwasanaeth (CLG) gan CNC ar gyfer cefnogi a gorfodi'r Rheoliadau COAP, a'r;
- Grant Cynhyrchu Cynaliadwy (SPG)

Rydym hefyd wedi sicrhau bod £20m o gyllid ychwanegol ar gael ledled Cymru i gefnogi cydymffurfio â'r rheoliadau hyn..

Mae mesurau eisoes ar waith i gyfyngu ar yr arfer o gaeau moel dros y gaeaf. Rhaid i ffermwyr sy'n derbyn Taliadau Sylfaenol gadw at safonau gwiriadwy trawsgydymffurfio sy'n cynnwys gofynion i ddarparu gorchudd pridd gofynnol (GAEC 4) ac i dir gael ei reoli mewn ffordd sy'n cyfyngu ar erydiad pridd (GAEC 5). Yn ogystal, mae'r dull Rheoli Maethynau Uwch ar gyfer blwyddyn galendr 2024 wedi cyflwyno mesurau diogelu pridd tebyg i Reoliadau CoAP ar gyfer ffermydd sy'n ymgymryd â'r dull gweithredu. Rhaid diogelu pridd drwy sicrhau bod yr holl dir wedi'i orchuddio gan gnydau, soflau, gweddillion neu lystyfiant arall bob amser, ac eithrio lle byddai sefydlu gorchudd o'r fath yn creu risg sylweddol o erydu pridd a risg sylweddol y bydd nitrogen a ffosfforws yn mynd i mewn i ddŵr wyneb.

O leiaf bob pedair blynedd, rhaid i Weinidogion Cymru adolygu effeithiolrwydd y mesurau sydd wedi'u gosod gan y Rheoliadau hyn o ran lleihau neu atal llygredd dŵr o ffynonellau amaethyddol ac os gwelir bod angen, byddant yn cael eu newid. Rhaid cwblhau'r adolygiad hwn erbyn mis Ebrill 2025 a bydd yn gyfle i ystyried problemau priddoedd moel a diogelu pridd.

Mae Llywodraeth Cymru wedi cefnogi arloesedd mewn perthynas â rheoli tail. Mae hyn yn cynnwys cefnogi rheolaeth Partneriaeth Maetholion Fferm Tywi yn ogystal â Menter Ymchwil Busnesau Bach gwerth £1m yn ddiweddar sy'n mynd i'r afael ag allyriadau amonia o amaethyddiaeth.

Mae mesurau deddfwriaethol i gyfyngu dŵr glaw rhag mynd i mewn i'r system garthffosydd bresennol wedi bod ar waith ers 7 Ionawr 2019. Mae'n ofynnol i bob datblygiad newydd yng Nghymru sydd ag arwynebedd adeiladu o 100 metr sgwâr neu fwy gynnwys Systemau Draenio Cynaliadwy (SDCau). Mae gweithredu SuDS gorfodol eisoes yn darparu buddion lluosog. Fel sy'n gweddu i ddull cynaliadwy o reoli draenio, mae SuDS yn lleddfu'r pwysau cynyddol ar y rhwydwaith carthffosiaeth. Mae hefyd yn helpu i wella ansawdd dŵr trwy reoli

llygredd yn y ffynhonnell, yn hytrach na dibynnu ar ailgyfeirio neu driniaeth i lawr yr afon. Trwy arafu'r gyfradd y gallai dŵr glaw fynd i mewn i'r rhwydwaith carthffosiaeth presennol, gall SuDS hefyd wneud gwahaniaeth i amllder gorlifiadau storm cyfun (CSOs).

Yn dilyn euogfarn droseddol o drosedd amgylcheddol a erlynir o dan Ddeddf Gorfodi Rheoleiddiol a Sanctsiynau 2008, mae Adran 59 o'r Ddeddf yn ei gwneud yn ofynnol i dalu unrhyw gosbau (a llog ac ati) i Drysorlys y DU. Fodd bynnag, lle mae'r gyfraith yn caniatáu, bydd y rheoleiddiwr (CNC) bob amser yn ceisio adennill costau ymchwilio ac achosion gorfodi. Pan fydd CNC wedi gwneud gwaith adfer, byddant yn ceisio adennill y costau llawn a ysgwyddir gan y rhai sy'n gyfrifol yn unol â'r egwyddor 'y llygrwr yn talu'. Mae llawer o'r cyfundrefnau y mae CNC yn eu gorfodi eisoes yn cynnwys pwerau i gyflwyno hysbysiadau penodol sy'n ei gwneud yn ofynnol i'r derbynnydd roi'r gorau i droseddu, adfer neu adfer amgylchedd yr effeithir arno neu gydymffurfio â gofynion rheoleiddio. Gellir defnyddio'r darpariaethau presennol hyn lle bynnag y bo'n briodol. Er enghraifft, mae rheoliad 57 'Pwerau adfer' Rheoliadau Trwyddedu Amgylcheddol 2010 (Rheoliadau EP) yn rhoi'r 'pŵer i CNC atal neu lliniaru llygredd ac adennill costau'.

Rwyf i a CNC yn cydnabod potensial gwyddoniaeth dinasyddion i gyfrannu at ein sylfaen dystiolaeth ar lygredd afonydd. Rwyf bob amser yn agored i gynigion newydd ar gyfer ffyrdd o gyrraedd a manteisio ar fewnbwn gwirfoddolwyr ledled Cymru.

Unwaith eto, diolch am ysgrifennu ataf ar y pwnc pwysig hwn. Gobeithio y bydd yr wybodaeth hon o gymorth i'r Pwyllgor.

Yr eiddoch yn gywir,

Huw Irranca-Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

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Jack Sargeant MS
Chair - Petitions committee
Government.Committee.Business@gov.wales

June 2024

Dear Jack

Thank you for your letter of 30 May that highlighted additional issues raised by the Save the Teifi Community Group

I am pleased that Ofwat has agreed to work with Natural Resources Wales (NRW) to develop and shape a future bid to their Innovation Fund, following the disappointing outcome of the Teifi Demonstrator bid. This funding would help amplify the work already taking place within the Teifi catchment.

Notwithstanding this, we have taken the issue of funding water quality improvements very seriously. Since 2022, Welsh Government has provided NRW with £40m capital funding to address water quality problems across Wales. This has included projects in the Teifi catchment.

Like the petitioners, I am pleased with how Dŵr Cymru Welsh Water (DCWW) are actively working towards reducing phosphorus in effluent from their operations in the Teifi. However, I recognise that phosphorus pollution can come from many different sources, including runoff from rural areas and businesses, wastewater infrastructure (including storm overflows and or sewage treatment works), misconnections from faulty plumbing, and small private septic tanks and sewage treatment plants.

The causes, contributors and impacts of water pollution across Wales' rivers are varied and complex and as a result of this, each river requires different interventions. You will be aware that the former First Minister established the River Summit process and Rivers Action Plan in recognition of this and with the objective of bringing together the stakeholders with the relevant levers to enable a cross-sector approach to improving our rivers.

The Welsh Government has made nearly £1.5m available to Nutrient Management Boards, who are commissioned as locally led and democratically accountable boards to assess the extent and sources of pollution in each of their affected Special Area of Conservation (SAC)

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rivers, and to identify and support the delivery of targeted solutions. Each board is in the process of developing a nutrient management plan to address the challenges associated with phosphorus levels in their river. The work of the Teifi Nutrient Management Board is expected to give us a better understanding of nutrient levels in the river – a major cause of poor water quality – and help us to identify medium to the longer-term interventions required to support the restoration and improvement of our SAC rivers.

For many SAC rivers impacted by phosphorus pollution, rural land use has been identified as the main contributor. The Welsh Government's Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAP Regulations) are one tool the Welsh Government has put in place to address and mitigate the risks of water pollution from agricultural activities. Implementation has been spread over almost four years, with the final measures coming into force by the end of this year. This was done to give affected farm businesses more time to comply with one of the more challenging requirements.

To support the intended outcomes from the CoAP Regulations, we have offered over £31m of direct support towards on-farm infrastructure investments to help farmers meet the requirements. This investment has supported:

- the Nutrient Management Investment Scheme in 2022;
- the Yard Covering Scheme via our Small Grants offering;
- the delivery of a Service Level Agreement (SLA) by NRW for the support and enforcement of the COAP Regulations, and;
- the Sustainable Production Grant (SPG).

We have also made an additional £20m of extra funding available across Wales to support compliance with these regulations.

Measures are already in place to limit the practice of bare over-wintered fields. Farmers in receipt of Basic Payments must adhere to cross compliance verifiable standards, which include requirements to provide minimum soil cover (GAEC 4) and for land to be managed in a way which limits soil erosion (GAEC 5). Additionally, the Enhanced Nutrient Management approach for the 2024 calendar year has introduced similar soil protection measures into the CoAP Regulations for farms undertaking the approach. This requires soils to be protected by ensuring that all land is covered by crops, stubbles, residues or other vegetation at all times, except where establishing such cover would create a significant risk of soil erosion and significant risk of nitrogen and phosphorus getting into surface water.

The CoAP Regulations require a review to be undertaken every 4 years on the effectiveness of the measures imposed by the Regulations as a means of reducing or preventing water pollution from agricultural sources and if necessary revise them. This review must be completed by April 2025 and it will provide an opportunity for the issues of bare soils and soil protection to be considered.

The Welsh Government has supported innovation in the relation to manure management. This includes supporting the Tywi Farm Nutrient Partnership management as well as a recent £1m Small Business Research Initiative addressing ammonia emissions from agriculture.

Legislative measures to limit rainwater from entering the existing sewer system have been in place since 7 January 2019. It is a requirement for all new developments in Wales with a construction area of 100 square metres or more to include Sustainable Drainage Systems (SuDS). The implementation of mandatory SuDS is already delivering multiple benefits. As befits a sustainable approach to managing drainage, SuDS relieve the ever-increasing

pressure on the sewerage network. It also helps improve water quality by managing pollution at source, rather than relying on downstream interception or treatment. By slowing down the rate at which rainwater might enter the existing sewerage network, SuDS can also make a difference to the frequency of spills from Combined Storm Overflows (CSOs).

Following a criminal conviction of an environmental crime prosecuted under the Regulatory Enforcement and Sanctions Act 2008, Section 59 of the Act requires payment of any penalties (and interest etc) to be made to the UK Treasury. However, where the law allows, the regulator (NRW) will always seek to recover the costs of investigation and enforcement proceedings. Where NRW have carried out remedial works, they will seek to recover the full costs incurred from those responsible in accordance with the 'polluter pays' principle. Many of the regimes that NRW enforce already contain powers to serve specific notices that require the recipient to stop offending, to restore or remediate an affected environment or to come into compliance with regulatory requirements. These existing provisions may be used wherever appropriate. For example, regulation 57 'Remediation powers' of the Environmental Permitting Regulations 2010 (EP Regulations) grants NRW the 'power to prevent or remedy pollution and recover costs'.

I along with NRW recognise the potential of citizen science to contribute to our evidence base on river pollution. I am always open to novel proposals for ways to reach and capitalise on the input of volunteers across Wales.

Once again, thank you for writing to me on this important topic. I hope this information is helpful to the Committee and petitioner.

Yours sincerely,

Huw Irranca-Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

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To: Huw Irrannca-Davies MS, Cabinet
Secretary for Climate Change and Rural
Affairs

From: [REDACTED]
Ext: [REDACTED]

Date: 25 June 2024

[Ref: HIDCC/05546/24]

CC: Clare Fernandes

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Haf Davies,
Water and Flood Mailbox

P-06-1398 To act to increase the effectiveness of Natural Resources Wales in halting pollution on the Teifi – follow up questions

1. Jack Sargeant MS, in his capacity as Chair of the Petitions Committee, has asked for your response to the follow up questions and proposals made by the petitioner in response to a February 2024 letter from the former Minister for Climate Change, which provided the Committee with her views on a [petition](#) in relation to the River Teifi.
2. The response addresses each of the distinct calls made by the petitioner.
3. A draft response is attached for your consideration.