

Thank you for your email and the attached letter with an invitation to comment and provide additional material for the committee's attention.

We have included below some background information to explain why the petition to demand a Clean Water Bill for Wales was created, more detail around how this petition fits into our broader call to the Senedd to take action and specific comments in response to the letter.

Save the River Usk (STRU) has created a legislative proposal for **Bil Dŵr Glân, the Clean Water Bill** to pull together in one place legislation that deals specifically with discharges into waterways and the simple overriding principle that no discharge can harm a water body.

This petition was set up to allow members of the public to show their support for the proposed Water Bill and it is intended to act in conjunction with it. On Dec 2nd, STRU will have a media launch for the bill in the Senedd, sponsored by Jane Dodds, MS. We invite members of the Petition Committee to attend the launch at 12pm on Dec 2nd in one of the media briefing rooms at the Senedd for more information.

Kind regards

Save the River Usk

Background Information

Save The River Usk (STRU) was set up in 2020 to raise awareness of the decline in the health of the River Usk and the wildlife that depends upon it. Since then, over 55 volunteers have collected over 5000 samples along the river, the data being analysed by a team of volunteer analysts.

STRU is one of many citizen science groups that have formed across Wales to collect this data to assist Natural Resources Wales (NRW), the regulator, in identifying pollution and causes of water quality issues. Approx. five years ago, the sampling protocols and testing equipment used by STRU and the other groups was agreed in conjunction with Cardiff University based upon the advice of NRW as to the criteria that they would find most useful.

Unfortunately, we find ourselves in the position where our rivers and waterways are still in crisis. Many of our rivers, lakes and estuaries are designated and protected as Special Areas of Conservation (SACs) or Sites of Special Scientific Interest (SSSIs) for their unique habitats and species, which are of international importance. However, nearly every SAC river in Wales is still failing water quality standards and their conservation objectives. Many are not fit to swim in.

The level of pollution entering our waterways is unacceptable; from wastewater, sewage, agriculture and land management, industry, road runoff and household chemicals.

As a result, the life in our rivers is dramatically declining. Iconic salmon populations have crashed; life-smothering algal blooms threaten aquatic insects; once common, drifts of blooming water crowfoot are becoming a rare sight.

It is clear that current policies, permits and enforcement are simply not providing the urgent improvements needed to halt this decline:

- There are a plethora of agencies, policies, partnerships and projects aimed at monitoring and protecting our waters. Budget is allocated, reports and projects are created but the output and impact are minimal.
- Permits for discharges into our waterways are outdated and insufficiently rigorous. They often reflect a bare minimum standard for a single pollutant and don't reflect the most up to date scientific understanding. Permit holders work only to comply with the discharge permit. Discharge permits are also not required for most agricultural land use or for road run-off, both of which are significant contributors to the diffuse pollution entering our waterways.
- Natural Resources Wales (NRW) is Wales' principal environmental regulator. It monitors water quality and biodiversity and acts when pollution incidents occur. However, it appears that NRW has been unable to keep up with the scale of the tasks required by its role. Legal action against polluters often seems limited and there appears to be no real deterrent to creating pollution.
- Whilst there have been some improvements, waste water treatment plants, combined storm overflows and septic tanks continue to pollute our waterways with very little consequence.

We cannot keep repeating what we are doing and hope that it will somehow, suddenly start to make significant improvements to our water. STRU has created a legislative proposal for Bil Dŵr Glân, the Clean Water Bill to pull together into one place legislation that deals specifically with discharges into waterways and the overriding principle that no discharge can harm a water body.

Change and improvement will only happen if we have a simple legislative umbrella that prioritises the wildlife and health of our waterways, an effective and passionate regulator which enforces comprehensive discharge permits that are a real deterrent to polluters, and systems that have direct community involvement built in.

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Thoughts on Letter

• It is disappointing that there is no sense of urgency in the letter to the need to respond to the crisis in our natural world. This lack of urgency where committee after committee are formed and engage and finally produce recommendations that don't turn into real action is what we have been doing for years and it isn't working.

- We welcome the consultation on the findings of the Independent Water Commission (the Cunliffe Review) and the Water Environment (Water Framework Directive) (England and Wales) 2017. This reflects our call for a full review of the effectiveness of the water companies in Wales. This review should take into account that the findings of the review fell short for Wales in a number of ways. Firstly, the Commission's terms of reference meant that it could not consider whether the privatised model of water companies is appropriate. As a result, it focused primarily on tighter regulation. This is not enough. Decades of evidence show that water companies prioritise returns for shareholders or bondholders and this drains money out of the system. Whilst Wales's largest water company - Dŵr Cymru Welsh Water - does not have shareholders, its funding model

does rely on bonds issued with highly favourable rates of return. Secondly, the Cunliffe Review failed to address the issue of democratic control. The Commission's proposal for Regional Water Authorities risks merely adding to the plethora of multi-agency bodies without adding the necessary insights or imperatives from the local communities most affected by pollution. Wales should look to greater involvement of democratically accountable local authorities, environmental groups and citizen scientists holding real power over how water companies invest, operate, and deliver.

- Mr Iranca-Davies makes reference to the Environment (Principles, Governance and Biodiversity Targets) Bill. This Bill seems insufficiently detailed and does not commit to improving waterways, only a vague statement that “a target in this area **could** focus on freshwater health by seeking to reduce excess nutrients...” and “The **hope** is that the Bill will create an ambitious legal framework for biodiversity and water quality targets” (our emphasis). Whilst it seems that our proposal and petition are seeking the same thing, our proposal is clear and unambiguous and focuses only on water health, allowing legislation to pass without getting confused and included in other matters.
- NRW are only mentioned in relation to them considering how licences will change in the future. This is vague and does not consider how effective they are and whether there is a better way to organise them to make them an effective regulator run with passion and commitment to nature. As included in the Future Generations Report 2025 this should include the same regulatory powers as their counterparts in England: for example, the power to be able to use civil sanctions, such as orders to stop polluting activities or to impose fines.
- We disagree with Mr Iranca-Davies' comment on our call to test all rivers assigned as SAC's in line with Bathing Water Quality Directives. He states that “Specialist and targeting programmes have already been designed to tackle pollution in our rivers to ensure they achieve good ecological status.” These programmes exist but are failing to improve our rivers, NRW reports that only 40% of water bodies in SAC rivers are at good or better overall status.
- We welcome Mr Iranca-Davies' focus on the agricultural sector and collaboration with farmers.
- We look forward to the Green Paper to be published shortly but would urge that relevant stakeholders include genuinely engaged representatives of Welsh communities, river users and citizen scientists.

In summary

The crisis in our rivers is acute, and progress is slow and patchy. The driving force of Bil Dŵr Glân is the recognition of the urgency of this crisis. Its intention is to have a bill that deals specifically with discharges into waterways and the simple overriding principle that no discharge can harm a water body and to use the growing public disquiet to bring about immediate action, not more committees and talking shops.