



Gwnaed yr Offeryn Statudol hwn o ganlyniad i ddiffyg yn O.S. 2023/1266 (Cy. 221) ac fe'i dyroddir yn rhad ac am ddim i bawb y gwyddys iddynt gael yr Offeryn Statudol hwnnw.

OFFERYNNAU STATUDOL
CYMRU

2023 Rhif 1393 (Cy. 247)

AMAETHYDDIAETH, CYMRU
Dŵr, CYMRU

Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) (Diwygio) (Rhif 4) 2023

NODYN ESBONIADOL

(*Nid yw'r nodyn hwn yn rhan o'r Rheoliadau*)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) 2021 (O.S. 2021/77 (Cy. 20)) ("Rheoliadau 2021").

Mae rheoliad 3 yn diwygio rheoliad 2 (mesurau trosiannol ar gyfer daliadau nad oeddent gynt mewn parth perygl nitradau) o Reoliadau 2021. Mae'n newid y dyddiad gweithredu ar gyfer rheoliad 4 (dodi tail da byw – y terfyn o ran cyfanswm y nitrogen ar gyfer yr holl ddaliad) o 1 Ionawr 2024 i 1 Ionawr 2025 ar gyfer daliadau neu rannau o ddaliadau nad oeddent gynt wedi eu lleoli o fewn parth perygl nitradau ("PPN") fel y'i dangosir ar y map mynegai PPN, pan fo 80% neu fwy o'r ardal amaethyddol wedi ei hau â phorfa ("daliadau glaswelltir cymhwysol"). Mae hyn yn golygu nad yw'r terfyn o ran cyfanswm y nitrogen mewn tail da byw ar gyfer yr holl ddaliad (170kg wedi ei luosi ag arwynebedd y daliad mewn hektarau) yn rheoliad 4 o Reoliadau 2021 yn gymwys i ddaliadau glaswelltir cymhwysol hyd 1 Ionawr 2025.

This Statutory Instrument has been made in consequence of a defect in S.I. 2023/1266 (W. 221) and is being issued free of charge to all known recipients of that Statutory Instrument.

WELSH STATUTORY
INSTRUMENTS

2023 No. 1393 (W. 247)

AGRICULTURE, WALES

WATER, WALES

The Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) (No. 4) Regulations 2023

EXPLANATORY NOTE

(*This note is not part of the Regulations*)

These Regulations amend the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (S.I. 2021/77 (W. 20)) ("the 2021 Regulations").

Regulation 3 amends regulation 2 (transitional measures for holdings not previously in a nitrate vulnerable zone) of the 2021 Regulations. It changes the implementation date for regulation 4 (application of livestock manure – total nitrogen limit for the whole holding) for holdings or parts of holdings not previously situated within a nitrate vulnerable zone ("NVZ") as shown on the NVZ index map, where 80% or more of the agricultural area is sown with grass ("qualifying grassland holdings") from 1 January 2024 to 1 January 2025. This means that the total nitrogen limit in livestock manure for the whole holding (170kg multiplied by the area of the holding in hectares) in regulation 4 of the 2021 Regulations does not apply to qualifying grassland holdings until 1 January 2025.

Mae rheoliad 4 yn diwygio rheoliad 3 (dehongli) o Reoliadau 2021 drwy fewnosod diffiniadau o'r termâu "cynllun rheoli maethynnau uwch", "cyfarpar taenu manwl", "daliad glaswelltir cymhwysol" a "cyfnod perthnasol". Mae hefyd yn rhoi diffiniad o "CNC" yn lle "CANC".

Mae rheoliad 5 yn mewnosod rheoliadau newydd 4A a 4B yn Rheoliadau 2021. Mae rheoliad 4A (dodi tail da byw sy'n pori a da byw nad ydynt yn pori ar ddaliadau glaswelltir cymhwysol yn ystod y cyfnod perthnasol) yn ei gwneud yn ofynnol i feddiannydd daliad glaswelltir cymhwysol sicrhau, ar gyfer blwyddyn galendr 2024 ("y cyfnod perthnasol"), fod arwynebedd y daliad (mewn hectarau) yn fwy na swm neu'n hafal i swm cyfanswm y nitrogen mewn tail da byw sy'n pori a ddodir ar y daliad wedi ei rannu â 250, plws cyfanswm y nitrogen mewn tail da byw nad ydynt yn pori a ddodir ar y daliad wedi ei rannu â 170. Diben y cyfrifiad hwn yw cyfyngu ar gyfanswm y nitrogen mewn tail da byw y caiff meddiannydd glaswelltir cymhwysol ei ddodi ar y daliad, boed yn uniongyrchol gan anifail neu drwy daenu, yn ystod y cyfnod perthnasol. Mae'n sicrhau, pan nad yw meddiannydd daliad glaswelltir cymhwysol ond yn dodi tail da byw sy'n pori ar y daliad, na chaiff ddodi mwy na 250kg o nitrogen mewn tail da byw sy'n pori fesul hectar yn ystod y cyfnod perthnasol. Mae hefyd yn sicrhau, pan nad yw meddiannydd daliad glaswelltir cymhwysol ond yn dodi tail da byw nad ydynt yn pori ar y daliad, na chaiff ddodi mwy na 170kg o nitrogen mewn tail da byw nad ydynt yn pori fesul hectar yn ystod y cyfnod perthnasol. Pan fo meddiannydd daliad glaswelltir cymhwysol yn dodi tail da byw sy'n pori a thail da byw nad ydynt yn pori ar y daliad yn ystod y cyfnod perthnasol, mae'r cyfrifiad hefyd yn gwneud darpariaeth ar gyfer addasu dodi'r naill a'r llall ar sail pro-rata.

Mae rheoliad 4A(2) yn darparu bod rhaid i feddiannydd daliad glaswelltir cymhwysol, pan fo'n bwriadu dodi ar y daliad, yn ystod y cyfnod perthnasol, gyfanswm o nitrogen mewn tail da byw sy'n pori sy'n fwy na 170kg wedi ei luosi ag arwynebedd y daliad mewn hectarau, gydymffurfio â gofynion uwch ychwanegol o ran rheoli maethynnau a bennir o dan Atodlen 1A (gofynion rheoli maethynnau uwch) a hysbysu Cyfoeth Naturiol Cymru ("CNC"). Mae Rheoliad 4B (gofynion hysbysu) yn nodi'r gofynion hysbysu y mae rhaid i feddiannydd daliad glaswelltir cymhwysol gydymffurfio â hwy pan fydd yn hysbysu CNC.

Regulation 4 amends regulation 3 (interpretation) of the 2021 Regulations by inserting definitions of the terms "enhanced nutrient management plan", "precision spreading equipment", "qualifying grassland holding" and "relevant period". It also substitutes a definition of "NRW" for "NRBW".

Regulation 5 inserts new regulations 4A and 4B into the 2021 Regulations. Regulation 4A (application of grazing and non-grazing livestock manure on qualifying grassland holdings during the relevant period) requires the occupier of a qualifying grassland holding to ensure that for the calendar year 2024 ("the relevant period") the area of the holding (in hectares) is greater than or equal to the sum of the total amount of nitrogen in grazing livestock manure applied to the holding divided by 250, plus the total amount of nitrogen in non-grazing livestock manure applied to the holding divided by 170. The purpose of this calculation is to limit the total amount of nitrogen in livestock manure that an occupier of a qualifying grassland holding is permitted to apply to the holding, whether directly by an animal or by spreading, during the relevant period. It ensures that where an occupier of a qualifying grassland holding is only applying grazing livestock manure to the holding, they must not apply more than 250kg of nitrogen in grazing livestock manure per hectare during the relevant period. It also ensures that where an occupier of a qualifying grassland holding is only applying non-grazing livestock manure to the holding, they must not apply more than 170kg of nitrogen in non-grazing livestock manure per hectare during the relevant period. Where an occupier of a qualifying grassland holding is applying both grazing and non-grazing livestock manures to the holding during the relevant period, the calculation also makes provision for the application of both to be adjusted on a pro-rata basis.

Regulation 4A(2) provides that where an occupier of a qualifying grassland holding intends to apply to the holding during the relevant period, a total amount of nitrogen in grazing livestock manure which exceeds 170kg multiplied by the area of the holding in hectares, they must comply with additional enhanced nutrient management requirements established under Schedule 1A (enhanced nutrient management requirements) and notify Natural Resources Wales ("NRW"). Regulation 4B (notice requirements) sets out the notice requirements that the occupier of a qualifying grassland holding must comply with when notifying NRW.

Mae rheoliad 6 yn gwneud mân ddiwygiadau i reoliad 14 (taenu tail organig ger dŵr wyneb, tyllau turio, ffynhonnau neu bydewau) o Reoliadau 2021 i gynorthwyo gydag eglurder.

Mae rheoliad 7 yn rhoi cyfeiriadau at “CNC” yn lle cyfeiriadau at “CANC” ym mha le bynnag y maent yn ymddangos yn y Rheoliadau. Mae hyn o ganlyniad i roi diffiniad o “CNC” yn lle’r diffiniad o “CANC” o dan reoliad 3.

Mae rheoliad 8 yn mewnosod Atodlen newydd 1A (gofynion rheoli maethynnau uwch) yn Rheoliadau 2021 sy’n nodi’r gofynion rheoli maethynnau uwch ychwanegol sydd i’w bodloni gan feddianydd daliad glaswelltir cymhwysol os yw’r meddiannydd yn bwriadu dodi ar y daliad, yn ystod y cyfnod perthnasol, gyfanswm o nitrogen mewn tail da byw sy’n pori sy’n fwy na 170kg wedi ei luosi ag arwynebedd y daliad mewn hektarau.

Mae rheoliad 9 yn dirymu Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) (Diwygio) (Rhif 3) 2023.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â’r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o’r costau a’r manteision sy’n debygol o ddeillio o gydymffurfio â’r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

Regulation 6 makes minor amendments to regulation 14 (spreading organic manure near surface water, boreholes, springs or wells) of the 2021 Regulations to assist with clarity.

Regulation 7 replaces references to “NRBW” with references to “NRW” wherever they occur in the Regulations. This is in consequence of replacing the definition of “NRBW” with “NRW” under regulation 3.

Regulation 8 inserts a new Schedule 1A (enhanced nutrient management requirements) into the 2021 Regulations which sets out the additional enhanced nutrient management requirements to be met by an occupier of a qualifying grassland holding if the occupier intends, during the relevant period, to apply to the holding a total amount of nitrogen in grazing livestock manure which exceeds 170kg multiplied by the area of the holding in hectares.

Regulation 9 revokes the Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) (No. 3) Regulations 2023.

The Welsh Ministers’ Code of Practice on the carrying out of regulatory impact assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

2023 Rhif 1393 (Cy. 247)

AMAETHYDDIAETH, CYMRU
Dŵr, Cymru

Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) (Diwygio) (Rhif 4) 2023

Gwnaed	14 Rhagfyr 2023
Gosodwyd Cymru	gerbron Senedd 15 Rhagfyr 2023
Yn dod i rym	31 Rhagfyr 2023

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 92 a 219(2)(d) i (f) o Ddeddf Adnoddau Dŵr 1991(1).

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) (Diwygio) (Rhif 4) 2023 a deuant i rym ar 31 Rhagfyr 2023.

2023 No. 1393 (W. 247)

AGRICULTURE, WALES
WATER, WALES

The Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) (No. 4) Regulations 2023

Made	14 December 2023
Laid before Senedd Cymru	15 December 2023
Coming into force	31 December 2023

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 92 and 219(2)(d) to (f) of the Water Resources Act 1991(1).

Title and coming into force

1. The title of these Regulations is the Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) (No. 4) Regulations 2023 and they come into force on 31 December 2023.

(1) 1991 p. 57. Diwygiwyd adran 92 gan adran 120 o Ddeddf yr Amgylchedd 1995 (p. 25) a pharagraffau 128 a 144 o Atodlen 22 iddi, a chan O.S. 2010/675 ac O.S. 2013/755 (Cy. 90). Mae diwygiadau i adran 219 nad ydynt yn berthnasol i'r Rheoliadau hyn. Yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 92 i Gynulliad Cenedlaethol Cymru o ran y rhannau hynny o Gymru sydd y tu allan i ddalgylchoedd afon Dyfrdwy, afon Gwy ac afon Hafren. O ran y rhannau hynny o Gymru sydd o fewn y dalgylchoedd hynny, mae swyddogaethau o dan adran 92 yn arferadwy gan Gynulliad Cenedlaethol Cymru ar y cyd â'r Ysgrifennydd Gwladol. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi, mae swyddogaethau Cynulliad Cenedlaethol Cymru o dan adrannau 92 a 219 bellach wedi eu breinio yng Ngweinidogion Cymru.

(1) 1991 c. 57. Section 92 was amended by section 120 of, and paragraphs 128 and 144 of Schedule 22 to, the Environment Act 1995 (c. 25), and by S.I. 2010/675 and S.I. 2013/755 (W. 90). There are amendments to section 219 which are not relevant to these Regulations. By virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) functions of the Secretary of State under section 92 were transferred to the National Assembly for Wales in relation to those parts of Wales which are outside the catchment areas of the rivers Dee, Wye and Severn. In relation to those parts of Wales which are within those catchment areas, functions under section 92 are exercisable by the National Assembly for Wales concurrently with the Secretary of State. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) functions of the National Assembly for Wales under sections 92 and 219 now vest in the Welsh Ministers.

Diwygio Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) 2021

2. Mae Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) 2021(1) wedi eu diwygio yn unol â rheoliadau 3 i 8.

Diwygio rheoliad 2 (mesurau trosiannol ar gyfer daliadau nad oeddent gynt mewn parth perygl nitradau)

3. Yn rheoliad 2(b) (mesurau trosiannol ar gyfer daliadau nad oeddent gynt mewn parth perygl nitradau) ar ôl “1 Ionawr 2024” mewnosoder “fodd bynnag, nid yw rheoliad 4 yn gymwys i ddaliadau glaswelltir cymhwysol hyd nes 1 Ionawr 2025”.

Diwygio rheoliad 3 (dehongli)

4. Yn rheoliad 3 (dehongli)—

(a) ar ôl y diffiniad o “cynllun gwreithio”, mewnosoder—

“ystyr “cynllun rheoli maethynnau uwch” (“enhanced nutrient management plan”) yw cynllun a lunnir yn unol â pharagraffau 6 a 7 o Atodlen 1A;”;

(b) yn lle’r diffiniad o “CANC” rhodder—

“ystyr “CNC” (“NRW”) yw Cyfoeth Naturiol Cymru;”;

(c) ar ôl y diffiniad o “cwrs dŵr” mewnosoder—

“ystyr “cyfarpar taenu manwl” (“precision spreading equipment”) yw system gwadnau llusg, bar diferion neu chwistrellydd;

ystyr “cyfnod perthnasol” (“relevant period”) yw’r cyfnod sy’n dechrau â 1 Ionawr 2024 ac yn dod i ben â 31 Rhagfyr 2024;”.

(d) ar ôl y diffiniad o “daliad” mewnosoder—

“ystyr “daliad glaswelltir cymhwysol” (“qualifying grassland holding”) yw daliad neu ran o ddaliad nad oedd gynt wedi ei leoli neu ei lleoli o fewn parth perygl nitradau fel y’i dangosir ar y map mynegai PPN, pan fo 80% neu fwy o ardal amaethyddol y daliad wedi ei hau â phorfa;”;

Mewnosod rheoliadau newydd 4A a 4B

5. Ar ôl rheoliad 4 (dodi tail da byw – y terfyn o ran cyfanswm y nitrogen ar gyfer yr holl ddaliad) mewnosoder—

Amendments to the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021

2. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021(1) are amended in accordance with regulations 3 to 8.

Amendment of regulation 2 (transitional measures for holdings not previously in a nitrate vulnerable zone)

3. In regulation 2(b) (transitional measures for holdings not previously in a nitrate vulnerable zone) after “1 January 2024” insert “however, regulation 4 does not apply to qualifying grassland holdings until 1 January 2025”.

Amendment of regulation 3 (interpretation)

4. In regulation 3 (interpretation)—

(a) after the definition of “crop with high nitrogen demand”, insert—

““enhanced nutrient management plan” (“cynllun rheoli maethynnau uwch”) means a plan prepared in accordance with paragraphs 6 and 7 of Schedule 1A;”;

(b) for the definition of “NRBW” substitute—

““NRW” (“CNC”) means Natural Resources Wales;”;

(c) after the definition of “poultry” insert—

““precision spreading equipment” (“cyfarpar taenu manwl”) means a trailing shoe, dribble bar or injector system;

““qualifying grassland holding” (“daliad glaswelltir cymhwysol”) means a holding or part of a holding that was not previously situated within a nitrate vulnerable zone as shown on the NVZ index map, where 80% or more of the agricultural area of the holding is sown with grass”;

(d) after the definition of “reception pit” insert—

““relevant period” (“cyfnod perthnasol”) means the period beginning with 1 January 2024 and ending with 31 December 2024;”.

Insertion of new regulations 4A and 4B

5. After regulation 4 (application of livestock manure – total nitrogen limit for the whole holding), insert—

(1) O.S. 2021/77 (Cy. 20), diwygiwyd gan O.S. 2022/1305 (Cy. 262), O.S. 2023/466 (Cy. 70) ac O.S. 2023/1070 (Cy. 182).

(1) S.I. 2021/77 (W. 20), amended by S.I. 2022/1305 (W. 262), S.I. 2023/466 (W. 70) and S.I. 2023/1070 (W. 182).

“Dodi tail da byw sy’n pori a da byw nad ydynt yn pori ar ddaliadau glaswelltir cymhwysol yn ystod y cyfnod perthnasol

4A.—(1) Rhaid i feddiannydd daliad glaswelltir cymhwysol sicrhau yn ystod y cyfnod perthnasol—

$$A \geq (Ngl / 250) + (Nngl / 170)$$

lle—

A yw arwynebedd y daliad (hectares), fel y bo’n bodoli ar 1 Ionawr 2024;

Ngl yw cyfanswm y nitrogen (kg) mewn tail da byw sy’n pori a ddodir ar y daliad yn ystod y cyfnod perthnasol, boed yn uniongyrchol gan anifail neu drwy daenu, wedi ei gyfrifo yn unol â thabl 1 yn Atodlen 1;

Nngl yw cyfanswm y nitrogen (kg) mewn tail da byw nad ydynt yn pori a ddodir ar y daliad yn ystod y cyfnod perthnasol, boed yn uniongyrchol gan anifail neu drwy daenu, wedi ei gyfrifo yn unol â thabl 2 yn Atodlen 1.

(2) Pan fo meddiannydd daliad glaswelltir cymhwysol yn bwriadu dodi ar y daliad yn ystod y cyfnod perthnasol, boed yn uniongyrchol gan anifail neu drwy daenu, gyfanswm o nitrogen mewn tail da byw sy’n pori sy’n fwy na 170 kg wedi ei luosi ag arwynebedd y daliad mewn hecrau, rhaid iddo—

- (a) cyflwyno hysbysiad i CNC yn unol â rheoliad 4B, a
- (b) cydymffurfio â’r gofynion rheoli maethynnau uwch yn Atodlen 1A.

(3) Wrth gyfrifo arwynebedd y daliad at ddibenion canfod maint y nitrogen sydd i’w daenu ar y daliad, diystyrir dyfroedd wyneb, unrhyw loriau caled, adeiladau, ffyrdd ac unrhyw goetir (oni ddefnyddir y coetir hwnnw ar gyfer pori).

Gofynion hysbysu

4B.—(1) Rhaid i hysbysiad o dan y rheoliad hwn gynnwys—

- (a) enw meddiannydd y daliad glaswelltir cymhwysol,
- (b) cyfeiriad y daliad glaswelltir cymhwysol,
- (c) datganiad ysgrifenedig bod y meddiannydd yn bwriadu dodi ar y daliad yn ystod y cyfnod perthnasol,

“Application of grazing and non-grazing livestock manure on qualifying grassland holdings during the relevant period

4A.—(1) The occupier of a qualifying grassland holding must ensure that during the relevant period—

$$A \geq (Ngl / 250) + (Nngl / 170)$$

where—

A is the area of the holding (hectares), as existing on 1 January 2024;

Ngl is the total amount of nitrogen (kg) in grazing livestock manure applied to the holding during the relevant period, whether directly by an animal or by spreading, calculated in accordance with table 1 in Schedule 1;

Nngl is the total amount of nitrogen (kg) in non-grazing livestock manure, applied to the holding during the relevant period, whether directly by an animal or by spreading, calculated in accordance with table 2 in Schedule 1.

(2) Where the occupier of a qualifying grassland holding intends during the relevant period to apply to the holding, whether directly by an animal or by spreading, a total amount of nitrogen in grazing livestock manure which exceeds 170 kg multiplied by the area of the holding in hectares, they must—

- (a) submit a notice to NRW in accordance with regulation 4B, and
- (b) comply with the enhanced nutrient management requirements in Schedule 1A.

(3) In calculating the area of the holding for the purposes of ascertaining the amount of nitrogen to be spread on the holding, no account is taken of surface waters, any hardstanding, buildings, roads or any woodland (unless that woodland is used for grazing).

Notice requirements

4B.—(1) A notice under this regulation must include—

- (a) the name of the occupier of the qualifying grassland holding,
- (b) the address of the qualifying grassland holding,
- (c) a written statement that the occupier intends during the relevant period to apply to the holding, whether directly

- boed yn uniongyrchol gan anifail neu drwy daenu, gyfanswm o nitrogen mewn tail da byw sy'n pori sy'n fwy na 170 kg wedi ei luosi ag arwynebedd y daliad mewn hektarau, a
- (d) datganiad ysgrifenedig y bydd y meddiannydd yn cydymffurfio â'r gofynion ychwanegol a nodir yn Atodlen 1A.
- (2) Rhaid cyflwyno hysbysiad i CNC erbyn 31 Mawrth 2024 a rhaid i'r cynllun rheoli maethynnau uwch ar gyfer y daliad glaswelltir cymhwysol fynd gydag ef.
- (3) Rhaid cyflwyno'r hysbysiad a'r cynllun rheoli maethynnau uwch sy'n mynd gydag ef i CNC drwy e-bost(1)."

Diwygio rheoliad 14 (taenu tail organig ger dŵr wyneb, tyllau turio, ffynhonnau neu bydewau)

6. Yn rheoliad 14 (taenu tail organig ger dŵr wyneb, tyllau turio, ffynhonnau neu bydewau)—
- (a) ym mharagraff (1), ar y dechrau mewnosoder "Ac eithrio pan fo paragraff 26 o Atodlen 1A yn gymwys,", a
 - (b) hepgorwr paragraff 4.

Diwygio rheoliadau 24, 30, 31, 32, 47 ac Atodlen 6

7. Yn y rheoliadau a ganlyn, yn lle "CANC" rhodder "CNC"—
- (a) rheoliad 24(1)(c)(i),
 - (b) rheoliad 30, ym mhob lle y mae'n digwydd,
 - (c) rheoliad 31, ym mhob lle y mae'n digwydd,
 - (d) rheoliad 32(2),
 - (e) rheoliad 47, ac
 - (f) Atodlen 6, ym mhob lle y mae'n digwydd.

Mewnosod Atodlen 1A newydd (gofynion rheoli maethynnau uwch)

8. Ar ôl Atodlen 1 (meintiau o dail, nitrogen a ffosffad a gynhyrchir gan dda byw sy'n pori a da byw nad ydynt yn pori), mewnosoder Atodlen 1A (gofynion rheoli maethynnau uwch) fel y'i nodir yn yr Atodlen i'r Rheoliadau hyn.

by an animal or by spreading, a total amount of nitrogen in grazing livestock manure which exceeds 170 kg multiplied by the area of the holding in hectares, and

- (d) a written statement that the occupier will comply with the additional requirements set out in Schedule 1A.

(2) A notice must be submitted to NRW by 31 March 2024 and must be accompanied by the enhanced nutrient management plan for the qualifying grassland holding.

(3) The notice and accompanying enhanced nutrient management plan must be submitted to NRW by e-mail(1)."

Amendment of regulation 14 (spreading organic manure near surface water, boreholes, springs or wells)

6. In regulation 14 (spreading organic manure near surface water, boreholes, springs or wells)—

- (a) in paragraph (1), at the beginning insert "Except where paragraph 26 of Schedule 1A applies,", and
- (b) omit paragraph 4.

Amendment of regulations 24, 30, 31, 32, 47 and Schedule 6

7. In the following regulations, for "NRBW" substitute "NRW"—

- (a) regulation 24(1)(c)(i),
- (b) regulation 30, in each place it occurs,
- (c) regulation 31, in each place it occurs,
- (d) regulation 32(2),
- (e) regulation 47, and
- (f) Schedule 6, in each place it occurs.

Insertion of new Schedule 1A (enhanced nutrient management requirements)

8. After Schedule 1 (amount of manure, nitrogen and phosphate produced by grazing livestock and non-grazing livestock), insert Schedule 1A (enhanced nutrient management requirements) as set out in the Schedule to these Regulations.

(1) e-bost: NotificationENMA@cyfoethnaturiolcymru.gov.uk

(1) e-mail: NotificationENMA@cyfoethnaturiolcymru.gov.uk

Dirymu Rheoliadau Adnoddau Dŵr (Rheoli Llygred Amaethyddol) (Cymru) (Diwygio) (Rhif 3) 2023

9. Mae Rheoliadau Adnoddau Dŵr (Rheoli Llygred Amaethyddol) (Cymru) (Diwygio) (Rhif 3) 2023(1) wedi eu dirymu.

Revocation of the Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) (No. 3) Regulations 2023

9. The Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) (No. 3) Regulations 2023(1) are revoked.

Lesley Griffiths

Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r
Trefnydd, un o Weinidogion Cymru
14 Rhagfyr 2023

Minister for Rural Affairs and North Wales, and
Trefnydd, one of the Welsh Ministers
14 December 2023

(1) O.S. 2023/1266 (Cy. 221).

(1) S.I. 2023/1266 (W. 221).

“ATODLEN 1A Rheoliadau 4A a 4B

Gofynion rheoli maethynnau uwch

Cymhwysyo Atodlen 1A

1. Mae'r gofynion rheoli maethynnau uwch a ganlyn yn gymwys i ddeiliad daliad glaswelltir cymhwysol sy'n bwriadu dodi ar y daliad yn ystod y cyfnod perthnasol, boed yn uniongyrchol gan anifail neu drwy daenu, gyfanswm o nitrogen mewn tail da byw sy'n pori sy'n fwy na 170 kg wedi ei luosi ag arwynebedd y daliad mewn hektarau.

Dehongli**2. Yn yr Atodlen hon—**

ystyr “dadansoddiad samplu pridd” (“*soil sampling analysis*”) yw dadansoddiad o sampl pridd a wneir gan labordy profi pridd i ddadansoddi pridroedd ar gyfer ffosfforws;

ystyr “mynegai ffosfforws pridd” (“*soil phosphorus index*”) yw cyfeiriad at y rhif mynegai a neilltuwyd i'r pridd yn unol â Thabl 1 o'r Atodlen hon, i ddynodi lefel y ffosfforws sydd ar gael o'r pridd.

Tail da byw sydd i'w ddodi ar y daliad yn ystod y cyfnod perthnasol

3. Rhaid i'r meddiannydd sicrhau mai'r unig dail da byw sydd i'w ddodi ar y daliad yn ystod y cyfnod perthnasol, boed yn uniongyrchol gan anifail neu drwy daenu, yw tail a gynhyrchir gan y da byw ar y daliad.

Dadansoddiad samplu pridd

4.—(1) Rhaid i'r meddiannydd, at ddibenion pennu'r mynegai ffosfforws pridd ar gyfer pob ardal o'r daliad sydd â'r un drefn gnydio, yr un drefn rheoli maethynnau a'r un math o bridd, ymgymryd â dadansoddiad samplu pridd o bob pumed hectar o leiaf o ardal amaethyddol y daliad sydd â'r un drefn gnydio, yr un drefn rheoli maethynnau a'r un math o bridd.

“SCHEDULE 1A Regulations 4A and 4B**Enhanced nutrient management requirements****Application of Schedule 1A**

1. The following enhanced nutrient management requirements apply to the occupier of a qualifying grassland holding intending during the relevant period to apply to the holding, whether directly by an animal or by spreading, a total amount of nitrogen in grazing livestock manure which exceeds 170 kg multiplied by the area of the holding in hectares.

Interpretation**2. In this Schedule—**

“soil phosphorus index” (“*mynegai ffosfforws pridd*”) means a reference to the index number assigned to the soil in accordance with Table 1 of this Schedule, to indicate the level of phosphorus available from the soil;

“soil sampling analysis” (“*dadansoddiad samplu pridd*”) means analysis of a soil sample carried out by a soil testing laboratory to analyse soils for phosphorus.

Livestock manure to be applied to the holding during relevant period

3. The occupier must ensure that the only livestock manure to be applied to the holding during the relevant period, whether directly by an animal or by spreading, is manure produced by the livestock on the holding.

Soil sampling analysis

4.—(1) The occupier must, for the purposes of determining the soil phosphorus index for each area of the holding with the same cropping regime, nutrient management regime and soil type, undertake soil sampling analysis of at least every five hectares of the agricultural area of the holding with the same cropping regime, nutrient management regime and soil type.

(2) Caiff meddiannydd ddibynnu ar ganlyniadau dadansoddiad samplu pridd blaenorol o ardal amaethyddol y daliad sydd â'r un drefn gnydio, yr un drefn rheoli maethynnau a'r un math o bridd at ddibenion is-baragraff (1), ar yr amod y cynhaliwyd y dadansoddiad samplu hwnnw o fewn y cyfnod sy'n dechrau â 1 Ionawr 2020 ac yn dod i ben â 31 Rhagfyr 2023.

(3) Pan na fo dadansoddiad samplu pridd ffosfforws o ardal amaethyddol y daliad sydd â'r un drefn gnydio, yr un drefn rheoli maethynnau a'r un math o bridd wedi ei gynnal o fewn y cyfnod y cyfeirir ato yn is-baragraff (2), rhaid cynnal y dadansoddiad samplu hwnnw o fewn y cyfnod sy'n dechrau â 1 Ionawr 2024 ac yn dod i ben â 30 Mawrth 2024.

Pennu'r mynegai ffosfforws pridd

5. Rhaid i'r meddiannydd bennu'r mynegai ffosfforws pridd ar gyfer pob ardal o'r daliad sydd â'r un drefn gnydio, yr un drefn rheoli maethynnau a'r un math o bridd trwy ddefnyddio canlyniadau'r dadansoddiad samplu pridd o dan baragraff 4 a'r gwerthoedd yn y tabl a ganlyn.

Tabl 1 – Mynegai ffosfforws

Mynegai ffosfforws	Ffosfforws (P) mg / L Olsen (P)
0	0-9
1	10-15
2	16-25
3	26-45
4	46-70
5	71-100
6	101-140
7	141-200
8	201-280
9	Dros 280

Cynllunio'r modd y taenir gwrtraith ffosffad

6. Yn ogystal â llunio cynlluniau taenu nitrogen o dan reoliad 6 (cynllunio'r modd y taenir gwrtraith nitrogen) rhaid i'r meddiannydd, o fewn y cyfnod sy'n dechrau â 1 Ionawr 2024 ac yn dod i ben â 30 Mawrth 2024—

- (a) cyfrifo'r maint optimwm o wrtaith ffosffad (kg) y dylid ei daenu ar y cnwd yn ystod y cyfnod perthnasol, gan gymryd i ystyriaeth y mynegai ffosfforws pridd, a

(2) An occupier may rely on the results of previous soil sampling analysis of the agricultural area of the holding with the same cropping regime, nutrient management regime and soil type for the purposes of sub-paragraph (1), provided such sampling analysis was carried out within the period beginning with 1 January 2020 and ending with 31 December 2023.

(3) Where phosphorus soil sampling analysis of the agricultural area of the holding with the same cropping regime, nutrient management regime and soil type has not been carried out within the period referred to in sub-paragraph (2), such sampling analysis must be undertaken within the period beginning with 1 January 2024 and ending with 30 March 2024.

Determining the soil phosphorus index

5. The occupier must determine the soil phosphorus index for each area of the holding with the same cropping regime, nutrient management regime and soil type by using the results from the soil sampling analysis under paragraph 4 and the values in the following table.

Table 1 – Phosphorus index

Phosphorus index	Phosphorus (P) mg/L Olsen (P)
0	0-9
1	10-15
2	16-25
3	26-45
4	46-70
5	71-100
6	101-140
7	141-200
8	201-280
9	Over 280

Planning the spreading of phosphate fertiliser

6. In addition to the production of nitrogen spreading plans under regulation 6 (planning the spreading of nitrogen fertiliser) the occupier must, within the period beginning with 1 January 2024 and ending with 30 March 2024—

- (a) calculate the optimum amount of phosphate fertiliser (kg) that should be spread on the crop during the relevant period, taking into account the soil phosphorus index, and

- (b) llunio cynllun (“cynllun rheoli maethynnau uwch”) ar gyfer taenu gwrtaith ffosffad yn ystod y cyfnod perthnasol.

Gofynion ar gyfer cynlluniau rheoli maethynnau uwch

7.—(1) Rhaid i'r cynllun rheoli maethynnau uwch ar gyfer y daliad—

- (a) cynnwys map risg, a lunnir yn unol â pharagraff 11(1), sy'n nodi lleoliad y caeau y mae'r cynllun yn ymwneud â hwy, a
- (b) datgan yn glir mewn perthynas ag unrhyw gae y cyfeirir ato yn y cynllun y math o wrtaith sydd i'w ddefnyddio.

(2) Rhaid i'r cynllun rheoli maethynnau uwch gofnodi—

- (a) y mynegai ffosfforws pridd ar gyfer pob ardal o'r daliad sydd â'r un drefn gnydio, yr un drefn rheoli maethynnau a'r un math o bridd,
- (b) y maint optimwm o wrtaith ffosffad (kg) y dylid ei daenu ar y cnwd, gan gymryd i ystyriaeth y mynegai ffosfforws pridd,
- (c) faint o nitrogen (kg) sy'n debygol o fod ar gael i'r cnwd ei amsugno o unrhyw dail organig y bwriedir ei daenu i'r cnwd ei amsugno yn y tymor tyfu yn ystod y cyfnod perthnasol,
- (d) faint o ffosffad (kg) sy'n debygol o gael ei gyflenwi i fodloni gofyniad y cnwd o unrhyw dail organig a daenir neu y bwriedir ei daenu yn ystod y cyfnod perthnasol, wedi ei gyfrifo yn unol ag—
 - (i) tablau 1 a 2 (fel y bo'n gymwys) o Atodlen 1,
 - (ii) samplu a dadansoddi yn unol â Rhan 2 o Atodlen 3, neu
 - (iii) dadansoddiadau technegol a ddarperir gan y cyflenwr,
- (e) faint o wrtaith nitrogen a weithgynhyrchwyd (kg) sy'n ofynnol (hynny yw, y maint optimwm o nitrogen sy'n ofynnol gan y cnwd llai maint y nitrogen a fydd ar gael i'r cnwd ei amsugno o unrhyw dail organig a daenir yn ystod y cyfnod perthnasol), ac

- (b) produce a plan (“enhanced nutrient management plan”) for the spreading of phosphate fertiliser during the relevant period.

Requirements for enhanced nutrient management plans

7.—(1) The enhanced nutrient management plan for the holding must—

- (a) include a risk map, produced in accordance with paragraph 11(1), indicating the location of the fields to which the plan relates, and
 - (b) clearly state in relation to any field referred to in the plan the type of fertiliser to be used.
- (2) The enhanced nutrient management plan must record—
- (a) the soil phosphorus index for each area of the holding with the same cropping regime, nutrient management regime and soil type,
 - (b) the optimum amount of phosphate fertiliser (kg) that should be spread on the crop, taking into account the soil phosphorus index,
 - (c) the amount of nitrogen (kg) likely to be available for uptake by the crop from any organic manure intended to be spread for crop uptake in the growing season during the relevant period,
 - (d) the amount of phosphate (kg) likely to be supplied to meet the requirement of the crop from any organic manure spread or intended to be spread during the relevant period, calculated in accordance with—
 - (i) tables 1 and 2 (as applicable) of Schedule 1,
 - (ii) sampling and analysis in accordance with Part 2 of Schedule 3, or
 - (iii) technical analyses provided by the supplier,
 - (e) the amount of manufactured nitrogen fertiliser (kg) required (that is, the optimum amount of nitrogen required by the crop less the amount of nitrogen that will be available for crop uptake from any organic manure spread during the relevant period), and

- (f) faint o wrtaith ffosffad a weithgynhyrchwyd (kg) sy'n ofynnol (hynny yw, y maint optimwm o ffosffad sy'n ofynnol gan y cnwd llai maint y ffosffad a gyflenwir i'r cnwd ei amsugno o unrhyw dail organig a daenir at ddiben gwreithio'r cnwd yn ystod y cyfnod perthnasol).

Cyfanswm y ffosfforws sydd i'w daenu ar ddaliad yn ystod y cyfnod perthnasol

8. Ni waeth beth fo'r ffigur a gofnodir yn y cynllun rheoli maethynnau uwch yn unol â pharagraff 7(2)(b), rhaid i'r meddiannydd sicrhau na fydd cyfanswm—

- (a) y ffosffad o wrtaith ffosffad a weithgynhyrchwyd, a
- (b) y ffosffad o dail organig, yn y tymor tyfu y'i taenir ynddo, yn fwy, yn ystod y cyfnod perthnasol, na'r terfynau a bennir ym mharagraff 9.

Terfynau ffosffad uchaf fesul cnwd

9.—(1) Yn ddarostyngedig i is-baragráff (2), ni chaiff cyfanswm y ffosffad a daenir ar unrhyw gnwd a restrir yng ngholofn gyntaf unrhyw un o'r tablau isod fod yn fwy na'r ffigur o dan y rhif mynegai ffosfforws pridd cymwys yn yr un tabl.

Tabl 2 - Uchafsymiau ffosffad ar gyfer porfa

	<i>Mynegai ffosfforws pridd (kg P₂O₅ / ha)</i>	0	1	2	3	4+
Wrth i'r borfa ymsefydlu	120	80	50	30	0	
Pori	80	50	20	0	0	
Gwair	80	55	30	0	0	
Silwair						
Toriad cyntaf	100	70	40	20	0	
Ail doriad	25	25	25	0	0	
Trydydd toriad	15	15	15	0	0	
Pedwerydd toriad	10	10	10	0	0	

- (f) the amount of manufactured phosphate fertiliser (kg) required (that is, the optimum amount of phosphate required by the crop less the amount of phosphate supplied for crop uptake from any organic manure spread for the purpose of fertilising the crop during the relevant period).

Total phosphorus spread on a holding during relevant period

8. Irrespective of the figure recorded in the enhanced nutrient management plan in accordance with paragraph 7(2)(b), the occupier must ensure that the total amount of—

- (a) phosphate from manufactured phosphate fertiliser, and
- (b) phosphate from organic manure, in the growing season in which it is spread, does not, during the relevant period, exceed the limits set out in paragraph 9.

Maximum phosphate limits by crop

9.—(1) Subject to sub-paragraph (2), the total amount of phosphate spread on any crop listed in the first column of any of the tables below must not exceed the figure under the applicable soil phosphorus index number in the same table.

Table 2 - Maximum phosphate for grass

	<i>Soil Phosphorus index (kg P₂O₅/ha)</i>	0	1	2	3	4+
At grass establishment	120	80	50	30	0	
Grazing	80	50	20	0	0	
Hay	80	55	30	0	0	
Silage						
First cut	100	70	40	20	0	
Second Cut	25	25	25	0	0	
Third Cut	15	15	15	0	0	
Fourth Cut	10	10	10	0	0	

Tabl 3 - Uchafsymiau ffosffad ar gyfer cnydau eraill

<i>Mynegai-P</i>	<i>0</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5+</i>
Cnwd						
Ffosffad (kg / ha)						
Cnydau porthi						
Indrawn porthi	115	85	55	20	0	0
Ydau cnwd cyfan	115	85	55	0	0	0
Swêds a maip porthi (wedi eu codi)	105	75	45	0	0	0
Betys porthiant (wedi eu codi)	120	90	60	0	0	0
Rêp, swêds a maip sofl porthi (a borir)	85	55	25	0	0	0
Cêl (a borir)	80	50	20	0	0	0
Rhygwellt a heurir ar gyfer hadau	90	60	30	0	0	0
Cnydau âr						
(Gwellt wedi ei ymgorffori)						
Gwenith y gaeaf	110	80	50	0	0	0
Rhygwenith y gaeaf	125	95	65	0	0	0
Haidd y gaeaf	110	80	50	0	0	0
Haidd y gwanwyn	105	75	45	0	0	0
Gwenith y gwanwyn/rhyg wenith y gwanwyn/rhyg ceirch	110	80	50	0	0	0
Cnydau âr						
(Gwellt wedi ei dynnu ymaith)						
Gwenith y gaeaf	115	85	55	0	0	0
Rhygwenith y gaeaf	130	100	70	0	0	0
Haidd y gaeaf	115	85	55	0	0	0
Haidd y gwanwyn	105	75	45	0	0	0
Gwenith y gwanwyn	110	80	50	0	0	0
Rhygwenith y gwanwyn/rhyg	110	80	50	0	0	0
Ceirch	115	85	55	0	0	0

Table 3 - Maximum phosphate for other crops

<i>P-index</i>	<i>0</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5+</i>
Crop						
Forage crops						
Forage maize	115	85	55	20	0	0
Wholecrop cereals	115	85	55	0	0	0
Forage swedes and turnips (lifted)	105	75	45	0	0	0
Fodder beet (lifted)	120	90	60	0	0	0
Forage rape, swedes and stubble turnips (grazed)	85	55	25	0	0	0
Kale (grazed)	80	50	20	0	0	0
Rye-grass sown for seed	90	60	30	0	0	0

Arable crops

(Straw incorporated)	Winter wheat	110	80	50	0	0	0
Winter triticale	125	95	65	0	0	0	0
Winter Barley	110	80	50	0	0	0	0
Spring barley	105	75	45	0	0	0	0
Spring wheat/spring triticale/rye/oats	110	80	50	0	0	0	0

Arable crops

(Straw removed)	Winter wheat	115	85	55	0	0	0
Winter triticale	130	100	70	0	0	0	0
Winter barley	115	85	55	0	0	0	0
Spring barley	105	75	45	0	0	0	0
Spring wheat	110	80	50	0	0	0	0
Spring triticale/rye	110	80	50	0	0	0	0
Oats	115	85	55	0	0	0	0

Hadau olew							Oilseeds						
Rêp had olew y gaeaf	110 80 50 0 0 0						Winter oilseed rape	110 80 50 0 0 0					
Rêp had olew y gwanwyn neu had llin	90 60 30 0 0 0						Spring oilseed rape or linseed	90 60 30 0 0 0					
Pys (sych a dringo) a ffa	100 70 40 0 0 0						Peas (dried and vining) and beans	100 70 40 0 0 0					
Betys siwgr	110 80 50 0 0 0						Sugar Beet	110 80 50 0 0 0					
Tatws	250 210 170 100 0 0						Potatoes	250 210 170 100 0 0					
Llysiau a bylbiau							Vegetables and bulbs						
Merllys (ymsefydlu)	175 150 125 100 75 0						Asparagus (establishment)	175 150 125 100 75 0					
Merllys (y blynnyddoedd dilynol ar ôl ymsefydlu)	75 75 50 50 25 0						Asparagus (subsequent years following establishment)	75 75 50 50 25 0					
Ysgewyll	200 150 100 50 0 0						Brussels sprouts, storage cabbage, head cabbage and collards	200 150 100 50 0 0					
Brwsel, bresych storio, bresych pen a bresych llyfnndail	200 150 100 50 0 0						Cauliflower and calabrese	200 150 100 50 0 0					
Blodfresych a calabrese	250 200 150 100 50 0						Celery	250 200 150 100 50 0					
Seleri	185 135 85 35 0 0						Peas (market pick)	185 135 85 35 0 0					
Pys (cynhaeaf y farchnad)	200 150 100 50 0 0						Broad beans, dwarf and runner beans	200 150 100 50 0 0					
Ffa llydan, corffa a ffa dringo	175 125 75 25 0 0						Radish and sweetcorn	175 125 75 25 0 0					
Radis ac india-corn	250 200 150 100 60 (a) 60 (a)						Lettuce and wild rocket	250 200 150 100 60 (a) 60 (a)					
Letys a dail berwr	200 150 100 50 60 (a) 60 (a)						Onions and leeks	200 150 100 50 60 (a) 60 (a)					
Winwns a chennin	200 150 100 50 0 0						Beetroot, swedes, turnips, parsnips and carrots	200 150 100 50 0 0					
Betys (coch) swêds, maip, pannas a moron	200 150 100 50 0 0						Bulbs and bulb flowers	200 150 100 50 0 0					
Bylbiau a blodau bwlb	175 125 75 25 0 0						Coriander and mint	175 125 75 25 0 0					
Coriander a mintys	175 125 75 25 0 0						Courgettes	175 125 75 25 0 0					
Courgettes	200 100 50 50 0 0						Fruit and vines before planting	200 100 50 50 0 0					
Ffrwythau a gwinwydd cyn plannu	250 175 125 100 50 0						Hops before planting	250 175 125 100 50 0					
Hopys cyn plannu	80 40 20 20 0 0						Established top fruit	80 40 20 20 0 0					

Cyrens duon,	110	70	40	40	0	0		Blackcurrants,	110	70	40	40	0	0
cyrrens cochion,								redcurrants,						
eirin Mair,								gooseberries,						
mafond, mwyar								raspberries,						
logan,								loganberries,						
mafondwyar,								tayberries,						
mwyar duon,								Blackberries,						
mefus a								strawberries and						
gwinwydd								vines						
Hopys	250	200	150	100	50	0		Established	250	200	150	100	50	0
sefydledig								Hops						

(a) Pan fo Mynegai P yn 4 a 5, gellir defnyddio hyd at 60 kg P2 O5/ha fel gwrtraith cychwynnol, yn agos at yr had. Ni ddylai faint o ffosffad a ddodir fel dos cychwynnol, ynghyd â faint a ychwanegir yn y gwrtraith sylfaen, fod yn fwy na faint o ffosffad sy'n ofynnol i gymryd lle'r hyn a dynnwyd gan y cnwd blaenorol.

(2) Caniateir taenu ffosffad ar borfa a chnydau eraill uwchben y gwerthoedd a nodir yn y tablau uchod yn ddarostyngedig i gael cyngor ysgrifenedig ymlaen llaw gan berson sy'n aelod o'r Cynllun Ardystio a Hyfforddi Cynghorwyr am Wrteithiau(1).

Yr wybodaeth ychwanegol sydd i'w chofnodi yn ystod y cyfnod perthnasol

10.—(1) Yn ogystal â'r wybodaeth sydd i'w chofnodi o dan reoliad 7 (yr wybodaeth ychwanegol sydd i'w chofnodi yn ystod y flwyddyn) rhaid i'r meddiannydd—

- (a) cyn taenu tail organig yn ystod y cyfnod perthnasol, gofnodi cyfanswm y ffosffad (kg) sydd yn y tail organig; a
- (b) cyn taenu gwrtraith ffosffad a weithgynhyrchwyd yn ystod y cyfnod perthnasol, gofnodi—
 - (i) faint o ffosffad (kg) sy'n ofynnol (hynny yw, y maint optimwm o ffosffad sy'n ofynnol gan y cnwd llai maint y ffosffad a gyflenwir i'r cnwd ei amsugno o unrhyw dail organig a daenir), a
 - (ii) y mis arfaethedig ar gyfer taenu.

Blackcurrants,	110	70	40	40	0	0	
redcurrants,							
gooseberries,							
raspberries,							
loganberries,							
tayberries,							
Blackberries,							
strawberries and							
vines							

Established 250 200 150 100 50 0
Hops

(a) At P Index 4 and 5, up to 60 kg P2 O5/ha can be used as a starter fertiliser, close to the seed. The amount of phosphate applied as a starter dose, together with the amount added in the base dressing, should not exceed the amount of phosphate required to replace that removed by the previous crop.

(2) Spreading phosphate on grass and other crops above the values stipulated within the tables above is permitted subject to prior receipt of written advice from a person who is a member of the Fertiliser Advisers Certification and Training Scheme(1).

Additional information to be recorded during the relevant period

10.—(1) In addition to the information to be recorded under regulation 7 (additional information to be recorded during the year) the occupier must—

- (a) before spreading organic manure during the relevant period, record the total phosphate content (kg) of the organic manure; and
- (b) before spreading manufactured phosphate fertiliser during the relevant period, record—
 - (i) the amount of phosphate (kg) required (that is, the optimum amount of phosphate required by the crop less the amount of phosphate that will be supplied for crop uptake from any organic manure spread), and
 - (ii) the planned month for spreading.

(1) Gweinyddir y cynllun gan Basis Registration Ltd, a gellir cael rhestr o bersonau cymwysedig drwy wneud cais i'r cwmni, neu ar ei wefan, www.basis-reg.com.

(1) The scheme is administered by Basis Registration Ltd, and a list of qualified persons is available from them on request or at their website, www.basis-reg.com.

Mapiau risg – gofynion ychwanegol

11.—(1) Yn ychwanegol at y gofynion o dan reoliad 11 (mapiau risg), rhaid i'r map risg—

- (a) dangos pob cae wedi ei farcio â rhif cyfeirnod neu rif i alluogi croesgyfeirio at gaeau a gofnodwyd mewn cynlluniau gwrteithio,
- (b) cyfateb i ardal amaethyddol y daliad, ac
- (c) cael ei gwblhau erbyn 31 Mawrth 2024.

(2) Pan fo newid mewn amgylchiadau yn effeithio ar fater y cyfeirir ato ym mharagraff (1)(a) neu (b), rhaid i'r meddiannydd ddiweddar u'r map o fewn un mis i'r newid, gan ddechrau â'r diwrnod ar ôl y newid.

Cynnal y daliad fel daliad glaswelltir cymhwysol

12. Rhaid i'r meddiannydd gynnal y daliad i sicrhau bod o leiaf 80% o'r ardal amaethyddol wedi ei hau â phorfa yn ystod y cyfnod perthnasol.

Cyfnod gwaharddedig ar gyfer aredig porfa ar y daliad

13. Rhaid i'r meddiannydd sicrhau nad yw unrhyw berson—

- (a) yn aredig glaswelltir dros dro ar briddoedd tywodlyd ar y daliad o fewn y cyfnod sy'n dechrau â 1 Gorffennaf 2024 ac yn dod i ben â 31 Rhagfyr 2024,
- (b) yn aredig porfa ar briddoedd tywodlyd cyn 16 Ionawr 2024 ar y daliad pan fo tail da byw wedi ei daenu ar y borfa honno o fewn y cyfnod sy'n dechrau â 1 Medi ac yn dod i ben â 31 Rhagfyr yn y flwyddyn galendr flaenorol, ac
- (c) yn aredig porfa ar briddoedd nad ydynt yn briddoedd tywodlyd ar y daliad cyn 16 Ionawr 2024 pan fo tail da byw wedi ei daenu ar y borfa honno o fewn y cyfnod sy'n dechrau â 15 Hydref yn y flwyddyn galendr flaenorol ac yn dod i ben â 15 Ionawr 2024.

Risk maps – additional requirements

11.—(1) In addition to the requirements under regulation 11 (risk maps), the risk map must—

- (a) show each field marked with a reference number or number to enable cross reference to fields recorded in fertilisation plans,
- (b) correspond with the agricultural area of the holding, and
- (c) be completed by 31 March 2024.

(2) Where a change in circumstances affects a matter referred to in paragraph (1)(a) or (b), the occupier must update the map within one month of the change, beginning with the day after the change.

Maintaining the holding as a qualifying grassland holding

12. The occupier must maintain the holding to ensure at least 80% of the agricultural area is sown with grass during the relevant period.

Closed period for ploughing grass on the holding

13. The occupier must ensure that no person—

- (a) ploughs temporary grassland on sandy soils on the holding within the period beginning with 1 July 2024 and ending with 31 December 2024,
- (b) ploughs grass on sandy soils before 16 January 2024 on the holding where livestock manure has been spread on that grass within the period beginning with 1 September and ending with 31 December in the previous calendar year, and
- (c) ploughs grass on soils that are not sandy soils on the holding before 16 January 2024 where livestock manure has been spread on that grass within the period beginning with 15 October in the previous calendar year and ending with 15 January 2024.

Hau cnydau yn dilyn porfa ar y daliad

14. Pan fo unrhyw borfa ar y daliad yn cael ei haredig yn ystod y cyfnod perthnasol, rhaid—

- (a) hau'r tir â chnwd â galw mawr am nitrogen o fewn pedair wythnos sy'n dechrau drannoeth dyddiad aredig y borfa, neu
- (b) hau'r tir â phorfa o fewn chwe wythnos, sy'n dechrau drannoeth dyddiad aredig y borfa.

Cylchdro cnydau ar y daliad

15. Ni chaiff cylchdro cnydau ar y daliad yn ystod y cyfnod perthnasol gynnwys codlysiâu na phlanhigion eraill sy'n trosi nitrogen atmosfferig ac eithrio porfa sydd â llai na 50% ohono yn feillion, neu unrhyw godlysiâu eraill gyda phorfa wedi ei hau oddi tanynt.

Cofnodi maint y daliad

16.—(1) Rhaid i'r meddiannydd gofnodi cyfanswm yr ardal amaethyddol ac ardal y borfa o fewn y daliad erbyn 1 Mawrth 2024.

(2) Os bydd maint y daliad neu ardal y borfa o fewn iddo yn newid, rhaid i'r meddiannydd ddiweddarau'r cofnod o fewn un mis sy'n dechrau â'r diwrnod ar ôl y newid.

Cofnod o nitrogen a ffosffad a gynhyrchir gan anifeiliaid

17.—(1) Rhaid i'r meddiannydd wneud cofnod o nifer a chategori (yn unol â'r categoriâu yn Nhablau 1 a 2 yn Atodlen 1) disgwyliedig y da byw sydd i'w cadw ar y daliad yn ystod y cyfnod perthnasol.

(2) Yn dilyn y gofynion i wneud cofnod yn is-baragraff (1), rhaid i'r meddiannydd wedyn gyfrifo a chofnodi faint o nitrogen a ffosffad (kg) mewn tail y disgwyliir i'r da byw ar y daliad ei gynhyrchu yn ystod y cyfnod perthnasol gan ddefnyddio Tablau 1 a 2 (fel y bo'n gymwys) yn Atodlen 1.

(3) Rhaid i'r cofnodion sydd i'w gwneud yn unol ag is-baragraffau (1) a (2) gael eu gwneud cyn 1 Mawrth 2024.

Sowing of crops following grass on the holding

14. Where any grass on the holding is ploughed during the relevant period, the land must be—

- (a) sown with a crop with high nitrogen demand within four weeks beginning with the day after the date of ploughing grass, or
- (b) sown with grass within six weeks, beginning with the day after the date of ploughing grass.

Crop rotation on the holding

15. Crop rotation on the holding during the relevant period must not include leguminous or other plants fixing atmospheric nitrogen except for grass with less than 50% clover, or any other leguminous plants that are under-sown with grass.

Recording the size of the holding

16.—(1) The occupier must record the total agricultural area and the area of grass within the holding by 1 March 2024.

(2) If the size of the holding or area of grass within it changes the occupier must update the record within one month beginning with the day after the change.

Record of nitrogen and phosphate produced by animals

17.—(1) The occupier must make a record of the expected number and category (in accordance with the categories in Tables 1 and 2 in Schedule 1) of livestock to be kept on the holding during the relevant period.

(2) Following the record making requirements in sub-paragraph (1), the occupier must then calculate and record the amount of nitrogen and phosphate (kg) in manure expected to be produced by the livestock on the holding during the relevant period using Tables 1 and 2 (as applicable) in Schedule 1.

(3) The records to be made in accordance with sub-paragraphs (1) and (2) must be made before 1 March 2024.

Tail da byw y bwriedir ei anfon o'r daliad

18.—(1) Rhaid i'r meddiannydd—

- (a) gwneud cofnod o fath a maint y tail da byw (tunelli neu fetrau ciwbig fel y bo'n gymwys) y bwriedir ei anfon o'r daliad yn ystod y cyfnod perthnasol, a
- (b) asesu a chofnodi maint y nitrogen (kg) sydd yn y tail da byw a gofnodir o dan baragráff (a) yn unol â rheoliad 36(4) a Rhannau 1 a 2 o Atodlen 3.

(2) Rhaid i'r cofnodion sydd i'w gwneud o dan is-baragráff (1) gael eu gwneud erbyn 1 Mawrth 2024.

Cofnodion o'r cnydau a heuwyd

19. Yn ogystal â gofynion rheoliad 39 (cofnodion o'r cnydau a heuwyd), os yw'r meddiannydd yn bwriadu taenu gwrtraith ffosffad yn ystod y cyfnod perthnasol, rhaid i'r meddiannydd o fewn un wythnos i hau cnwd gofnodi—

- (a) y cnwd a heuir, a
- (b) dyddiad ei hau.

Cofnodion o daenu gwrtraith ffosffad

20. Yn ogystal â gofynion rheoliad 40 (cofnodion o daenu gwrtraith nitrogen), rhaid i'r meddiannydd, yn ystod y cyfnod perthnasol, gofnodi—

- (a) o fewn un wythnos i daenu tail organig, gyfanswm y cynnwys ffosfforws (kg), a
- (b) o fewn un wythnos i daenu gwrtraith ffosffad a weithgynhyrchwyd—
 - (i) dyddiad ei daenu, a
 - (ii) maint y ffosffad a daenwyd (kg).

Cofnodi'r dyddiad aredig

21. Yn ogystal â gofynion rheoliad 41 (cofnodion dilynol), rhaid i'r meddiannydd, yn ystod y cyfnod perthnasol, gofnodi o fewn un wythnos i aredig porfa ar y daliad ddyddiad yr aredig hwnnw.

Livestock manure intended to be sent off the holding

18.—(1) The occupier must—

- (a) make a record of the type and amount of livestock manure (tonnes or cubic metres as applicable) that is intended to be sent off the holding during the relevant period, and
- (b) assess and record the amount of nitrogen (kg) in the livestock manure recorded under paragraph (a) in accordance with regulation 36(4) and Parts 1 and 2 of Schedule 3.

(2) The records to be made under subparagraph (1) must be made by 1 March 2024.

Records of crops sown

19. In addition to the requirements of regulation 39 (records of crops sown), if the occupier intends to spread phosphate fertiliser during the relevant period, the occupier must within one week of sowing a crop record—

- (a) the crop sown, and
- (b) the date of sowing.

Records of spreading phosphate fertiliser

20. In addition to the requirements of regulation 40 (records of spreading nitrogen fertiliser), the occupier must, during the relevant period, record—

- (a) within one week of spreading organic manure the total phosphorus content (kg), and
- (b) within one week of spreading manufactured phosphate fertiliser—
 - (i) the date of spreading, and
 - (ii) the amount of phosphate spread (kg).

Recording the date of ploughing

21. In addition to the requirements of regulation 41 (subsequent records), the occupier must, during the relevant period, record within one week of ploughing grass on the holding the date of that ploughing.

Cyfrifon gwreithio

22.—(1) Rhaid i'r meddiannydd, neu unrhyw berson ar ran y meddiannydd, gyflwyno cyfrifon gwreithio ar gyfer y cyfnod perthnasol i CNC erbyn 31 Mawrth 2025.

(2) Rhaid cyflwyno'r cyfrifon gwreithio i CNC drwy e-bost⁽¹⁾.

(3) Rhaid i'r cyfrif gwreithio gofnodi—

- (a) cyfanswm ardal amaethyddol y daliad mewn hektarau;
- (b) arwynebedd y daliad mewn hektarau a orchuddir gan—
 - (i) gwenith y gaeaf,
 - (ii) gwenith y gwanwyn,
 - (iii) haidd y gaeaf,
 - (iv) haidd y gwanwyn,
 - (v) rŵp had olew y gaeaf,
 - (vi) betys siwgr,
 - (vii) tatws,
 - (viii) indrawn porthi,
 - (ix) porfa, a
 - (x) cnydau eraill;
- (c) nifer a chategori yr anifeiliaid a gadwyd ar y daliad yn ystod y cyfnod perthnasol yn unol â'r categoriâu a ddisgrifir yn Nhablau 1 a 2 yn Atodlen 1;
- (d) maint y nitrogen a'r ffosffad (kg) yn y tail a gynhyrchwyd gan yr anifeiliaid ar y daliad yn ystod y cyfnod perthnasol gan ddefnyddio Tablau 1 a 2 yn Atodlen 1;
- (e) maint (tunelli neu fetrau ciwbig fel y bo'n gymwys), math a nodweddion y tail da byw a anfonwyd o'r daliad yn ystod y cyfnod perthnasol;
- (f) maint y nitrogen a'r ffosffad (kg) yn y tail a gofnodwyd o dan is-baragraff (3)(e), wedi ei gyfrifo yn unol ag Atodlen 1;
- (g) pwysau (tunelli) a chynnwys nitrogen (kg) yr holl stociau gwrraith nitrogen a weithgynhyrchwyd a gadwyd ar y daliad yn ystod y cyfnod perthnasol;

Fertilisation accounts

22.—(1) The occupier, or any person on behalf of the occupier, must submit fertilisation accounts for the relevant period to NRW by 31 March 2025.

(2) The fertilisation accounts must be submitted to NRW by e-mail⁽¹⁾.

(3) The fertilisation account must record—

- (a) the total agricultural area of the holding in hectares;
- (b) the area of the holding in hectares covered by—
 - (i) winter wheat,
 - (ii) spring wheat,
 - (iii) winter barley,
 - (iv) spring barley,
 - (v) winter oilseed rape,
 - (vi) sugar beet,
 - (vii) potatoes,
 - (viii) forage maize,
 - (ix) grass, and
 - (x) other crops;
- (c) the number and category of animals kept on the holding during the relevant period in accordance with the categories described in Tables 1 and 2 in Schedule 1;
- (d) the amount of nitrogen and phosphate (kg) in the manure produced by the animals on the holding during the relevant period using Tables 1 and 2 in Schedule 1;
- (e) the amount (tonnes or cubic metres as applicable), type and characteristics of livestock manure sent off the holding during the relevant period;
- (f) the amount of nitrogen and phosphate (kg) in the manure recorded under subparagraph (3)(e), calculated in accordance with Schedule 1;
- (g) the weight (tonnes) and nitrogen content (kg) of all manufactured nitrogen fertiliser stocks kept on the holding during the relevant period;

(1) e-bost: NotificationENMA@cyfoethnaturiolcymru.gov.uk

(1) e-mail: NotificationENMA@cyfoethnaturiolcymru.gov.uk

- (h) pwysau (tunelli) a chynnwys ffosffad (kg) yr holl stociau gwraith ffosffad a weithgynhyrchwyd a gadwyd ar y daliad yn ystod y cyfnod perthnasol;
 - (i) pwysau (tunelli) a chynnwys nitrogen (kg) yr holl wrtaith nitrogen a weithgynhyrchwyd a ddygwyd i'r daliad ac a anfonwyd ohono yn ystod y cyfnod perthnasol;
 - (j) pwysau (tunelli) a chynnwys ffosffad (kg) yr holl wrtaith ffosffad a weithgynhyrchwyd a ddygwyd i'r daliad ac a anfonwyd ohono yn ystod y cyfnod perthnasol;
- (h) the weight (tonnes) and phosphate content (kg) of all manufactured phosphate fertiliser stocks kept on the holding during the relevant period;
 - (i) the weight (tonnes) and nitrogen content (kg) of all manufactured nitrogen fertiliser brought on to and sent off the holding during the relevant period;
 - (j) the weight (tonnes) and phosphate content (kg) of all manufactured phosphate fertiliser brought on to and sent off the holding during the relevant period.

Mesurau diogelu pridd

23.—(1) Rhaid i'r meddiannydd ddiogelu yr holl bridd drwy sicrhau bod yr holl dir wedi ei orchuddio â chnydau, soflau, gweddillion neu lystyfiant arall bob amser, ac eithrio pan fyddai sefydlu gorchudd o'r fath yn creu risg sylweddol o eryriad pridd a risg sylweddol y bydd nitrogen a ffosfforws yn mynd i ddŵr wyneb.

(2) Pan fo tir wedi ei gynaeafu gan ddefnyddio dyrnwr medi, cynaeafwr porthiant neu beiriant torri porfa, rhaid i'r meddiannydd sicrhau y bodlonir un o'r amodau a ganlyn ar y tir hwnnw bob amser, drwy gydol y cyfnod perthnasol sy'n dechrau â'r diwrnod cyntaf ar ôl cynaeafu ac yn dod i ben â 31 Rhagfyr 2024—

- (a) bod sofl y cnwd a gynaeafwyd yn dal yn y tir, neu
- (b) bod y tir yn cael ei baratoi fel gwely hadau ar gyfer cnwd neu gnwd gorchudd dros dro o fewn 14 o ddiwrnodau i gynaeafu, gan ddechrau â'r diwrnod cyntaf ar ôl cynaeafu, ac—
 - (i) bod y cnwd, neu'r cnwd gorchudd dros dro, yn cael ei hau o fewn cyfnod o 10 niwrnod gan ddechrau â'r diwrnod ar ôl i'r gwely hadau gael ei baratoi yn derfynol, neu
 - (ii) pe bai hau o fewn y cyfnod hwnnw o 10 niwrnod yn arwain at risg sylweddol o erydu pridd, ac o nitrogen neu ffosfforws yn mynd i ddŵr wyneb, fod y cnwd, neu'r cnwd gorchudd dros dro, yn cael ei hau cyn gynted ag y bo'n ymarferol ar ôl i'r tir beidio â bod yn ddyfrlawn.

- (h) the weight (tonnes) and phosphate content (kg) of all manufactured phosphate fertiliser stocks kept on the holding during the relevant period;
- (i) the weight (tonnes) and nitrogen content (kg) of all manufactured nitrogen fertiliser brought on to and sent off the holding during the relevant period;
- (j) the weight (tonnes) and phosphate content (kg) of all manufactured phosphate fertiliser brought on to and sent off the holding during the relevant period.

Soil protection measures

23.—(1) The occupier must protect all soil 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.

(2) Where land has been harvested using a combine harvester, forage harvester or mower, the occupier must ensure that, throughout the relevant period beginning with the first day after harvest and ending with 31 December 2024, one of the following conditions is met on that land at all times—

- (a) the stubble of the harvested crop remains in the land, or
- (b) the land is prepared as a seedbed for a crop or temporary cover crop within 14 days of harvest, beginning with the first day after harvest, and—
 - (i) the crop, or temporary cover crop, is sown within a period of 10 days beginning with the day after final seedbed preparation, or
 - (ii) if sowing within that 10-day period would lead to significant risk of soil erosion, and nitrogen or phosphorus entering a surface water, the crop, or temporary cover crop, is sown as soon as is practicable after the land ceases to be waterlogged.

Lleoliadau safleoedd bwydo ac yfed atodol ar gyfer da byw

24.—(1) Rhaid i'r meddiannydd sicrhau yn ystod y cyfnod perthnasol nad yw safleoedd lle darperir cyfleuster bwydo atodol ar gyfer da byw wedi eu lleoli o fewn 20 metr i gwrs dŵr ar unrhyw dir.

(2) Rhaid i'r meddiannydd sicrhau yn ystod y cyfnod perthnasol nad yw safleoedd lle darperir cyfleuster yfed atodol ar gyfer da byw wedi eu lleoli o fewn 10 metr i gwrs dŵr ar unrhyw dir.

Taenu slyri yn ystod y cyfnod perthnasol

25. Os yw'r meddiannydd yn bwriadu taenu slyri ar y daliad yn ystod y cyfnod perthnasol, rhaid defnyddio cyfarpar taenu manwl ac eithrio pan na fyddai'n rhesymol ymarferol gwneud hynny.

Taenu tail organig ger dŵr wyneb yn ystod y cyfnod perthnasol

26. Rhaid i'r meddiannydd sicrhau nad yw unrhyw berson, yn ystod y cyfnod perthnasol, yn taenu tail organig o fewn 15 metr i ddŵr wyneb oni bai ei fod yn defnyddio cyfarpar taenu manwl ac os felly ni chaiff unrhyw berson daenu tail organig o fewn 10 metr i ddŵr wyneb.”

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Locations of supplementary feeding and drinking sites for livestock

24.—(1) The occupier must ensure during the relevant period that sites where supplementary feeding for livestock are provided are not located within 20 metres of a watercourse on any land.

(2) The occupier must ensure during the relevant period that sites where supplementary drinking for livestock are provided are not located within 10 metres of a watercourse on any land.

Spreading of slurry during relevant period

25. If the occupier intends to spread slurry on the holding during the relevant period, precision spreading equipment must be used except where it would not be reasonably practicable to do so.

Spreading organic manure near surface water during relevant period

26. The occupier must ensure that during the relevant period no person spreads organic manure within 15 metres of surface water unless using precision spreading equipment, in which case no person may spread organic manure within 10 metres of surface water.”

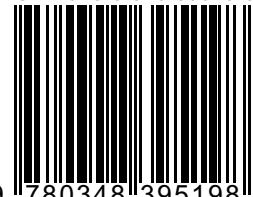
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