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Mr D J Rowlands AC/AM
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Cardiff Bay
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04 September 2018

Dear Mr Rowlands

Petition P-05-809 Proposed New Fishing Bylaws and Failings of NRW

Petition P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance

Thank you for your correspondence, dated and received on 26 July, on the subject of the two petitions referred to above. I apologise for the delay in responding which is related to the absence on leave of key staff.

I note your decision to treat the petitions alongside each other, but that you are seeking a response from NRW regarding the statement from petitioner P-05-810.

First, I'd like to provide some context to the proposals for new fishing byelaws to protect salmon and some sea trout stocks across Wales which I hope you will find helpful in your ongoing considerations. NRW has been discussing options leading to these proposals with stakeholders for the last three years, most recently in a three-month statutory consultation process that concluded in the autumn of 2017.

The salmon and sea trout stocks in our Welsh rivers are important components of our natural resources. NRW, on behalf of Welsh Government and the Welsh people including anglers and nets-men, seeks to protect them to ensure that we maintain our migratory salmonid populations in these times of great pressures on stocks from a variety of sources. We seek to manage stocks sustainably, and thereby to ensure that there is no contribution to any decline in our biodiversity.

Some of the pressures on fish stocks, notably the survival of salmon during the marine part of their life cycle, are extremely difficult to influence. This is because it appears that large-scale phenomena probably related to climate change and its impact on the north Atlantic

environment are at play. The marine survival of our salmon, and all other Atlantic salmon stocks in Europe and North America, is the lowest on record and the Atlantic Salmon Trust are of the view that there has never been fewer maturing salmon at sea than there are today. In particular, the 1 sea-winter (grilse) stock component, which has historically predominated across most of Wales, is now performing extremely poorly and there are now far fewer of such fish in our rivers. Currently the older stock component of 2 sea-winter salmon predominates and is currently faring comparatively better, however over the past two decades this component also performed poorly. It was this that triggered the 20-year period of statutory catch-and-release fishing that is still in place today, but which expires this December when we hope that new measures will replace it. This stock component remains vulnerable.

Further pressure on our stocks was identified when we detected widescale evidence of a failure in the annual spawning of salmon in the winter of 2015/16. Monitored populations were, on average across Wales, the lowest on record by a considerable margin with very substantial declines in some rivers. This will contribute to a potentially very serious deficit in adult salmon numbers from 2019 to 2021. We believe this event to be related to the period of record high flows and, crucially, record high temperatures in many spawning locations which lead to the failure of fish to spawn successfully that year. This event also seems to have affected some trout populations.

These pressures threaten the wellbeing of our fish stocks and it is our view that urgent action is essential to avoid further decline in populations. I believe robust protection is needed for our reserves of spawning salmon and sea trout to protect the resource for the future.

It is also essential we take all required other actions to ensure that our rivers are in optimum physical and chemical condition. In this way we can ensure maximum survival of fish from spawning to the stage at which they leave our rivers to go to sea.

There are many factors involved, from water quality to the physical condition of our rivers, and NRW is active across all of these. Notably recently our work with the Wales Land Management Forum sub-group on agriculture, chaired by NRW Board member, Zoe Henderson, and our new commitment to river restoration plans across Wales.

Moving now to the document - **P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance – Correspondence from the petitioner to the Committee, 27.06.18** – NRW makes the following observations.

1. This paper by Mr Woodford sets out issues that have previously been raised by him, and others, which we've tried to address over the past 6 months in correspondence with stakeholders directly.

I agree with the overall goal to work constructively together, with Welsh Government and partner organisations, on a way towards restoring the sustainability of our fish stocks. For us this means ensuring no further deterioration in stocks, seeking to ensure no further decline in biodiversity, and working towards sustainability under

which fish stocks might once again be sufficiently resilient to support catch-and-kill fisheries – a sustainable harvest.

I'd like to highlight that our proposals maintain an acceptable take for fish stocks where they are sustainable, such as the Dee and Dyfi sea trout stocks, but seeks to ensure that non-sustainable exploitation of our salmon and some sea trout stocks does not take place to allow for stocks to recover. This is the role of NRW and represents our response to the requirements placed upon us by Welsh Government, for example in assuring the sustainable management of natural resources.

2. Mr Woodford suggests that NRW's proposals are not based upon sound evidence. Our technical evidence base which supported the proposals to WG for new controls can be found here. <https://cdn.naturalresources.wales/media/684367/technical-case-structure-final.pdf?mode=pad&rnd=131654078130000000>

You may also be interested to know that, at the request of WG, NRW submitted our technical case to Cefas (Centre for Environment, Fisheries and Aquaculture Science - an executive agency of the UK Government Department for Environment, Food and Rural Affairs) for review. Cefas responded as follows:

“The technical case makes a compelling case for further urgent conservation action to help arrest the decline in the status of salmon stocks, and to a slightly lesser extent sea trout, and to help restore stocks to healthier and more sustainable levels. The report recognises that both species are facing a wide range of environmental factors and stressors which are constraining productivity and stock status (and details some of the ongoing actions being made to address these). For salmon, the ongoing issues associated with poor survival at sea are a key concern and highlight the continued importance of ensuring that conditions in freshwater are optimised.”

We agree with Mr Woodford's sentiments that angling groups and organisations are important stakeholders with whom we wish to work closely. We currently have regular liaison with the Local Fisheries Groups across Wales and to complement this we are, this autumn, putting in place a Wales Fisheries Group so that we have even stronger links with key stakeholders and partners in Wales.

3. Mr Woodford notes some matters discussed at an “Angling Advisory Group” meeting held on 19th June. This meeting was held to discuss ways to increase the uptake and success of voluntary catch-and-release fishing. Neither Mr Woodford nor I were present, although close colleagues of Mr Woodford were. He observes that:
 - (i) in England it is likely that only ‘At Risk’ rivers will be proposed for statutory catch-and-release fishing, and not those that are ‘Probably at Risk’.

NRW understands that this is likely to be the outcome in England, but we observe that the status of salmon stocks in Wales is worse than that in England. In Wales 8 of the 23 principal salmon rivers are projected to be 'At Risk' whilst another 9 (3 of which are designated under the Habitats Directive, partly for the presence of salmon) are 'Probably at Risk' and in ongoing decline. Of the remaining 6, 3 are also 'Probably at Risk' but are currently not declining further whilst 3 are 'Probably Not at Risk' (the latter are the Severn, on which the Environment Agency takes the management lead; the Wye, where existing statutory catch-and-release measures are in place; and the Usk where significant concerns for juvenile salmon populations warrant inclusion of this river in our current statutory proposals).

NRW is also very clear that other legislative requirements in Wales relating to the Environment (Wales) Act and the Wellbeing of Future Generations (Wales) Act must also be considered in our proposals.

- (ii) Mr Woodford suggests that there is a "... rejection of any form of voluntary solution...". NRW and its predecessors have promoted a voluntary approach to full catch-and-release fishing for more than 10 years in the hope that we would have seen an improvement in the status of these species. Although there was an early and very laudable response by most anglers, there remains a minority who continue to kill fish.
- (iii) Mr Woodford's view is that fishing is important for the future health and prosperity of some local communities. Our view is that health and prosperity into the future relies on sustainability of the natural resource and that whilst they are clearly unsustainable, all efforts must be to protect the depleted spawning reserves whilst taking action to restore the environmental health of our rivers.
- (iv) Mr Woodford refers to a statement attributed to a member of my staff about there being no further debate on the proposed byelaws. I've included below the link to the press release we issued following a pragmatic decision to delay implementation of any decision by WG until 2019, so you can see what we said and understand the full context.

<https://naturalresources.wales/about-us/news-and-events/news/proposed-salmon-byelaws-to-be-postponed-until-2019/?lang=en>

We were trying to be very clear that whilst we had already submitted our evidence-based proposals to WG for affirmation we were mindful of the impact the uncertainty during the period of decision by WG could cause, so agreed to

delay any implementation of the decision until 2019 so that licence holders wouldn't be facing a change in requirements mid-season.

4. We agree with Mr Woodford's points that much work is required to restore "resilient environments" in our rivers. We have been delivering on this for many years, with many kilometres of river habitats once more accessible due to new fish passes, removal of barriers to fish migration and in better quality due to habitat improvements. This has been possible due to close partnership working with rivers trusts and securing of funding from various sources to implement such works. There has been no denial of opportunity for potential partner bodies to work in partnership to deliver these outcomes although, as always, some organisations have been more active and successful than others in securing investment funds.

Effective communication is always key to achieving strong partnership working in areas such as fish habitat improvement. There has been a variable performance around Wales, and NRW acknowledges that more can be done. With this objective NRW is committed to:

- Maintaining our existing network of nine Local Fisheries Groups covering the whole of Wales;
- Commissioning a new All-Wales Fisheries Group. NGOs (non-Government Organisations) and other partners have been approached and have agreed to contribute to this group that we hope will raise, at a strategic level, the issues that need to be addressed to secure sustainable fisheries in Wales;
- Continuing our work on River Restoration plans and implementing agreed options to improve river condition;
- Commissioning a "task and finish" group to review the issues around fish-eating birds in Wales. The first meeting with all relevant NGOs was well-received, and further work is scheduled for the autumn;
- Initiating a new 'Angling Promotion' group. We have recently met with key bodies including Visit Wales, Sport Wales, Afonydd Cymru, Angling Cymru, the Angling Trust and others to explore how we might help angling groups to promote their fishing opportunities to new visitors (while not compromising the underlying need for careful conservation of salmon and sea trout stocks). We will be taking this forward in partnership shortly.

I hope that this is clear evidence of our commitment to continue working with partners and to demonstrate the wide range of work underway to restore fish habitats and wellbeing. In our view a fundamental part of this is that we ensure that we maximise our spawning reserves at these critical times for our iconic salmon and sea trout in Wales.

I sympathise with some points made by Mr Woodford on behalf of his petition signatories, however it is our view that difficult decisions need to be made at this critical juncture to improve our salmon and sea trout populations. I would refer the committee to the outcome on the River Wye where, against the will of many stakeholders, NRW's predecessor body

consulted on and introduced a 10-year period of statutory catch-and-release fishing alongside other exploitation controls and habitat improvements. Today, there are more salmon anglers and the prospects for the stocks have greatly improved. The Wye salmon stock is projected to be 'Probably Not at Risk' by 2022. I appreciate that the Wye is somewhat different to other rivers due to its size and the past robust achievements on fish habitats, nevertheless it is a good case for what can be achieved if difficult decisions are taken at the appropriate time and collaborative approaches are undertaken.

Finally, you may have noted that the Cabinet Secretary has taken the decision to refer this matter to a Local Inquiry. I do not yet know the precise arrangements for this, however NRW is happy to set out its evidence and proposals to the Inquiry.

NRW remains committed to helping your committee in its work. If I can do more to support you, please do let me know.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Clare Pillman', with a horizontal line underneath.

Clare Pillman
Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales