

Ray Lockyer
By email: raylockyer@sky.com

12th December 2017

Dear Mr Lockyer

REPRESENTATIONS MADE TO STATUTORY CONSULTATION: NRW PROPOSALS FOR NEW ROD AND NET FISHING BYELAWS IN WALES (EXCLUDING CROSS-BORDER RIVERS)

Thank you for your response to the NRW statutory consultation on proposed new fishing byelaws in Wales. We have liaised with many fisheries stakeholder groups on these difficult matters over the past 2 years prior to this consultation and we value the advice and comments we received. These helped us to formulate the proposals that have been the subject of the recent consultation.

If you wish to respond to this letter, please do so as soon as possible, and by 31st December 2017.

We invite you to withdraw your objection on the basis of the further information in this letter, however if we do not hear from you by the above date we will assume that you wish your objection to remain in place.

This letter refers to your representation on either the net or rod fishing byelaw proposals (or both), i.e. not the cross-border rivers (Dee and Wye) byelaw proposals which are the subject of a consultation currently ongoing until February 5th.

Please note that If you have submitted a representation that you also wish to be considered within the cross-border consultation, we will have already sought your confirmation for that to happen.

The proposals for Wales (excluding the cross-border rivers Dee, Severn and Wye) were published, together with associated documents, on 22nd August and the consultation lasted for 12 weeks before closing on 14th November. We received 549 representations to our proposals and we are now in the process of reviewing and responding to all those who provided contact details. We will also provide a response to representations made anonymously, or without sufficient contact details, through a statement that will be published on our website.

This letter now provides our response to your representation and seeks to cover the points that you have made.

We believe you have raised points relating to

- Nets
- Heritage
- Catch and Release from nets
- Evidence – catch statistics
- Water quality
- Water quantity
- Predation
- Enforcement and resources
- Bag limits and tags
- Catch and Release
- Trebles

If we have inadvertently omitted any matter you might have raised within your representation, please let us know (contact details are provided at the end of this letter) or alternatively refer to our website where you will be able to find responses to the full range of issues raised.

We note your point 8 about adequate resources to protect fisheries.

Our responses to the issues you have raised are as follows.

There's no place for netting whilst stocks are 'at risk'.

Only sustainable stocks may be fished without any over constraint or limitation.

Our approach is that we urgently need to reduce exploitation to zero for salmon whilst stocks are 'At risk' or probably 'At Risk'

The total catch of salmon by Welsh nets is low, and on average over the last 5 years is less than 200. The net fisheries mainly target sea trout of which the average catch is around 1,600.

Whilst we also have concerns about many of our sea trout stocks they are not presently as vulnerable as those of salmon, and therefore some harvest can take place. However, many need to be restored to sustainability and so some control is required.

In considering our overall approach, we have attempted to treat both rod and net fisheries equitably.

We have proposed measures to contribute to a return to sustainability. Under these:

- a. all salmon are to be released
- b. the delay in season opening until 1st May will protect early running generally larger multiple spawning sea trout. Salmon which would have been caught and released will not now be caught at all.
- c. all netting will cease on 31st July, after which the catch of salmon has been generally similar to the low number of sea trout caught.

Closing both rod and net fisheries is an option we have considered; however, we are mindful to maintain the socio economics associated with these fisheries.

Heritage net fisheries

NRW recognises that some ancient fishing methods may represent traditional activities and therefore have heritage value. These fisheries include the well-known coracle net operations on the Tywi and Teifi, but also the Cleddau compass nets and the Black Rock Heritage lave net fishery near Chepstow. This view has been supported in a report commissioned by the Environment Agency

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290639/scho0904bidf-e-e.pdf)

and has previously received some support from Welsh Government.

NRW believes that clarity is required on the heritage value of fisheries in Wales, and will continue to seek this. This is also justified by the ambition to maximise the economic value of fish stock resource in Wales.

C&R of fish from nets is a nonsense, survival will be very low.

If handled appropriately survival of fish caught in nets can be high.

Salmon and sea trout used in tracking studies on the Tywi and Dee in the 1980's and 1990s were caught by licenced nets men in the estuary. These fish survived and were tracked throughout the river system to the spawning season commenced.

It has been suggested that coracle fish are 'gilled' and won't survive. However, coracle nets are more similar to trammel or tangle nets designed to tangle around the fish. As such the risk of injuries are less, but there is still a risk of suffocation associated with the operculum being covered, if the fish is not retrieved quickly.

Once a fish is in the net, it is retrieved to the coracle, and is not left in the net where it may become meshed and might suffocate.

Recent published studies suggest a mortality rate of 24% for Pacific salmon from tangle net fisheries with reported similar mesh sizes from the Western United States. A 95.4% immediate survival and 80.1% long term.

It is also important to note that some of the coracles and seine nets have been practicing C&R since the introduction of the National Spring Salmon Byelaws in 1999, from which a number of net fisheries were exempted. This is an important precedent, and we have no evidence to suggest that C&R fishing has been unsuccessful. We also have no observations of fish mortalities, either immediately within nets or through fish succumbing to their injuries later in fresh water.

Evidence - catch statistics are unreliable

The number of rod licencees submitting a return from 2010 to 2014 has averaged around the 60% mark. This has declined over the past decade or so and NRW is working with the Environment Agency to consider how this might be addressed.

In using these returns to assess compliance with Conservation Limits we are of course aware they are incomplete, and we therefore raise the declared catch figure to account for under-reporting. This process includes adjustments for returns from different types of licence holder. For example, anglers who purchase more than one short-term licence but make only one catch return, and junior licencees who catch very few fish.

Accounting for the catch contribution of different types of licence holder, a national catch correcting factor of 1.1 (raising the declared catch by 10%) has been devised and used to raise the declared

rod catch since the mid-1990s. Additional adjustments have been applied in the last couple of seasons to account for reporting issues linked to the on-line catch recording system. The latter have resulted in a revised overall catch correction factor of approximately 1.3.

Not all types of licence carry equal weighting for adjustment and hence the apparent problems represented by a low catch return is not as great as it seems. It is routinely corrected for in the assessment process.

We would refer you to Question 2 on the FAQ sheet:-

<https://naturalresources.wales/media/682256/faqs-english-final.pdf>

This provides more information on the value of catch statistics to stock and fishery assessment (we note that England and Wales has one of the best catch recording systems in Europe) and the need to maintain the quality of catch returns into the future.

Evidence -Catch stats are poor and will get worse

National systems operate for the collection of catch statistics across England and Wales. These include: -

- i. for net fisheries, a logbook and carcass tagging system introduced in 2009 to control the sale of illegally caught fish and
- ii. for rod fisheries, a single national licence and catch return and reminder system operating in a largely consistent manner since 1994.

Both systems replaced a series of regional and river based systems of variable quality – some of which extend back to the 1900s or even earlier.

When assessing compliance with Conservation Limits, declared rod catches have been raised to estimate total catches on each river. In most years, a (national) catch declaration rate of ~90% (a correction factor of 1.1) has been applied for this purpose, although higher correction factors (~1.3) have been used in the last couple of years to account for reporting issues linked to the on-line catch recording system. These correction factors are a different value to the ~60% of rod licence holders that make a catch return each year - because not all types of licence holder (e.g. full, short-term, junior) carry equal weighting in rod catch reporting.

On this basis, catch statistics are considered to provide good indicators of the numbers of adult salmon and sea trout returning to our rivers. This is further evidenced by:-

- i. the common patterns present in sometimes disparate catch records collected over many years, and
- ii. the strong relationships that exist between rod catches and fishery-independent estimates of run size obtained on our rivers with traps or counters.

As such catch records can and do provide unique historical insight into the abundance and composition of salmon and sea trout stocks (e.g. required to explore and understand the effects of long-term processes – such as climate change – which may play out over decades). They are also clearly vital to current stock assessment procedures.

It is important however that our catch recording systems are regularly scrutinised and adequately resourced to maintain the quality of the catch statistics we collect. This routinely happens. We recognise a risk that if stocks continue to decline, or if anglers become more reluctant to submit their catch data, the quality of that data (on which our stock assessments are so dependent) would deteriorate. To address this, and to strengthen the evidence base which underpins our assessments and subsequent decision making, we and others (the Environment Agency, Cefas and ICES) are

exploring ways to improve our assessment procedures - including making better use of juvenile electrofishing data as a catch-independent source of information.

Water quality – pollution from agriculture

You raise the issue of water pollution from agriculture in your representation. I would refer you to the technical case supporting our proposals (<https://naturalresources.wales/media/682258/technical-case-structure-final.pdf>), in which, on page 70, we cover this issue together with other related environmental issues that might be constraining fish stocks.

NRW takes the recent examples of water pollution arising from agriculture very seriously, and indeed has always done so. Recent incidents, primarily arising from slurry management, have featured prominently in the media and this has raised the profile of the Wales Land Management Forum sub-group. The group consists of farming unions and other representatives, Welsh Government and NRW and is chaired by a NRW Board member (Zoe Henderson). It represents a multi-stakeholder co-production approach (including representation from fisheries interests) to address a range of agricultural pollution problems. The forum is focussing on key areas including better advice, better regulation and promotion of innovative approaches to key areas of agriculture.

Members of the sub-group have successfully bid for additional resources to be allocated under the Welsh Government's Farming Connect programme. The immediate intention is to focus on preventing agricultural pollution in 25 catchments deemed to be at greatest risk. Evidence from both NRW and Welsh Water is being used to develop and deliver bespoke frameworks of information provision and support for farmers, including workshops, farm visits, one-to-one advice clinics and signposting to the relevant investment measures. At the same time, a new national campaign will encourage all farmers to think about how they plan and invest to prevent pollution from happening. The initial Farming Connect bid is now being worked up by Welsh Government's contractors ('Menter-a-Busnes') with a view to starting work on the Delivery Plan as soon as possible.

The work of the sub-group is set to continue into 2019 and probably beyond as further work on the new Farming Connect delivery plan progresses together with investigation of the role of Farm Assurance schemes, and exploration of new regulatory approaches such as that now being pioneered by the Food Standards Agency.

NRW believes this is a substantive expansion of the focus on risk associated with agricultural activities, with a clear intention to improve the environmental quality of our rivers. Although the current focus is especially relevant to south-west Wales, newly-developed principles will apply across Wales.

Sewage pollution

The periodic review of water industry prices is determined every 5 years by OFWAT. This determines prices charged by water utilities to finance service delivery and compliance with national legislation and European Directives. In the past this process has seen significant improvements to water quality. The current round will facilitate new ways of working as set out by Welsh Ministers on the well-being of Future Generations Act 2015, and the Environment (Wales) Act 2016. This will include attention to water industry assets that cause water quality problems in our rivers, and utility assets that might represent barriers to fish migration (of most relevance in South Wales valley rivers).

Water quantity - water abstraction

You are aware of the outcome of the Habitats Directive Review of Consents on the Usk, having been closely involved with this over the past few years. This process has also been followed on all other Natura 2k rivers across Wales.

A number of concerns have been raised in this process around abstraction and its potential impact on salmonids.

A Restoring Sustainable Abstraction (RSA) programme was set up to solve environmental risks or problems caused by licensed water abstractions in order to meet the requirements of environmental legislation, including the EC Habitats Directive and the Countryside and Rights of Way Act (2000). NRW (and predecessor bodies) has worked with abstraction licence holders through the RSA programme to reduce the amount of water taken from the environment, and to enable a conclusion that any abstraction licence does not compromise site objectives. We have also worked with licence holders through this programme to prevent and reduce damage to the environment in other ways, such as by:

- Seeking alternative solutions that use water more efficiently and less harmfully.
- Ensuring only water that is needed may be taken. This prevents damage to the environment, for example by removing risk to designated sites.
- Placing conditions on licences that allow water to be taken at times when it is least likely to harm the environment.
- Working with other organisations and local groups to solve abstraction-related problems.
- Restoring physical processes, for example through gravel management and habitat improvement.

Under the RSA programme we:-

- identify, investigate and work to solve environmental risks or problems caused by unsustainable licensed water abstraction across Wales.
- consider the level of environmental impact abstractions are causing or could cause.
- work with all abstractors whose abstractions may be having an environmental impact, to find effective solutions.

The changes we are making will restore water levels in rivers, streams, lakes, wetlands and marshes. They will improve wildlife habitats and protect endangered species. They will also provide more opportunities for recreation.

Investigations under the RSA programme have helped us identify improvements that will contribute to meeting the UK's objectives under the Water Framework Directive (WFD). This came into force in December 2000 and became UK law in December 2003.

RSA contributes to work improving WFD water bodies where ecology may be at risk due to unsustainable abstraction. Water in rivers, estuaries, coasts and aquifers will improve under measures set out to deliver the WFD such as in our River Basin Management Plans.

Under the Habitats Directive we are required to ensure that we do not consent to an activity within our remit which adversely impacts (or carries a risk of adverse impact) on the integrity of a European designated site. To ensure all existing abstraction licences are compliant, we undertook a process referred to as the Habitats Directive Review of Consents.

When a licence change is needed, it is done through either a voluntary change (section 51 of the Water Resources Act 1991), or a compulsory change (section 52 of the Water Resources Act 1991).

RSA progress

Since 2008, the RSA programme, has prevented damage (or the risk of damage) to 12 HD sites in Wales. Over 40 abstraction licences have been modified or revoked to reduce risks of impact to the environment. Licence variations have included adding hands-off flow conditions, confirming requirements for abstractions to be screened to prevent fish entrainment, and reducing abstraction volumes. These changes benefit the following designated rivers: Dee, Wye, Usk, Teifi, Tywi, Gwyrfai and Eastern and Western Cleddau.

Variations to a small number of licences are still being progressed to meet the requirements of the HD and should be modified under the RSA programme by 2020.

Through working with licence holders we have also made changes to several licensed abstractions affecting non designated/local sites to restore sustainable abstraction. These have involved changes such as reducing abstraction and some civil engineering solutions. We continue to investigate abstractions through the RSA programme to determine whether they will require licence changes.

The Rivers Wye and Usk are both designated under as SACs largely for their assemblage of migratory fish, particularly salmon, shad and lamprey species. The rivers and many of their tributaries also support UK Biodiversity Action Plan (BAP) species, many of which are at risk from abstraction. These include otter, water vole, twaite and allis shad and many others

The Usk and Wye Abstraction Group was established a number of years ago to progress protection of the sites, largely under the Review of Consents (RoC) process. The members of the Group includes Dŵr Cymru Welsh Water (DCWW); Wye & Usk Foundation; Canal & River Trust and Severn Trent Water. The group has been working with NRW and the Environment Agency to explore the optimum solution that would provide the best available environment for the rivers and their protected species and habitats, whilst minimising the impact on water company supplies and allowing the Monmouthshire and Brecon canal to remain open as much as possible. A number of abstraction licences have been varied under the RoC process in these two catchments to protect the sites.

The improvements being progressed for the rivers Wye and Usk include:

- increasing releases from reservoirs to support abstractions at low flows
- extra reservoir releases during and after spates to reinstate natural flows and encourage fish migration
- reductions in abstractions
- less daily river level fluctuations from abstraction

The same principles have been applied to other designated sites in Wales.

Predation

We note that you raise the issue of predation in your representation. I would refer you to the technical case supporting our proposals (<https://naturalresources.wales/media/682258/technical-case-structure-final.pdf>), in which, on page 77, we cover this issue together with other environmental issues that might be constraining fish stocks.

Predation on our fish is of course a natural phenomenon. For example, predation at sea by dolphins and sharks is known to occur and the quantitative impact of this is included within our marine survival estimates from the index River Dee in North Wales. Predation also occurs in our rivers, for example by otters, however it is generally the emotive issue of predation on young salmonids by cormorants and goosanders that concerns fishermen.

As we note in our technical case:-

We recognise that there is considerable concern by many anglers and fisheries interests that both cormorants and goosanders are damaging our fish stocks through direct and unsustainable predation.

We have a duty under section 6(6) of the Environment Act 1995 to maintain, improve and develop fisheries for salmon, trout, eels, lampreys, smelt and freshwater fish and, in particular:-

- to ensure the conservation and maintain the diversity of freshwater and migratory fish, and to conserve their aquatic environment
- to enhance the contribution migratory and freshwater fisheries make to the economy, particularly in remote rural areas and in areas with low levels of income
- to enhance the social value of fishing as a widely available and healthy form of recreation

We are also the species licensing authority in Wales, and therefore we determine applications received from fisheries interests for licences to shoot birds which damage fisheries. The legal background to this is found in the Wildlife and Countryside Act 1981 (Section 16 (1) (k)).

As NRW is an evidence based organisation, we seek to ensure that our strategies, decisions, operations and advice are underpinned by sound and quality-assured evidence. We recognise that it is critically important to have a good understanding of our changing environment.

Our procedures for dealing with licence applications is set out on our website:-

<https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/bird-licensing/?lang=en>

where all appropriate documentation may be found. The application form requires evidence from the applicant on the number of birds present and the non-lethal deterrent methods currently in use together with an estimate of the economic impact on the fishery in question (e.g. fish losses, lost income from permit sales, etc.).

Our position is that licences to shoot piscivorous birds are granted as an aid to scaring in order to ensure that birds are deterred from feeding at the fishery in question. We have encouraged applications to be made on a large geographic scale, such as whole river catchments, to maximise the effect of deterrent measures at a broader scale. Our fisheries officers work with fisheries interests to help advise on how to conduct surveys to collect evidence of bird numbers, how to help protect fish from predation by habitat manipulation, the range of methods available for deterring birds, and the application process itself.

We are well aware of the contentious nature of this subject. Informed by published evidence on the potential scale of avian predation in some locations, NRW has initiated a review of the subject and of its roles and responsibilities. This will include consideration of the statutory protection and designations of both birds and fish, and the action we must consider to discharge our duties.

Enforcement - Illegal fishing

Many people have raised the issues of enforcement, mainly referring to the resources available to NRW to undertake this work.

The term illegal fishing is broad, covering many activities ranging from organised illegal netting to unlicensed rod and line fishing by a single angler. We take a risk based approach to our enforcement work, focussing on the activities which present the biggest threat to our wild fish stocks. In recent years, we have successfully taken several prosecutions for netting and the use of illegal instruments which have the capability to take large numbers fish.

The present conservation status of salmon and sea trout means that any illegal fishing with the capacity to catch several fish represents a substantial threat for those species. Intelligence, incident reports and past and recent cases show that there is a level of illegal activity taking place across Wales. However, we contend that the level of this activity is significantly less than in the 1980s and 1990s.

Our team of Fisheries Enforcement Officers are passionate, proactive and committed to tackling the problems which remain, but are heavily reliant on information from the public in alerting them to the various forms of illegal activity taking place. Unfortunately it is still the case that many suspicious activities are still not reported to our hotline, and we would remind everyone of the importance of doing so.

Enforcement resources

In 2017, the staff resources available to us was the equivalent of 16.4 full-time officers delivering fisheries enforcement across Wales. This compares to approximately 60 such officers in the early 1990s, although their work then was more diverse and included other fisheries work.

NRW, along with the wider public sector, has been subject to significant financial pressures which have impacted on the delivery of all services funded by Government Grant-in-Aid. This includes fisheries enforcement. We realise that our stakeholders would like to see more bailiffs patrolling the coastline and rivers of Wales. The reality is we are unlikely to return to the numbers of decades' past. However, the way we target our effort is evolving, and we are making the best use of the resources available. We identify and review the key risks to our fish stocks regularly and adapt our work to address them applying a consistent response across Wales.

In early 2018 we will be providing training to warrant a further four staff under SAFFA. These officers will not be solely focussed on fisheries matters, but will provide resilience and contribute to succession planning of for this area of work.

We have, and will continue to explore ways of disrupting illegal activity and working better with partners such as the Police and Welsh Government. Upon apprehending those committing fisheries crimes, we will use our powers to prevent and deter further offending.

Inability to enforce new regulations

NRW wants to create a fair environment for legitimate anglers and net licence holders. We invest resource in checking rod licences and compliance with byelaws. We recognise that some anglers without licences are likely to be ignorant of the byelaws designed to protect, preserve and improve fish stocks, therefore presenting an increased risk to the survival of our vulnerable species.

Ensuring those active in our net and rod fisheries comply with byelaws is one of our key fisheries enforcement priorities. Reports of illegal activity relating to the proposed new exploitation control measures have already been identified as constituting a 'high' level incident meaning that wherever possible we will respond to these occurrences. We will take a robust approach where byelaws have been contravened resulting in the loss of, or likely loss of migratory fish. In addition, we will ensure that we utilise our communication tools to promote our work as we recognise that this can provide a significant deterrent to anyone considering illegal activity.

Bag limits and carcass tags Why are we not proposing bag limits?

Bag limits can in some circumstances help to ensure our fish resources remain sustainable for future generations. However, while bag limits assist in sharing the resource, the evidence suggests that none of our salmon stocks are currently in a state to sustain any harvestable surplus.

It would be difficult to issue tags with the current rod licence system which covers England and Wales, and we would need to consider a separate system.

Issuing a single tag would give the impression that stocks were sustainable and there is a surplus of spawners. We do not believe that any of the salmon stocks currently have a harvestable surplus and therefore a bag limit of even one fish would not fulfil our commitments and objectives.

Introduction of a bag limit can give the impression that there is an acceptable take or harvest of fish and create a target to aim for, potentially therefore encouraging more fish to be killed.

We note that Ireland has an often-quoted carcass tagging scheme. Ireland has a classification system based on an annual review that designates rivers as:

1. Open for fishing
2. Fisheries open to Catch and Release fishing only
3. Rivers that are closed to fishing

Bag limits and tags are only issued for 'Open rivers'.

On rivers where catch and release is permitted

- anglers may not use worms,
- anglers must use single, barbless hooks,
- the fish must be handled carefully and should not be removed from the water prior to release.

On "Closed rivers" angling for salmon and sea trout is prohibited.

The Regulations also prohibit the use of worms, prawn, shrimp or any other crustacean or artificial forms thereof as bait and any fish hooks other than single barbless hooks.

We would suggest that none of the rivers in Wales would meet the 'Irish' criteria of being open and would probably be classed at Category 2 - Fisheries Open to Catch and Release only – with commensurate method restrictions to improve the survival of released fish.

The Benefits of C&R

ICES (2009) report that C&R recreational fisheries provide an intermediate management strategy between a full retention fishery and fishery closure for populations that are below target levels. C&R fisheries would be expected to result in population sizes that are higher than those in a full retention fishery.

The evidence we have suggests that if fish are caught and handled according to good practice guidelines, most of them will survive. Carefully releasing fish rather than retaining them can therefore make a real contribution to conservation.

Trebles

We note your point raised on 'stockists of lures, we have written to the majority of tackle shops in Wales briefing them on the consultation. A very recent scientific review on the subject of hook patterns and C&R survival (Lennox et al, 2017), quoted in the Technical Case (where the full reference is provided): '*Physical injury caused by hooking is the most important predictor of post-release fisheries mortality*'.

The use of fewer hooks, or single hooks generally, reduces the potential injury and unhooking times. Treble hooks, and particularly when more than one set of hooks is used on lures, are likely to represent the greatest risk of injury in deeply hooked fish. To reduce both the risk of injury and delay in release in order to reduce post release mortality we maintain that prohibition on the use of trebles will substantially improve C&R survival and embed accepted good practice. It will of course help reduce the risks to juvenile fish often accidentally hooked whilst targeting adult salmon and sea trout.

We refer you to the Technical Case for more information (pages 115-118).

You will have noted that, taken together with the ongoing consultation on proposed byelaws for the cross-border rivers (Dee and Wye), NRW is proposing statutory C&R fishing for salmon across the whole of Wales (including maintaining existing C&R measures on the Wye). One suggestion made by many is that river-specific measures should have been promoted. However as noted in the Technical Case, 20 of the 23 principal salmon rivers in Wales are assessed as either 'at risk' (8 of 23 rivers) or 'probably at risk' (12 of the 23 rivers) of failing to achieve their targets until at least 2021. The exceptions to this are the Usk, where serious risk has been identified for juvenile salmon, the Wye (where an existing package of measures is already in place) and the Severn (for which the Environment Agency take the management lead, with proposals from them anticipated in January). We are therefore responding to the broad extent of failing rivers across Wales in arriving at our proposed set of measures. All 21 of our rivers (excluding the Wye and the Severn for reason noted above) are performing poorly. It is also logical to assume that salmon stocks in the smaller non-principal salmon rivers are also performing poorly and we have therefore extended our proposals to these rivers. A river-specific approach has therefore identified the same concerns across Wales and this has resulted in a consistent set of management proposals.

We have demonstrated that we are prepared to consider river-by-river differences in our proposals for sea trout, where 6 rivers are excluded from the early season statutory C&R proposals as their stock vulnerability is considered to be low.

Next Steps

We are in the process of responding to all those for whom we have sufficient contact details. We have analysed the issues and points raised and have taken account of all proposals for refinement and change to the proposed measures. This will inform our report on the consultation which we will place on our website.

Once we have a final proposal for new byelaws, which may either be those advertised or an amended version as a result of representations received, we will at the next opportunity seek the approval of the NRW Board to apply to the Welsh Government Cabinet Secretary for confirmation. The Cabinet Secretary may, after due consideration, approve our application or may decide to approve with amendments required by Welsh Government, or may decide not to approve the proposals.

Once we have a decision we will publicise this as soon as practicably possible, together with catchment summaries of the implications of the new measures.

I am sure that you will agree that the health and sustainability of our important stocks of salmon and sea trout must be the important focus of our efforts. This is a good example of our statutory roles as set out by Welsh Government in their Natural Resources Policy :-

<http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/natural-resources-policy/?lang=en>)

Although our consultation has focussed on the protection of adult fish during their migration to spawn and re-populate rivers with their progeny, it is the environmental conditions in the river that must be the focus of our efforts going forwards. Saving fish so that they may spawn only makes sense if the conditions in the river are of sufficient quality for survival of their progeny. Our ambition must be for each river to be optimised for smolt production (thereby securing benefit and the wellbeing of all fish species and other river fauna). NRW takes this extremely seriously and has been greatly dismayed by the well-publicised pollution incidents that have damaged populations of young fish. I hope you will see in our response to the concerns expressed in the consultation process, and in our future action, that NRW is actively addressing these matters using the resources available to us. Anglers will be key partners among those who scrutinise what we do.

The measures we are proposing are a key part of the strategy which is to safeguard and maximise the numbers of fish that survive to spawn. This action will safeguard these iconic species for the benefit of future generations.

Yours sincerely,

Fisheries Wales.

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