Follows:- letter to Cabinet Secretary

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By email to Correspondence.Lesley.Griffiths@gov.wales (for the personal attention of the Cabinet Secretary for Energy, Planning and Rural Affairs)

Copies to:
Hannah Blythyn (Minister for Environment)
Dafydd Elis-Thomas AM
Rhun. ap Iorwerth AM
Siân Gwenllian AM
Janet Finch-Saunders AM
Andrew RT Davies AM
Mark Lloyd (Angling Trust)
Geoff Hardy (Fish Legal)

Dear Minister,

I wrote to you previously on 1st February, as part of a consortium representing angling interests on the Afon Mawddach and Afon Ogwen, expressing our concerns about the application by Natural Resources Wales to Welsh Government to introduce new byelaws for catch controls for salmon & sea trout. Your reply, LG/00271/18, indicated that you were unable to comment further until you had received their formal proposals. I understand from NRW that those proposals had been handed to Welsh Government by Friday of last week.

I had raised concerns with NRW about the flawed data used to evidence their case and referred to this in my original letter to you. Senior NRW Fisheries Staff had expressed a wish to meet with me in order to explain the statistics that they had used as part of their assessment and reporting of stock status in Welsh rivers and this happened on the afternoon of Thursday 15th February as part of a meeting addressing a broader range of concerns surrounding their proposals. Two significant points arose during the meeting which makes it necessary for me to write to you again.

Firstly, and most seriously, when I challenged NRW on their use of Management Targets rather than Conservation Limits to assess Stock Status in their Technical Case Structure they were unable to defend their position. This led me to further investigation in order to verify my stance, all of which is contained within the Technical Supporting Evidence at the end of this letter. We are now in the process of having our data verified by an independent statistician alongside our colleagues in North West England (The Annual Assessment of Salmon Stocks in England & Wales is a joint venture between NRW, Environment Agency & CEFAS). I appreciate that the whole statistical model is extremely complex and in need of review but it would seem unwise to continue with the introduction of new byelaws until such a review has been conducted.

Secondly, when questioning turned to NRW’s knowledge of individual river systems, there was universal acceptance by their Senior Staff that it is anglers and their supporting organisations who know their own rivers better than anybody. Unfortunately that raises the question of “Why have NRW...
not listened to and addressed our concerns?" It also lends considerable weight to the adoption of a voluntary solution as outlined by my colleague, [Chris White](#). I would be more than happy to meet with either yourself or any members of your team in order to justify the evidence presented in my letter. In the meantime I am becoming increasingly concerned at the impact of these proposals on both the partnership working which our rivers and watercourses so badly need and also the reports of significant reductions in applications for membership coming from many angling clubs as visiting and local anglers alike wait to find out just what the future holds for them in Wales.

Yours sincerely

John Eardley

**Technical Supporting Evidence**

1. **NRW has not followed the NASCO guidelines in its assessment of salmon stocks in Wales**

Management of salmon stocks in Wales must follow guidelines set down by NASCO (North Atlantic Salmon Conservation Organization). The current documentation is contained within CNL(14)71, NASCO Implementation Plan for the period 2013-18 EU – UK (England and Wales).

This document states that:

> “Compliance against the management objective (that a river must meet its Conservation Limit four years out of five) is assessed annually for each principal salmon river together with a forecast of that assessment in 5 years time. A ‘Decision Structure’ is then applied and a process begun of deciding whether and what changes in regulation are appropriate.”

The “**NASCO Guidelines for the Management of Salmon Fisheries**” defines Conservation Limits as follows:

**Conservation Limits (CL):**

CLs demarcate the undesirable spawning stock level at which recruitment would begin to decline significantly. The level cannot be used in management without also defining the acceptable probability (e.g. proportion of years) when the stock may be permitted to fall below the CL.

However it is quite clear in columns 7 & 8 of Table 7 of NRW’s Technical Case Document (see Page 5) that it is “**difference from the Management Target**” which has been used to arrive at the “At Risk” assessment for each river shown in column 9. The Management Target is a tool used by managers to ensure that rivers meet their Management Objective (that a river must meet its Conservation Limit four years out of five) as is made clear in the NASCO definition below:

**Management Target (MT):**

The MT is the stock level employed by managers/scientists to aim at in order to achieve the objective of exceeding the CL for the desired proportion of years and for achieving other management objectives.

**MT is not a measure of formal Compliance** used to assess stocks. Had the correct procedure been followed and the stock status assessed using “**difference from the Conservation Limit**”, then a comparison of columns 3 & 7 of Table 7 shows that the Conwy, Glaslyn, Mawddach, Ogwen & Usk have all met their Conservation Limits for at least 4 of the last 5 years and as
a result the introduction of Mandatory Catch & Release on these rivers would **not be an acceptable course of action** according to the NASCO Decision Making Structure.

2. **NRW’s forecasts of stock assessment in 5 years time are unreliable.**
   NASCO requires a forecast of compliance against the Management Objective in 5 years time. NRW’s 5 Year Forecast Projections for the last 3 verifiable periods (2009 › 2014, 2010 › 2015 and 2011 › 2016) are only **41%, 27% and 18% accurate**. Whilst a number of rivers are faring worse than predicted that is not universally the case. Also some rivers are showing a noticeable improvement in egg deposition since 2015.

3. **There are concerns surrounding the levels at which Management Targets are set**
   Management Targets are typically set at 35% above the Conservation Limit. NRW are unable to explain why the Conservation Limit for the Mawddach is set 47% higher, the Conwy 62% higher and the Ogwen 92% higher. In each case this would make it far more likely that they would fail to meet their Management Objective and result in a depressed view of the true picture.

4. **A significant amount of data has not been entered into the statistical model**
   Between 2010 and 2014 an average of 37.2% of anglers failed to submit a catch return. By 2017 the figure had reached 45%. It is impossible to adjust the stock status model to accurately reflect that amount of missing data.

5. **NRW’s statistics do not reflect the true numbers of salmon and sea trout in Welsh rivers**
   The numbers of rod caught salmon officially reported by NRW from the Rivers Wye & Dyfi over a 5 year period are significantly lower (Wye - 28.13%, Dyfi - 28.3%) than reliable figures collected by angling associations and river keepers. The actual figures are shown in Tables 1 & 2 on Page 6. The actual disparity is likely to be even greater since the figures from a number of stretches is not included. The addition of that data would have a huge impact on whether or not those rivers have met their Conservation Limit and Management Objective.

6. **It is not a universal picture of doom and gloom across Wales**
   The graph below shows NRW’s own data from the fish counter at Conwy Falls. The data is at odds with the picture painted by NRW of a river which is “**Probably at Risk**” both in 2016 and predicted to remain so in 2021.
Please NOTE: The TafF & Eley have a barrage across the river mouth, also the fish pass has a fault (broken liner)

Table 1

<table>
<thead>
<tr>
<th>Year</th>
<th>Combined NDFA/PAAS/BrigandsTotal</th>
<th>Salmonid and Freshwater Fisheries Statistics for England &amp; Wales Total</th>
<th>%age Difference</th>
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<td>2010</td>
<td>269</td>
<td>168</td>
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<td>2011</td>
<td>209</td>
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<td>46.99</td>
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<tr>
<td>2014</td>
<td>41</td>
<td>26</td>
<td>36.59</td>
</tr>
<tr>
<td></td>
<td>5 Year Average</td>
<td></td>
<td>28.3%</td>
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<tr>
<td></td>
<td>River Wye Gillies Association Total</td>
<td>Salmonid and Freshwater Fisheries Statistics for England &amp; Wales Total</td>
<td>%age Difference</td>
</tr>
<tr>
<td>-------</td>
<td>------------------------------------</td>
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<td>1020</td>
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<tr>
<td></td>
<td>5 Year Average</td>
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<td>28.13%</td>
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