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Natural Resources Wales - Permitting Decision

Species Licence Application S086266/1

**Enclosure of Eurasian Beaver at Cors Dyfi
Nature Reserve**

Decision Document

The Application

The application number is: S086266/1

The applicant is: Montgomery Wildlife Trust

The proposal is located at: Cors Dyfi Nature Reserve SN 703 984

We have decided to grant the licence for the release into the enclosure of up to 6 beavers at Cors Dyfi Nature Reserve.

In reaching this decision we have considered all relevant matters and legal requirements, and that the licence will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant matters have been considered
- justifies the specific conditions added into the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals

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Key issues of our final decision

The key issue in this determination is the proposal to release Eurasian beaver (*Castor fiber*) (an animal no longer normally present in Wales) into a secure enclosure in Wales.

Outline of application

The application is for the release of up to a maximum of 6 Eurasian beaver (*Castor fiber*) into a secure enclosure at Cors Dyfi Nature Reserve. The application states that due to the difficult terrain on the reserve the area in which the secure enclosure will be located cannot be managed in traditional ways, including grazing by water buffalo which manage some less harsh areas of the reserve. The beavers would therefore perform a vital scrub management role on the site by reducing the cover of willow and birch and enhance the network of channels and open water. The management of woody vegetation and maintaining water levels are both important factors in helping to restore this area of lowland peat bog that is being degraded by earlier forestry management and drainage.

The application states that beavers would also offer excellent educational opportunities at the reserve by increasing the general awareness and knowledge of the natural history of the beaver and their potential impacts on riparian and wetland habitats to those within the local community, to stakeholders and to the wider public.

1. Our final decision

Our final decision is based on the application as made and includes all additional information provided by the applicant during the determination process.

We consider that in reaching our decision we have taken into account all relevant considerations and legal requirements and that the licence will ensure that a high level of protection is provided for the environment.

The licence contains conditions taken from our standard licence template and additional conditions specifically relevant to this application.

This document should be read in conjunction with the application, supporting information and licence.

2. How we reached our final decision

2.1 Receipt of Application

The application was received on the 6th December 2019, with supplementary additional documentation received on 24th July 2020. At this stage we considered it was in the correct form and contained sufficient information for us to undertake our initial determination. This initial determination was then subject to a 'minded to public consultation' in October 2020. Following consideration of responses received, the applicant was requested to provide an updated Escape, Recapture and Fence Maintenance Strategy and a separate standalone Exit Strategy. The Exit Strategy was received from the applicant on 28th January 2021. The updated Escape, Recapture and Fence Maintenance Strategy was received from the applicant on 10th February 2021.

3.2 The location

The location of the secure enclosure is within Cors Dyfi Nature Reserve near Machynlleth in Powys. The site is a managed nature reserve and a specific area of approximately 3ha within the reserve will be fenced off to create a secure enclosure to house the released beavers.

3.3 Impact on protected sites for nature conservation

A full assessment of the application and its potential to affect protected sites has been carried out as part of the permitting process. Screening identified the potential for impacts on designated sites in proximity to Cors Dyfi Nature Reserve including the Dyfi Site of Special Scientific Interest (SSSI), Pen Llŷn a'r Sarnau Special Area of Conservation (SAC), Aber Dyfi Special Protection Area (SPA), Cors Fochno SAC and Cors Fochno and Dyfi Ramsar.

3.3.1 Habitats Regulations Assessment

The project was screened for likelihood of significant effects and, taking into account the advice received from NRW protected sites advisors, we considered there was the potential for a likely significant effect on the sites at sites at Aber Dyfi SPA, Pen Llŷn a'r Sarnau SAC and Cors Fochno SAC that form part of the UK's national site network and at Cors Fochno and Dyfi Ramsar.

An appropriate assessment was undertaken and it has been ascertained that in light of the conservation objectives the project will not adversely affect the integrity of any of these internationally designated sites.

3.3.2 SSSI Assessment

Although part of the Cors Dyfi Nature Reserve is located in the Dyfi SSSI, the secure enclosure into which the beavers will be released is located outside the SSSI.

Taking into account the advice received from protected sites advisors, we are satisfied that the proposed release is considered not likely to damage the notified features of the SSSI.

3.3.3 Conclusions

After consideration of the mitigation contained in the application; the enforceability of the licence conditions; and the advice received from protected sites advisors, we have concluded that the application will not affect the features of the nationally and internationally designated sites.

3.4 Competence of licenced staff

We are satisfied that the applicant and their appointed nominated ecologist will have control over the release. Under the terms of the licence, the applicant will be required to ensure that all relevant persons are appropriately trained and experienced.

3.5 Management of Operations

We are satisfied that alongside the licence conditions, the applicant has provided a detailed project proposal which appropriately deals with the management of released beavers and the security of their enclosure.

3.6 Site Security

We are satisfied that alongside the licence conditions, the applicant has detailed that appropriate infrastructure and procedures will be in place to ensure that the site remains secure.

3.7 Accidental escape of beavers

We are satisfied that appropriate measures are in place to ensure that accidental escapes are prevented but, if they should occur, then procedures in accordance with the approved Escape, Recapture and Fence Maintenance Strategy will be implemented.

In addition, the beavers and their activity will be regularly monitored. This will be through direct field observations and with the assistance of cameras, which will also allow checks for the presence of animals within the enclosure, along with their general body condition and behaviours. Staff and volunteers will be trained in advance of the beaver release to ensure that a wide body of competent individuals are available to manage the project and assist in the event of escape.

If an individual animal cannot be returned to the enclosure, then alternative arrangements will have to be made. These include:

1. Transferred to another British project (providing there are projects seeking new animals).
2. Housed in an enclosure or in captivity (providing there is space within these collections and it is not detrimental to the health and welfare of individual animals).
3. Humanely destroyed as a last resort.

The Exit Strategy will be triggered where:

- There are persistent escapes from the enclosure;
- Unsustainable and intractable detrimental effects arise on land, property or livelihoods as a proven direct result of the beavers escaping from the enclosure;
- An unacceptable risk to human health or livestock becomes apparent as a proven direct result of the beavers escaping from the enclosure;
- An abnormally high level of mortality occurs in the beaver family or there are adverse impacts on their welfare.

3.8 Disease risk

Prior to their release, the licence requires the applicant to ensure that the beavers are screened for Salmonella, Leptospirosis, *Cryptosporidium parvum* and *Giardia lamblia* and certified as healthy and fit for release by a qualified veterinary surgeon.

The licence also includes conditions should any beavers die whilst in transit in Wales or following release into the enclosure, their carcass must be submitted to the Animal and Plant Health Agency for post-mortem examination with a copy of the report provided to NRW.

3.9 Operating Techniques

We have specified that the secure enclosure must be operated in accordance with the method statement and additional supporting documents produced to accompany the licence. The details referred to in those documents describe the techniques that will be used for the operation of the enclosure that have been assessed by Natural Resources Wales. They are referenced in the licence through condition 3.

3.10 Monitoring

The activity is subject to a monitoring plan which is referred to in the licence through condition 13. Annual monitoring reports will be submitted to NRW regarding the condition and activity of beavers and their impact on the habitat and species within the enclosure.

4.0 The Legal Framework

Article 22(b) of the Habitats Directive (92/43/EEC) requires Member States to ensure that deliberate introduction into the wild of any species which is not native to their territory (and which includes beavers as animals no longer normally present) is regulated so as not to prejudice natural habitats within their natural range or the wild native fauna and flora and, and if necessary prohibited.

In Wales, this duty is met through the provisions of sections 14 and 16 of the Wildlife and Countryside Act 1981.

Section 14 of the Wildlife and Countryside Act 1981 prohibits the introduction into the wild of any animal of a kind which is not ordinarily resident in, and is not a regular visitor to Wales in a wild state, or any species of animal or plant listed in Schedule 9 to the Act.

Section 16(4)(c) of the Wildlife and Countryside Act 1981 however provides a derogation from the offence contained in Section 14 if the introduction of such an animal is in accordance with the terms of a licence granted by NRW.

Section 16(5) of the Wildlife and Countryside Act 1981 provides NRW with general powers as to terms and conditions of any licence it may issue under Section 16.

Consideration has been given to Guidance on section 14 of the Wildlife and Countryside Act 1981

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69205/wildlife-countryside-act.pdf. This guidance document provides the views of Defra and Welsh Government on the application and interpretation of Section 14 including the question as to whether Section 14 of the 1981 Act is engaged when animals are released into enclosures.

The licence will be issued under Section 16(4)(c) and Section 16(5) of the Wildlife and Countryside Act 1981.

NRW is satisfied that this decision is consistent with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.

We consider that by issuing the licence, a high level of protection will be provided for the environment through the conditions attached to the licence.