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Paul Greest
Senior Environmental Assessment Officer
Natural Resources Wales

27th April 2021

Dear Paul

Habitats Regulations Assessment of the Blackrock Lave Net Fishery Licence Application 2021

Thank you for consulting the Strategic Assessment Team (SAT) in Natural Resources Wales on the Habitats Regulations Assessment (HRA) of the Blackrock Lave Net Fishery Licence Application 2021. Our comments are made in the context of our role as the Appropriate Nature Conservation Body under the Conservation of Habitats and Species Regulations 2017 (as amended).

We provide our comments below:

1. We note that the 2021 Blackrock Lave Net Fishery Licence Application is for the taking and killing of up to 5 Atlantic salmon *Salmo salar* as part of a heritage fishery.
2. The location of the nets in the Severn Estuary means that the proposal has the potential to affect the following Special Areas of Conservation (SACs) and Ramsar sites which have Atlantic salmon as an interest feature (or as part of an associated fish assemblage), amongst a number of other fish species and other riverine related interest features:
 - River Usk/ Afon Wysg SAC,
 - River Wye/ Afon Gwy SAC,
 - Severn Estuary/ Môr Hafren SAC, and
 - Severn Estuary/ Môr Hafren Ramsar.
3. The River Usk and River Wye SACs both have conservation objectives that the salmon population is stable or increasing over the long term, as assessed against the adult run size. This is assessed against the conservation limit for each site, with a specified limit that it is complied with at least four years in five. Meeting this target is a key conservation objective for the feature of both the River Usk and River Wye SACs. We note that initial assessments for 2020 indicate both Usk and Wye salmon stock are not meeting their Conservation Limit (CL) targets

4. In addition, we note that both rivers are predicted to continue to be 'probably at risk' by 2025, i.e. based on evidence it is predicted that they are likely to continue to fail to meet this conservation objective until at least 2025.
5. Because salmon stocks in both rivers are currently below target levels and failing to meet their conservation limits, and because this is predicted to continue for at least five years in to the future, it is clear that the conservation objective that the salmon population is stable or increasing over the long term is not being met. Against this backdrop, we acknowledge the challenge of being able to determine an acceptable level of exploitation that can be considered insignificant (i.e. of establishing how many salmon can be taken and killed that would not have an adverse effect on site integrity).
6. We therefore agree with the conclusion that adverse effects on site integrity on the River Usk SAC and River Wye SAC cannot be ruled out in relation to the proposal to take and kill up to 5 salmon. However, **we agree that if a condition that the fishery must operate as a catch and release fishery for salmon is applied, adverse effects on site integrity can be ruled out** when the proposal is considered alone. We note that due to the nets being manned at all times and the nature of the netting process being non lethal (no enmeshing or gilling of fish), Natural Resources Wales' view is that any salmon caught whilst lare net fishing can be returned unharmed, with minimal handling if necessary. We agree that this means there is no residual adverse effects remaining, and therefore an in-combination assessment is not required on this occasion.
7. With regard to the other features considered in the HRA document other than salmon and features which include salmon, we agree with the conclusion of no likely significant effects alone or in combination with other plans or projects.

We hope that you find these comments useful, but if you require any further information or clarification, please do not hesitate to contact Roger Matthews via the Strategic Assessment mailbox at strategic.assessment@cyfoethnaturiolcymru.gov.uk

Yours sincerely



Moira Reynolds
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