



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Tŷ Cambria
Cambria House
29 Newport Road
Cardiff
CF24 0TP

Email: jennie.jones@cyfoethnaturiolcymru.gov.uk
Phone: 0300 065 3157

Invasive Non-Native Species Team
Horizon House
Deanery Road
Bristol
BS1 5AH

By e-mail to:
invasivealienspecies@defra.gsi.gov.uk

Wednesday 11th September 2019

Management measures for widely spread Invasive Alien Species (IAS) in England and Wales

Dear Sir or Madam,

Natural Resources Wales welcome the opportunity to comment on the consultation on management measures for widely spread Invasive Alien Species (IAS) in England and Wales.

The statutory purpose of Natural Resources Wales (NRW) is set out in the Environment (Wales) Act 2016. In the exercise of its functions under the Environment (Wales) Act 2016, NRW must pursue sustainable management of natural resources in Wales and apply the principles of sustainable management of natural resources in so far as that is consistent with the proper exercise of its functions. NRW's duty (in common with the other public bodies covered by the Well-Being of Future Generation (Wales) Act 2015) is to carry out sustainable development. This means, in general terms, looking after air, land, water, wildlife, plants, and soil to improve Wales' well-being, and provide a better future for everyone. NRW are also advisors to the Welsh Government on the natural heritage and resources of Wales and its coastal waters.

NRW is a Statutory Nature Conservation Body (SNCB) under the Conservation of Habitats and Species Regulations 2017. NRW's comments are therefore provided in the context of NRW's statutory purpose, functions, powers and duties.

NRW is generally in support of the management aims and proposed measures. We consider that carrying out these measures will ensure that the impact of widely spread

invasive alien species on our natural resources will be much reduced. However, to make the approach effective, it is recommended that:

- Proposed measures need to be made more specific with clearer direction, targets and outcomes to make them more effective. More detailed management plans are needed for each species (perhaps to accompany this high-level document). These would also need to respond to place with consideration of site specific issues and opportunities for management (issues and management measures are likely to be site-specific for some species).
- Monitoring for each species and overall will be essential to measure the effectiveness of the measures.
- Delivery of measures and plans would benefit from more strategic direction with better clarity on roles and responsibilities setting out who will deliver and monitor the outcomes. It is recommended that the GB Non-Native Species Strategy is updated in relation to management measures.
- Management measures needs to be adequately resourced with clear method for prioritisation as funding levels are likely to affect the progress of implementation.
- In Wales, it is our stance that commercial use of Signal crayfish is discouraged. It is our view that this stance should continue. Each application will be considered on its merits however, it is unlikely that any trapping or management measure licence would be issued for any purpose other than for scientific/research or conservation use. Licences may be considered for conservation purposes under strict justification, for example, eradication in an isolated water body.
- Management measures that enable exploitation need to ensure that they are in line with Article 19 (2) of the Principal Regulation.
- Consideration is given to the inclusion of management measures that currently exist or could be developed and implemented in the marine environment. With only one marine species of Union concern currently included Chinese mitten crab (*Eriocheir sinensis*) management proposals in this document are very terrestrial/freshwater focussed.
- As with Signal crayfish, trapping and the commercial use of Chinese mitten crab is discouraged in Wales. It is likely that our stance on Signal crayfish to not issue a management measures licence for any other purpose other than scientific/research or conservation use should also be adopted for this species.
- Effective and timely communications on the measures need to be put in place so that stakeholders are informed of the actions they need to take. We suggest that the previously issued Frequently Asked Questions document would be a useful way of doing this.

NRW's response to the consultation questions can be found below:

Q6. What are your views on the proposed aims for the management measures set out in Appendix A?

Para 1. General comment on all species: Could clarification be given on if, and how, further widely spread species will be identified and what the process will be post Brexit?

Para 2. Table 1. NRW is generally in support of the proposed aims for the management measures for widely spread plant species. We suggest that wording of the aim would be clearer if modified to, for example, 'Protected Areas such as SSSIs and SACs and other sites of ecological interest such as those that support Habitats Directive Annex 1 Habitats, Annex II and IV species and Birds Directive Annex 1 species, where native biodiversity is threatened and in areas at risk of flooding and erosion'.

Para 3. Table 2. We note that the policy aim is different for animals to plants and this could be perceived as being more opportunistic and less strategy driven. We believe this has the potential to result in the approach to measures not being consistent and therefore less effective. We suggest that the wording for the management aims for animals is reviewed.

Para 3. Table 2. As a general point, for brevity it would be helpful to combine aims for species where these are identical.

Q7. What are your views on the general management measures set out in Appendix B?

Para 5. Table 3. NRW considers that these measures are individually useful, however we suggest more information is needed about the resources that will be devoted to the problem as current resources are inadequate to tackle the scale of the issues arising from the impact of widely spread species. More clarity is needed to identify which agencies will be responsible for leading work.

We suggest that educational, communications and biosecurity measures should not be relied upon wholly as a means of control as invasive species can spread by themselves, or else can be spread by a single malicious or reckless individual.

We agree that properly trialled biocontrol research and trials should continue to be given special funding priority, as it offers the best hope of sustainable control of many widely spread invasive alien species in the long term.

We consider there to be an opportunity to better align proposed management measures with different management mechanisms relating to IAS, for example, through local authority development and other plans (including local supplementary guidance), in the

development of management plans for designated sites and the integration of Section 16 Management Agreements (under the Environment (Wales) Act 2016) with Species Control Agreements (under the Wildlife & Countryside Act 1981).

We support the use of community protection notices (CPN) as a means of control, though are aware that their use has not yet been taken up as a matter of course. To enable CPN to be used routinely we suggest that further guidance and training on their use is produced urgently by the Home Office, Welsh Government and Defra to ensure that the Police and Local Authorities are adequately prepared to use them as and when required.

We suggest that it is essential to monitor the effectiveness of control methods generally and on individual sites and an effective means of recording actions (and no action) needs to be resourced and developed at a UK, GB or individual country level so that the effectiveness of management measures can be established. Recording of actions and reporting of species would ideally be integrated into a single entry for multiple applications reporting tool.

Para 7. Table 5. We understand that the lethal control of animals will be necessary in certain circumstances though would seek reassurance that this action is monitored to ensure compliance and is humanely conducted.

Q8. Are there any additional actions you think should be used as general management measures for particular widely spread species?

NRW believes that the proposed management aims would be more effective if more detailed and resourced action plans were produced for each plant and animal species in collaboration with relevant partner agencies/groups. The plans could include the measures identified where relevant (but not be limited to them) and information about how the plan will be monitored and how progress is reported. These would also need to consider site specific issues to ensure they are relevant across the various known locations of the species (issues and management measures are likely to be site-specific for some species).

The proposed general management measures are very terrestrially focussed. Management measures relating to marine species (specifically Chinese mitten crab) should also be included, for example, compliance with the IMO ballast water and hull fouling conventions, and on a local level, following best practice guidance for cleaning hull-fouled vessels, mariculture (e.g. Bangor Mussel Growers Code of Conduct) etc.

A particular problem for marine invasive species, and of relevance to Chinese mitten crab, is the operation of dredge vessels, and transit between ports and dredge / disposal

locations. Hopper water exchange is not covered by the IMO Ballast Water Convention. There is a need for stricter biosecurity measures relating to all forms of water / sediment exchange for vessels of all sizes travelling between ports (both in the UK and in international waters) to control spread of marine invasive species through this pathway. At present in Wales, this is being controlled (where possible) via biosecurity conditions that are incorporated into marine licenses issued for dredging and disposal activities.

Q9. Are there any actions that you think should not be used as part of a general management measure for a particular widely spread species?

Not in general terms. However, we suggest that it is important to recognise that most actions need to be placed in a site-specific context, and therefore some actions will not be appropriate in some locations, for example because they will be ineffective or cause an unacceptable level of damage.

Q10. What are your views on the proposed licensable management measures set out in Appendices C & D?

Appendix C. Table 7. We note that some measures described in Appendix D for Signal crayfish could, in part, also be relevant for Chinese mitten crab. It is likely that our stance on Signal crayfish to not issue a management measures licence for any other purpose other than scientific/research or conservation use will also be adopted for this species as we consider encouragement of capture and commercial use of Chinese mitten crabs could potentially lead to an established UK fishery; along with this comes a risk that the species could be spread via illegal (unlicensed) activity. The impacts of trapping on other mobile species of conservation importance will need to be considered as part of an initial assessment of the activity.

Appendix D. Para 19. In Wales, it is our stance that commercial use of Signal crayfish is discouraged. It is our view that this stance should continue. Each application will be considered on its merits however, it is unlikely that any trapping or management measure licence would be issued for any purpose other than for scientific/research or conservation use. Licences may be considered for conservation purposes under strict justification, for example, eradication in an isolated water body.

Appendix D. Paras 27-68. NRW note that the proposed management measures would potentially enable licences to be issued to allow Signal crayfish to be placed on the market or released into the environment and that these restrictions are currently not covered by the permits outlined in Article 8 of the Principal Regulation (EU 1143/2014). Issuing these licences would enable the restrictions prohibited under Article 7 to be circumvented. We

would request clarification that this interpretation is correct, and the proposal complies with the Principal Regulation.

Management measures that enable exploitation need to ensure that they are in line with Article 19 of the Principal Regulation. Article 19(2) specifically mentions that the commercial use of established IAS may be temporarily allowed as part of the management measures aimed at eradication, population control or containment, under strict justification and provided that all appropriate controls are in place to avoid further spread.

Appendix D. Para 31. We agree that a review of the evidence that was used to identify containment zones (previously 'Go Areas') is carried out as soon as possible and areas revised accordingly. NRW's current view is that the whole of Wales should become an exclusion ("No Go") zone should available evidence justify this position.

Appendix D. Para 70. We consider the option for ruling out all commercial activity may need further evidence to explain this position.

Q11. Are there any additional actions you think should be allowed as a licensable management measure for a particular widely spread species?

Article 7 of the Principal Regulation sets out a series of restrictions for which permits may be issued under Article 8. We recommend that management measures should be limited to the following restricted activities including release into the environment for scientific/research and conservation purposes only under strict controls. These are:

- Import
- Keep in a contained holding
- Breed, in a contained holding
- Transport to, from or within the Union (excluding for eradication)
- Use or exchange (excluding sale)
- Permit to reproduce, grow or cultivate in contained holding
- Release into the environment (for scientific/research and conservation purposes only under strict controls)

In relation to licensable management measures for marine species, further measures could include developing mechanisms (including through existing or new legislation) to enable stricter controls on exchange of ballast and hopper water for commercial vessels of all sizes, and to cover activities that are not written in to the Ballast Water Convention. It should also be noted that compliance with the Ballast Water Convention is still not complete for vessels operating in UK waters; this is being phased in over time which means residual risks remain via shipping pathways.

Q12. Are there any actions that you think should not be allowed to be used as part of a licensable management measure for a particular widely spread species?

See Q10.

We trust that our comments will be helpful. If you have any queries in relation to our detailed response, please contact Jennie Jones, Specialist Advisor: Invasive Non-Native Species in the first instance at: jennie.jones@cyfoethnaturiolcymru.gov.uk.

Yours faithfully,



Ruth Jenkins

Pennaeth Polisi Rheoli Adnoddau Naturiol / Head of Natural Resources Management Policy
Cyfarwyddiaeth Tystiolaeth, Polisi a Thrwyddedu / Evidence, Policy & Permitting Directorate
Cyfoeth Naturiol Cymru / Natural Resources Wales