

BASC response to the Welsh Government's consultation "promoting the conservation of white-fronted geese in Wales"

Introduction

The British Association for Shooting and Conservation (BASC) is the largest representative body for sporting shooting with over 144,500 members throughout the UK. It aims to promote and protect sporting shooting and the wellbeing of the countryside. It actively promotes good firearms licensing practice, training, education, scientific research and practical habitat conservation. BASC believes that all who shoot should conduct themselves according to the highest standards of safety, sportsmanship and courtesy with a full respect for their quarry and a practical interest in wildlife conservation.

Sir Peter Scott and Christopher Dalgety, both wildfowlers, are credited with the first documented description in 1948 of the presence of two types of white-fronted geese migrating to the UK during the winter; the European white-fronted goose and the Greenland white-fronted goose (GWFG).

The Wildfowlers' Association of Great Britain and Ireland (WAGBI) was a principle funder of the first British expedition to Greenland in 1979 to study the GWFG. This led to a second expedition in 1980 and many more have followed. In 1981 WAGBI changed its name to BASC.

BASC has a long involvement in conservation and legislative protection of migratory birds. BASC was involved in the establishment of the Africa-Eurasian Waterbird Agreement (AEWA) in the 1990s, and is active in the AEWA Technical Committee and working groups for single species action and management plans. BASC is a signatory to the 2012 AEWA single-species action plan for the conservation of GWFG.

Dyfi and District Wildfowlers' Association initiated a rearing and release programme of Greenland white-fronted geese in 1973 in memory of Ian Richardson the late club secretary who was killed in a motor accident on his way home from the shoot dinner.

The "Ian Richardson Greenland Whitefront Scheme" used club funds and donations to purchase 11 pure bred GWFG as breeding stock from Mary Richardson's collection. The birds were bred at a purpose built sanctuary created on the hillside of Talerddig with birds to be then released on the Dyfi to join the overwintering birds.

This would have been a welcome boost to the Dyfi flock (alongside the voluntary moratorium started in 1972) at a time when other flocks were going extinct, such as on Tregaron Bog. The rearing and releasing project was unfortunately cut short after 6 years as the land that was being used by the club was due to be sold and so all of the remaining birds in stock were then released.

It is clear that GWFG are in need of conservation measures as they migrate to and from their wintering grounds in Wales. That is why for forty years wildfowlers on the Dyfi estuary and elsewhere have been protecting overwintering birds with an effective voluntary moratorium on shooting.

That protection pre-dates national and European designations on the Dyfi estuary. That protection also pre-dates AEWA and the 2012 AEWA single species action plan for the conservation of GWFG. The reason this protection has been so effective is because it is based on a successful partnership between BASC, the local wildfowling clubs and the Countryside Council for Wales (CCW), now Natural Resources Wales (NRW).

2013 consultation

In 2013, the Welsh Government consulted on whether to introduce a statutory ban on shooting white-fronted geese in an attempt to add further protection to GWFG. The main factor determining the global population of GWFG is breeding productivity in Western Greenland. This is recognised as being due to competition with Canada geese and late thaws in nesting areas.

The Welsh Government recognised that clause 21 of the Legislative and Regulatory Reform Act 2006 makes it a legal requirement for the Welsh Government to carry out regulatory activities in a way that is transparent, accountable, proportionate and consistent and that is targeted only at cases in which action is needed.

The Welsh Government therefore recognised that the introduction of a statutory instrument to give protection to Greenland and European white-fronted geese would not meet these UK Principles of Good Regulation for two reasons.

Firstly, the proposals were not proportionate. This is because the voluntary moratorium on shooting GWFG in Wales is effective, there is no threat to the European white-fronted goose population and European white-fronted geese rarely visit Wales.

Secondly, the proposals were not targeted. This is because it is poor breeding productivity of GWFG in Greenland that needs to be targeted not moving from voluntary to statutory protection in Wales.

The Welsh Government concluded, quite rightly, that shooting was not the reason for declines in GWFG. They recognised that effective conservation measures need to engage and inspire local people to make a difference in their area. This has been the approach used for other conservation success stories including: large blue butterflies, otters and red kites (now at record highs); hay meadows, chalk grassland and lowland heath.

The reason these conservation projects have been such a success is because progressive and innovative legislators realised that statutory protection would not bring about the required change and that practical habitat measures on the ground were the key to population growth and habitat improvement. Successful conservation projects require effective partnerships between government, NGOs and local stakeholders.

Following the 2013 consultation the Welsh Government worked with BASC to secure a full voluntary moratorium on shooting GWFG in all wildfowling clubs around the Welsh coast. Secure in the knowledge that GWFG were not being shot the Welsh Government has now provided a grant to help understand how GWFG move and feed whilst in Wales. This project has the full support of and is being delivered by a partnership of BASC, the local wildfowling clubs, local experts, NRW, RSPB and WWT. These organisations would not have developed this project if they did not think this was the best way to promote the conservation of white-fronted geese in Wales. The project will include satellite tagging of GWFG and monitoring their movements and feeding habits around the estuary.

This important new research will help guide further conservation effort, especially in Wales, to ensure that GWFG have access to quality habitats and food over winter, to ensure they return to their breeding grounds in the best possible condition.

Turning to the consultation, the Welsh Government is asking for responses to five options.

Option 1: A statutory ban on shooting of all WFG (EWFG and GWFG) throughout Wales throughout the year.

Paragraph 22 of the consultation document says ‘there is no evidence that hunting is taking place’.

The voluntary moratorium on shooting GWFG in Wales is effective, there is no threat to the European white-fronted goose population and European white-fronted geese rarely visit Wales. Poor breeding productivity of GWFG in Greenland needs to be targeted not moving from voluntary to statutory protection in Wales.

Given that there is no evidence that hunting is taking place there can be no justification for option 1.

Paragraphs 36-39 of the consultation document discuss the AEWA Species Action Plan and the recent drop of the GWFG population below the action plan threshold level of 20,000 birds.

Section 4.1 of the action plan requires that “a meeting of Range State representatives and other interested parties shall be convened” in the event of the overall population size falling below 20,000 birds.

The action plan does not require the Welsh Government or Defra for that matter to issue a public consultation on the legal status of white-fronted geese. It requires the Welsh Government to send representatives to a meeting “to consider responses to the continued deterioration of population status”.

Given that range state representatives have not yet met to consider responses to the continued deterioration of population status there can be no justification for option 1.

The consultation document makes several references to the importance of reducing sources of mortality. However, the focus of discussion is on possible risk of birds being shot with no mention of the risk of collision impacts with inappropriately located wind energy developments.

This is surprising given that the AEWA action plan specifically identifies inappropriately located wind energy developments as a threat. The action plan makes copious references to range states needing to ensure that any wind-farm and similar infrastructure developments where there is collision risk are subject to environmental impact assessments.

In December 2015 a planning inspectorate report was published on the implications for European Sites of a proposed North Wales wind farms connection. Consideration was given to concerns raised by the Welsh Government about the potential effects on GWFG, as a feature of the Dyfi Estuary Special Protection Area (SPA).

The report reveals that the Welsh Government stated that (subject to NRW being content) its only concern was in relation to GWFG, but that any risk could probably be minimised.

A follow-up query asked the Welsh Government to provide further information about their concerns. However it did not provide any further comments for that or any subsequent deadlines. NRW reiterated throughout the examination that it was satisfied that there was not likely to be a significant effect on GWFG.

The applicant noted that the Welsh Government had suggested that reflectors could be put on the overhead line to address potential collision risk of GWFG with the overhead line. The applicant acknowledged that the GWFG migration route to and from the SPA is unclear, and considered that it is possible that they could collide with the poles and the overhead line in the event that they were forced down in very bad weather conditions. However, the applicant suggested that the GWFG fly at very high altitude, and restated their view that collision risk was highly unlikely and that therefore bird deterrents were disproportionate and unnecessary.

The Welsh Government did not respond to this argument. NRW responded and reiterated its view that it did not consider that the project is likely to have a significant effect on the Dyfi Estuary SPA, and therefore that it did not advocate an additional requirement to fit diverters on the overhead line in order to make it more visible to birds.

A Statement of Common Ground submitted in December 2015 between the applicant and NRW records that the conclusions in the 'No Significant Effects Report' (NSER) are agreed between the two parties in relation to the significance of effects, and specifically that the proposed development is unlikely to have any significant effects on the Dyfi Estuary SPA GWFG, and that there are no outstanding issues that need to be addressed at any Issue Specific Hearing (ISH).

Although the Welsh Government had raised a concern prior to the submission of the application and in written submissions during the examination about a potential effect on GWFG it did not attend any of the hearings, or state during examination that it considered that there was likely to be a significant effect on the birds.

If the Welsh Government feels that the risk of shooting needs to be mitigated by taking white fronted geese off the quarry list then consideration must be given not to construct wind energy and similar infrastructure developments inshore and offshore of Wales, and particularly in the vicinity of the Dyfi estuary.

Consideration must also be given for new Environmental Impact Assessments (EIA) for existing wind farm and similar infrastructure developments in Wales.

If option 1 is chosen this represents a significant change in Welsh Government policy towards removing all risks of mortality for white-fronted geese in Wales. Therefore the Welsh Government will be obliged to carry out a review of all proposed and existing wind energy and similar infrastructure developments in Wales to ensure there is a zero-risk of collision with GWFG.

Option 2: A statutory ban on shooting of all WFG (EWFG and GWFG) only in specified parts of Wales, used by GWFG, throughout the year.

Given that there is no evidence that hunting is taking place and that range state representatives have not yet met there can be no justification for option 2. If option 2 is chosen then the Welsh Government will be obliged to carry out a review of all proposed and existing wind energy and similar infrastructure developments in Wales to ensure there is a zero-risk of collision with GWFG. See more details in BASC's response to option 1.

Option 3. A statutory ban on shooting of GWFG throughout Wales throughout the year.

Given that there is no evidence that hunting is taking place and that range state representatives have not yet met there can be no justification for option 3. If option 3 is chosen then the Welsh Government will be obliged to carry out a review of all proposed and

existing wind energy and similar infrastructure developments in Wales to ensure there is a zero-risk of collision with GWFG. See more details in BASC's response to option 1.

Option 4: A statutory ban on shooting of GWFG only in specified parts of Wales used by GWFG, throughout the year.

Given that there is no evidence that hunting is taking place and that range state representatives have not yet met there can be no justification for option 4. If option 4 is chosen then the Welsh Government will be obliged to carry out a review of all proposed and existing wind energy and similar infrastructure developments in Wales to ensure there is a zero-risk of collision with GWFG. See more details in BASC's response to option 1.

Option 5: Maintain the non-statutory voluntary ban of shooting of GWFG in Wales on land over which the wildfowling clubs have specific rights to shoot.

Option 5 satisfies the requirements of the EU Birds Directive (2009/147/EEC), the Natural Environment and Rural Communities Act 2006, the African-Eurasian Waterbird Agreement (AEWA) and the requirements of the Legislative and Regulatory Reform Act 2006. It provides the Welsh Government with the option to continue the real conservation effort that all stakeholders agree is necessary to promote the conservation of white-fronted geese in Wales.

The cost to the taxpayer of updating legislation for no material benefit is not a good or responsible use of public funds. If the Welsh Government wishes to improve the status of GWFG in Wales then it should continue to invest in research and habitat work to ensure birds return to their breeding grounds in Greenland in the best possible condition.