Cyswllt Amgylchedd Cymru | Wales Environment Link

Targeted engagement on proposals to amend the legislative framework in Wales to protect European beavers in Wales.

March 2025

This response is on behalf of Wales Environment Link (WEL). Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales. WEL is a respected intermediary body connecting the government and the environmental NGO sector. Our vision is a thriving Welsh environment for future generations.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.

In this consultation, when we discuss 'beaver' or 'beavers', we are referring to the Eurasian beaver (*Castor fiber*).

Question 1

Do you support the proposal to move European beaver from Part 1B to Part 1A of Schedule 9 to the WCA 1981? Please explain your position setting out why you agree/disagree with the proposed amendment.

WEL supports the proposal to move Eurasian beaver (*Castor fiber*) from Part 1B to Part 1A of Schedule 9 to the WCA 1981.

The Eurasian beaver has a historic distribution throughout Britain, Europe and Asia[i]. Beaver gnawed wood, ancient beaver burrows, and skull remains found at several locations throughout Wales provide a wealth of evidence for the existence of beavers

[i] Halley, D., Saveljev, A. and Rosell (2020). Population and Distribution of beavers *Castor fiber* and *Castor canadensis* in Eurasia. *Mammal Review*, 1-24.

in the country[ii, iii]. Beavers are believed to have gone extinct in Wales after the Middle Ages as a result of excessive human hunting, primarily for their meat and fur. By the end of the 16th century, they had vanished from the rest of Britain.[ii, iii]

Beavers were not known to exist in the wild in Wales when they were first included in Schedule 9 of the WCA 1981 in 2015 under the heading of "Part 1B animals no longer normally present." However, as stated in the recent statement on 26th September 2024, by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, there are currently small populations of beavers living in the wild.[ivv] The addition of beavers to Schedule 9 Part 1A of the WCA 1981 will acknowledge their presence in Wales and establish their status as a native species.

Additionally, this change would be consistent with England where beavers were moved from Part 1B to Part 1A in October 2022. As stated in the evidence review undertaken by NRW[iv] there is evidence of beavers on cross-border rivers, like the River Wye[vi, vii] and therefore it will be crucial to align the legislation. England is also home to several wild beaver populations, some of which will eventually naturally disperse into Wales due to their proximity to the Welsh border.

Question 2

Do you support the proposal to include European beaver in Schedule 2 of the Habitats Regulations? Please explain your position setting out why you agree/disagree with a proposed amendment.

WEL support the proposal to include Eurasian beaver (*Castor fiber*) in Schedule 2 of the Habitats Regulations.

[ii] Coles, B. (2006). *Beavers in Britain's Past*. Oxbow Books, Oxford.

[iii] Coles, B. (2019). *Afanc, Bever, Castor: The Story of Beavers in Wales*. WARP (Wetland Archaeology Research Project).

[iv] Welsh Government. (2024). *Written Statement: Welsh Government supports the managed re-introduction of European beaver in Wales (26 September 2024) | GOV.WALES*. [online] Available at: https://www.gov.wales/written-statement-welsh-government-supports-managed-re-introduction-european-beaver-wales.

[v] Natural Resources Wales (2023). A review of evidence on the interactions of beavers with the natural and human environment in Wales. NRW Evidence Report Series. Report No: 735. 62pp.

[vi] Campbell-Palmer, R., Puttock, A., Leow-Dyke, A., Needham, R. & Brazier, R.E. (2019)a. River Wye Beaver Survey Wales. NRW Evidence Report No. 604, NRW.

[vii] Campbell-Palmer, R., Puttock, A., Leow-Dyke, A., Needham, R. & Brazier, R.E. (2019)b. Initial survey of beaver activity on the River Wye, England. University of Exeter.

The Council of Europe's Convention on the Conservation of European Wildlife and Natural Habitats (1979), or Bern Convention, was the first international treaty to protect both species and habitats and to bring countries together to decide how to act on nature conservation. It is a binding international legal instrument in the field of nature conservation, covering most of the natural heritage of the European continent and extending to some States of Africa. Fifty countries and the European Union have signed up to the Convention, including the UK Government which devolves this responsibility to the Welsh Government.

Convention on the Conservation of European Wildlife and Natural Habitats (ETS No. 104)

The Convention aims to ensure conservation of wild flora and fauna species and their habitats. Special attention is given to endangered and vulnerable species, including endangered and vulnerable migratory species specified in appendices.

The Parties undertake to take all appropriate measures to ensure the conservation of the habitats of the wild flora and fauna species. Such measures should be included in the Parties planning and development policies and pollution control, with particular attention to the conservation of wild flora and fauna. The Parties undertake to promote education and disseminate general information concerning the need to conserve species of wild flora and fauna and their habitats.

The Convention establishes a Standing Committee on which the Parties are represented by their delegates. The Committee's principal task is to monitor the provisions of this Convention in the light of development of the wild flora and the assessment of its needs. For this purpose, the Standing Committee is especially competent to make recommendations to the Parties and amendments to the appendices where these protected species are specified.

Eurasian beaver (*Castor fiber*) is listed under Appendix III (Protected Fauna Species) of the Convention and by adding Eurasian beavers to Schedule 2 of the Habitats Regulation this will bring Wales in line with other European countries.

Despite the fact there are beavers in Wales, their numbers are low, and their recovery would be negatively impacted by any threat of persecution. As a result, protecting beavers, their resting places and their breeding grounds is crucial.

Although beavers offer numerous ecological and environmental benefits, we acknowledge that there may be negative impacts if their activities affect infrastructure and/or human activities. As a result, a management framework or plan will be necessary to ensure that any negative impacts can be minimise or mitigated. WEL would like to see beavers protected in Wales, but with a system that allows for rapid, effective management so that issues can be dealt with promptly. WEL would also like to see support available for landholders that provide space for beavers through schemes such as the Sustainable Farming Scheme.

Question 3

What do you see as the primary impacts (positive or negative) of these proposals to your sector?

WEL sees the primary impacts of providing legal protection to beavers as positive, achieving the aims of many of our members. Legal protection for beavers would help prevent their persecution and ensure that beavers would be a material consideration in any plans, developments or schemes that could adversely affect their wellbeing and survival. This would significantly help beavers to successfully re-establish themselves in Wales to deliver the multi-benefits to freshwater ecosystems, as well as benefits to human settlements and activities, that they offer.

There is ample evidence from across Europe demonstrating the positive impacts of beavers. Beavers are often referred to as a ‘keystone species’ and ‘ecosystem engineers’ because of the benefits they have on their local environment. They can alter various physical and biological features of a site through their foraging, burrowing and damming activities, often to the benefit of multiple other species, which can increase biodiversity and restore wetland ecosystems.

Studies on hydrology have also shown that in certain areas the creation of beaver dams can help reduce the risk of downstream flooding through holding back water and slowing the flow. Beaver dams can also hold back a significant amount of

sediment and filter nutrients, which can help improve water quality further downstream.[xii]

The Welsh Government has confirmed its commitment to the environment through the Environment (Wales) Act in 2016, which aims to preserve and improve biodiversity. Beavers are a prime example of a keystone species that can contribute to biodiversity enhancement.

The legal protection of beavers would also provide a sound basis for the effective licenced management of beavers/ beaver activity as and when required. It is vital that any licenced beaver management system adopted under this legislation is robust but flexible so that actions to avoid or minimise adverse impacts to landholdings or endangered species, such as salmon and sea trout, can be rapidly delivered.

Where negative impacts may arise from beaver activity, there are numerous ways that these can be managed. Beaver management systems have been developed in many European countries, which can be used as a template for a beaver management strategy in Wales. Therefore, we strongly recommend the Welsh Government seek to develop and support a beaver management framework or plan at pace if the decision is made to move European beaver from Part 1B to Part 1A of Schedule 9 to the WCA 1981.

Question 4

Are there other amendments to legislation that you think should be considered in relation to European beavers in Wales? When considering this question please include any reasons behind why European beaver would be better protected under alternative amendments.

Due to the significance of beavers as a keystone species and ecosystem engineers, WEL recommend that Eurasian beaver (*Castor fiber*) be included on the updated Section 7 list of the Environment (Wales) Act 2016. This is due to the endangered nature of the species and the significant benefits they provide to the natural environment.

The 7th Quinquennial Review of the WCA recommended that the Eurasian beaver (*Castor fiber*) be added to Schedule 5, making it a protected species under the WCA. This will provide additional protection beavers, for example the prohibition on obstructing access to natural structures used for shelter and protection by beavers. We advocate adding beavers to the Schedule 5 of the WCA.

Question 5

How would you like to be involved in the development of a beaver management framework in Wales?

WEL represents a network of organisations, and as such we can support the development of a beaver management framework by engaging our members with Welsh Government processes, sharing expertise and capacity. We can offer research and policy development support, scientific expertise, as well as practical site visits, alongside technical knowledge and skills. We ask that any engagement is done with plenty of time to enable a wide breadth of organisations to engage with any Governmental work.

We recommend, to ensure sustainable support for the management of beavers in Wales, the management plan is adequately resourced for the long term. A commitment to effectively manage species by the Welsh Government will ensure sustainable reintroductions of beaver in Wales. Adequate resourcing of the management framework will ensure if negative impacts arise from beavers on the landscape, interventions can be delivered effectively and rapidly at various locations and for the long term.

Question 6

What, in your opinion, would be the likely effects of the proposed amendments to the legislative framework around European beaver in Wales on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

- Do you think that there are opportunities to promote any positive effects?
- Do you think that there are opportunities to mitigate any adverse effects?

WEL believe the amendment of the legislative framework provides an opportunity to link the Welsh language positively with the natural environment and natural heritage. Utilising the Welsh language effectively around changes to the legislative framework and beaver reintroductions provides an opportunity to build understanding and knowledge of our past and future connections with the natural world. The Welsh language must therefore be built into any communications regarding the beaver and reintroductions.

Question 7

In your opinion, could the proposed amendments to the legislative framework around European beaver in Wales be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

WEL does not have a view.

Question 8

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

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