

EPGBTWB 19 - Tystiolaeth gan | Evidence from: Dr Fredric Windsor

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil yr Amgylchedd (Egwyddorion, Llywodraethiant a Thargedau Bioamrywiaeth) (Cymru) | Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?

2. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?

- **Part 1 - Environmental objective and principles (sections 1 to 7)**

These cover the major aspects of biodiversity, and how it translates into ecosystem functioning and ecosystem service provision. However, ecological resilience, and other concepts are difficult to measure. Moving forward enough flexibility should be provided to allow for methodological and conceptual developments in ecology - for example the emerging applied field of 'response diversity' has the potential to offer opportunities to measure close proxies for stability and resilience.

3. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?

- **Part 2 - The Office of Environmental Governance Wales (sections 8 to 32 and Schedules 1, 2 and 3)**

Enforcement measures need to be clearly developed to allow for appropriate actions to be taken in the case of non-compliance.

4. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?

- **Part 3 - Biodiversity targets, etc (sections 33 to 38)**

As the process continues, defining standardised methods for monitoring biodiversity within and across taxonomic groups is critical. These need to reflect global standards, but as mentioned above, there also needs to be a focus on flexibility. Furthermore, specific provision should be made to develop new measures that allow for an assessment of trajectory (i.e., assessing where the ecosystem is moving towards) as well as monitoring the state of that system at that point in time.

Targets could also be set on a regional basis, following the success of the LNPs. This would complement the general provisions for enhancing biodiversity more generally, allowing for complementarity and synergy between different actions instigated by different organisations.

A recognition that there are time-lags between the implementation of actions and biodiversity gains is required in subsequent developments.

5. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?

- **Part 4 - General (sections 39 to 45 and Schedule 4)**

6. What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

Key challenges are:

1. Making sure the OEGW has appropriate powers and funding to monitor and enforce compliance over timescales that are appropriate for ecosystems.
 2. Encouraging organisations to be proactive in biodiversity management rather than relying on enforcement as a mechanism for driving change.
 3. Funding activities by organisations such that biodiversity conservation and
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restoration actions do not come at a financial cost, and therefore fall down the list of priorities for organisations. This could be achieved, for example, through the promotion of green financing.

7. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)

8. Are any unintended consequences likely to arise from the Bill?

There is potential for organisations to implement the path of least resistance actions, and unintentionally homogenise biodiversity without adequate and strategic management at the local and regional scales. For example, if all organisations focus on tree planting for promoting carbon sequestration and woodland regeneration then vital grassland or brownfield habitats may be lost.

9. What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?

10. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?