Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newi
Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climat
Change & Rural Affairs

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: HICC/PO/0319/24

Llŷr Gruffydd MS
Chair
Climate Change, Environment and Infrastructure Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

14 November 2024

Dear Llŷr,

I am writing in response to the additional questions posed at the CCEI Committee Meeting of 16 October 2024. I have addressed each in turn below.

1. We would like to understand the justification for why 36 months are required to bring in Regulations/targets.

An initial timeline incorporating target development, policy development, and the steps required for Secondary Legislation creation estimated that the first tranche of biodiversity targets will be published within 36 months of the Bill receiving Royal Assent (prior to 2030). Setting targets is a complex process with multiple steps required to ensure unintended consequences are avoided and the desired outcomes achieved. Prior to preparing the legislation, target and policy development are required. Target development will include an exercise to prioritise the Global Biodiversity Framework targets, engaging with stakeholders around these target areas, evidence gathering including indicator development, designing notional targets, and scenarios modelling of target ambitions to ensure targets are achievable. Collation of data and modelling are required for robust creation of those target types. Further information is in Annex A.

Development of the secondary legislation will then require Impact Assessments and consultation on the targets - which alone will require 12 weeks - with potential revision of proposals required following consultation. The supporting documents will then have to be written prior to laying the Regulations before the Senedd. Creating the secondary legislation alone takes 12 months at a minimum (from consultation through to introduction), depending on the allocated plenary slot. To note, while policy development of the targets can be conducted prior to Royal Assent, we cannot consult on subordinate legislation before the primary legislation is introduced as this would be considered pre-empting the voting of the Senedd.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I appreciate the concerns that have been raised regarding the timeframe. I have asked my officials to consider different options of target creation timelines to explore how the 36-month timeframe could be reduced, and how targets can be brought in sooner.

2. We would like an update on the Treasury Budget Improvement Impact Advisory Group (BIIAG) work, in particular on timings.

The Budget Improvement Plan includes a prevention agenda which is shaped by the work of BIIAG. A sub-group working with BIIAG is in the early stages of embedding 'prevention' – avoiding harmful unintended impacts - into the budget setting process. The sub-group is using biodiversity as an area to pilot ideas such as the development of a toolkit and providing advice to policymakers and Welsh Treasury, based on insights from the Dasgupta review and expects to report on progress in 2025.

Subject to the findings from this pilot, I have asked my officials to explore a whole-budget approach to preventative activity. This work will support our ambition to mainstream delivery for biodiversity and ecosystem resilience across the organisation and our partners.

In addition, my officials from Treasury, Decarbonisation and Biodiversity are involved with the Next Generation Budgets project. This is a 21-month project, ending in February 2026, run by the 'Climate Group' that trains and supports devolved governments in the design of green 'next generation budgets'. The project aims to align public budgeting with climate neutrality goals and help unlock financing, building on and informed by technical training and international best practice.

3. We would like an overview of what you are doing on monitoring.

Effective and affordable monitoring and evidence is vital for tracking our progress towards both the 30 by 30 target and our longer-term nature positive ambition. I recognise that high-quality evidence underpins decision-making and enables an adaptive management approach necessary to deliver resilient ecosystems that adapt to wider pressures, such as climate change.

Various biodiversity monitoring programmes are therefore currently undertaken with direct support from, or on behalf of, the Welsh Government (WG), allowing the reporting of the status of biodiversity in Wales e.g. through the Natural Resources Wales (NRW)-produced State of Natural Resources Report (SoNaRR) due to report in December 2026. Key components of our existing biodiversity monitoring framework include Environment and Rural Affairs Monitoring and Modelling Programme (ERAMMP), the Living Wales Earth Observation system, the monitoring of key indicator species through JNCC/citizen science-led surveillance programmes, and the Common Standards Monitoring provided by NRW for protected sites. Much of these data are held in publicly available data repositories, such as the National Biodiversity Network Atlas Wales, to maximise its value and use across sectors. More information can be found in Annex B.

Similarly, in the marine environment there are several statutory monitoring programmes which are largely undertaken by Defra and other government agencies, including NRW, on behalf of Welsh Government. These are detailed in the UK Marine Strategy Part Two and range from marine biodiversity, commercial fisheries, water quality and marine litter. Outside of this, monitoring of our Marine Protected Area network is a devolved function to NRW, supported by Welsh Government.

In relation to our international commitments, the UK published its National Targets on 1 August 2024 including a summary of countries commitments to deliver against the Kunming Montreal Global Biodiversity Framework (GBF). The Convention on Biological Diversity (CBD) also requires Parties to submit reports on the implementation and the effectiveness of delivery against the KMGBF targets. The Joint Nature Conservation Committee (JNCC) have agreed to coordinate production of this 7th report, on behalf of the UK, with a view to submitting it to the secretariat in February 2026.

In addition, the JNCC and UK annually produce the UK Biodiversity Indicators enabling tracking of progress on our national and international biodiversity commitments. Each of the four countries in the UK have their own set of biodiversity indicators that assess progress against targets set out in national biodiversity strategies.

For example, in relation to the 30 by 30 target, the Monitoring and Evidence expert group have produced a comprehensive report recommending a high-level monitoring and evidence framework. The framework sets out a series of suggested metrics (e.g. “area of effectively managed protected sites”) and evidence sources (e.g. “Earth Observation”) to assess progress towards 30 by 30. Practical implementation details, such as skills, data sourcing, processing, and analysis, are under consideration. It is important to note that Wales is a data-rich country, with significant resource spent in the public, private, and third sectors to record the status of biodiversity and efforts towards restoring it. An additional focus of our next steps will be the collation and consolidation of monitoring effort and resources in Wales to ensure data are efficiently captured, processed, and analysed against the framework the Monitoring and Evidence group have produced.

Finally, new legislation to be laid during this Senedd term will incorporate the cycle of effective monitoring, assessment and reporting for the new biodiversity targets, to provide greater accountability and transparency.

I hope you find this information useful.

Yours sincerely,

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs

Annex A: Target creation sequence

The following steps are required for setting biodiversity targets and demonstrate the amount of work required to bring forward targets.

Target development

- Global Biodiversity Framework target prioritization
- Engagement around prioritized target areas
- Baseline data and evidence gathering
- Indicator availability and assessment (and development if required)
- Notional target development
- Scenarios modelling (inc. procurement of this) to ensure target ambitions are correct and achievable.
- Secure Legal Services resource

Development of secondary legislation

- Finalise policy proposal including drafting policy proposals and the draft Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA)
- Secure permission to consult
- Consultation on target regulations
- Revise proposals based on consultation analysis
- Publish Government response to consultation
- Write Legal Instructions
- Write Explanatory Memorandum
- Finalise IIA
- Finalise RIA

Senedd

- Document Production
- LPGU lay draft Statutory Instrument
- Senedd Scrutiny
- Plenary debate and vote
- Introduction

Annex B: Current arrangements for monitoring biodiversity

- Led by the UK Centre for Ecology and Hydrology (UKCEH) and supported by WG, agri-environmental support is evaluated through the Environment and Rural Affairs Monitoring and Modelling Programme (ERAMMP). The ERAMMP National Survey annually assesses the condition of Wales' natural environment at a landscape scale.

- Monitoring of stocks and trends of key indicator species is undertaken through a series of citizen science-led surveillance programmes – coordinated by JNCC and eNGOs. Much of the data collected through these programmes inform biodiversity trend reporting at the Welsh, UK, and international level.

- Supported by WG and developed by Aberystwyth University, Living Wales provides a national evidence base and monitoring system of Welsh environment and landscape characteristics, combining satellite imagery, ground survey and remote sensing technologies. It captures near real time Earth Observation data, allowing the tracking of changes in the extent of habitats. Additionally, UKCEH uses satellite imagery to produce the annual Land Cover map, assessing broad-scale habitat change.

- NRW leads 'Common Standards Monitoring', a UK-established approach to measuring the condition of features (i.e. notified and qualifying species and habitats) within statutory protected sites (SSSIs, SACs, SPAs). The evidence from such monitoring supports policy development, reporting and adaptive management. As Common Standards Monitoring is costly to implement, more efficient approaches to assess achievement of 30 by 30 are being considered.

- NRW's MPA monitoring programme aims to assess the condition of protected features and inform site management, primarily focusing on Skomer MCZ and five marine SACs due to resource constraints. Monitoring is limited to nearshore waters within 12 nm, with offshore areas managed by JNCC. Various methods, including remote sensing, *in situ* recording, and national surveillance programmes (e.g. the Seabird Monitoring Programme), are used to monitor habitats and species. Monitoring has been ongoing since the 1980s at Skomer MCZ and 2001 for SACs, providing valuable long-term data for comparison. Common Standards Monitoring approaches are typically followed, ensuring consistent and comparable data over time.

- Water Framework Directive (WFD) monitoring is the mainstay of NRW's monitoring programme in freshwater and coastal ecosystems and consists of a combination of water quality monitoring and biological monitoring. Water quality work focusses mainly on nutrients and acidity, with smaller programmes working on other pollutants such as pesticides and metals. Biological monitoring assesses various aspects of the freshwater environment (known as quality elements), predominantly invertebrates, diatoms, aquatic plants, and fish. Outputs from monitoring assessments are published on WaterWatch Wales every three years. Reliable monitoring data are essential for understanding water quality trends and putting in place effective policy interventions. Working with NRW and stakeholders we continue to develop an agile and integrated monitoring network, including consideration of continuous and real time methods.

- The UK Marine Strategy includes a monitoring programme to assess the status of various marine ecosystem components e.g. cetaceans, marine fish.

- Less structured, local biodiversity recording is undertaken by individuals, volunteer groups, and large organisations (e.g. academia, NRW). These data are often held within publicly available data repositories, such as the National Biodiversity Network Atlas Wales and the Global Biodiversity Information Facility (GBIF). Local Environmental Records Centres (LERCs) play an important role in validating and verifying biodiversity records, as well as processing data to support local decision-making.

- The GB Non-native Species Information Portal (GBNNSIP) provides access to distribution maps and other information including an 'alert system' for all non-native species in Britain.

- UKCEH operates the wildlife disease & contaminant monitoring & surveillance network (WILDCOMS), integrating various surveillance schemes for disease and contaminants in vertebrate wildlife. Schemes such as the UK Cetacean Strandings Investigation Programme are supported by the Welsh Government and other public bodies.

- As part of the European Long Term Ecological Research (eLTER) network, UKCEH coordinates a series of long-term ecosystem research sites across the UK – the Environmental Change Network (ECN). Four sites are based in Wales and operated by NRW (one terrestrial and three freshwater). The ECN site network was established in 1993 to monitor the physical, chemical, and biological components of ecosystems, providing evidence of impacts to biodiversity, particularly climate change, pollution, and land management. Additional ecological research station networks, with sites situated across Wales, include the UK Upland Waters Monitoring Network (supported by WG) and Cosmic-ray soil moisture monitoring network. Data are freely available for non-commercial purposes.

- The Clean Air Act for Wales sets out targets for pollutants and has regard to the most recent WHO air quality guidelines. Monitoring of air quality takes place at strategic locations throughout Wales e.g. at automatic monitoring sites. Data on air quality from 1986 to the present day can be retrieved from the Welsh Air Quality Data and Statistics Database.

- The National Peatland Action Programme monitors hydrological and ecological responses to its restoration activity. All restoration data are published on the Welsh Peatland Data Portal and progress reports are published on the NPAP Website. The first five-year evaluation of NPAP is scheduled for 2025.

- The National Forestry Inventory is a five-year rolling programme coordinated by Forest Research, monitoring the state of woodlands and trees within Great Britain.