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POLICY AND STRATEGY, DOCUMENT

Call for evidence and expertise on protected sites

Call for evidence and expertise on protected sites by Wales' interim environmental protection assessor.

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Dear colleagues

I'm writing to issue a call for evidence on the management and protection of protected sites in Wales.

In my role as the Interim Environmental Protection Assessor for Wales (IEPAW, I have received a number of submissions about protected sites in Wales. As a result I plan to produce a report on protected sites to Welsh Ministers to:

- assess whether the existing legal framework is functioning correctly;
- identify areas where the existing legal protection may not be delivering the intended benefits, particularly in relation to the protection and enhancement of biodiversity;
- identify potential gaps in existing legislation;
- identify areas where the practical application of the legislation may be impeded; and
- produce draft recommendations for how the law could be improved.

The report scope at this stage only includes terrestrial protected sites: Sites of Special Scientific Interest (SSSIs), Special Protection Areas (SPAs) and Special Areas of Conservation (SAC). It does not include protected/designated landscapes.

NRW's [2020 Baseline Evaluation project](#) assessed the quality of all protected sites - the first full assessment since 2003. They were unable to determine the condition of around half of the features of all sites (for example habitat quality or number of species) due to insufficient evidence. Of the features they were able to assess, 20% were in a favourable condition, 30% in an unfavourable condition and 50% not in a desired state.

In addition the Ministerial Biodiversity [Deep Dive recommendations](#) were published in October 2022. This focussed on Wales' approach to implementing the Convention of Biological Diversity (CBD) Global Biodiversity Framework

target to protect at least 30% of the land and 30% of the sea by 2030. The current draft 1 of the post-2020 framework states: 'Ensure that at least 30 per cent globally of land areas and of sea areas, especially areas of particular importance for biodiversity and its contributions to people, are conserved through **effectively and equitably managed, ecologically representative and well-connected systems of protected areas** and other effective area-based conservation measures and integrated into the wider landscapes and seascapes.'

With this in mind I'm seeking views and evidence on:

- Should there be a statutory duty to monitor protected sites? If so, as resources are finite, what is the best way of the key players contributing to an integrated monitoring strategy and facilitating a team Wales approach? Is focusing on monitoring features the right approach or should there be more sites based consideration and a more balanced methodology?
- Should there be targets on the quality and connectivity of protected sites? If so, what should the targets cover?
- What changes should be made to the existing legal framework, if any, to ensure there is an improvement in the overall condition of protected sites? For example, could any legal mechanisms used for Special Areas of Conservation (SAC) benefit other protected sites categories?
- Are there any barriers to agreeing management agreements? If so, how could these be overcome?
- What, if any, changes to the current enforcement mechanisms would achieve better outcomes for protected sites?
- Please comment on any current or future legal mechanisms which could enable a more adaptive approach to site management leading to the better overall condition of a protected site.

Please could any written comments or evidence on the above questions be sent to me by **Friday 20 January 2023**. If a little longer is needed just let me know. Please also let me know if you're content for your comments/evidence to be

quoted in the final report and attributed to you and/or your organisation. Further information about my role can be found at [Raising a concern about the functioning of environmental law](#).

Many thanks.

On behalf of

Dr Nerys Llewelyn Jones

Asesydd Interim Diogelu'r Amgylchedd Cymru / Interim Environmental Protection Assessor for Wales

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