

# Deddf yr Amgylchedd (Cymru) 2016

## Asesiadau o Effaith

Mae'r ddogfen hon yn cynnwys yr asesiadau o effaith a gafodd eu paratoi er mwyn dangos effaith Deddf yr Amgylchedd (Cymru) 2016, a gafodd Gydsyniad Brenhinol ym mis Mawrth 2016.

Cafodd effaith Bil yr Amgylchedd (Cymru) ei asesu cyn iddo gael ei gyflwyno gerbron Cynulliad Cenedlaethol Cymru ar 11 Mai 2015. Mae'r manylion am daith y Bil drwy'r Cynulliad i'w gweld ar ei wefan<sup>1</sup>

1. Asesiad o'r Effaith ar Gydraddoldeb (EIA)
2. Asesiad o'r Effaith ar Hawliau Plant (CRIA)
3. Asesiad o'r Effaith ar Brawfesur Polisïau Gwledig
4. Asesiad o'r Effaith ar yr Iaith Gymraeg (WLIA)

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<sup>1</sup> <http://www.senedd.cynulliad.cymru/mgIssueHistoryHome.aspx?Ild=12572>

# Environment (Wales) Act 2016

## Equality Impact Assessment (EIA)

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|--|---|
| <b>Policy title and purpose (brief outline):</b> | <b>Environment (Wales) Act 2016</b><br><br>The purpose of the Environment (Wales) Act 2016 ("the Act") is to enable Wales' resources to be managed in a more proactive, sustainable and joined-up manner, it also sets out the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider work to help secure Wales' long term well-being, so that it benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities. |
| <b>Department:</b>                               | <b>Department for Natural Resources</b>   |

### 1. Please provide a brief description of the policy/decision.

**For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?**

## Background

The 2011 Welsh Government's '*Programme for Government*' built on the 2010 '*A Living Wales: a new framework for our environment, countryside and seas*' consultation in setting out a number of commitments in relation to natural resource management, including the Environment Bill.

In 2012, the '*Sustaining a Living Wales*<sup>2</sup>' Green Paper set out proposals on the scope and opportunities for simplifying how we manage and regulate the environment to deliver better outcomes for the people of Wales. The central proposal in the Green Paper was to move towards an ecosystem approach and sought views on how natural resource management planning might be developed at local and national levels to enable better decision-making. The consultation responses to the Green Paper, like those to the 2010 consultation, showed strong support for a fresh approach to planning and managing natural resources in Wales. In 2013, the Welsh Government published a White Paper setting out proposals for an Environment (Wales) Bill<sup>3</sup> ('the Bill'). The White Paper set out a framework for better management of resources, focusing on Wales' natural resources and waste.

<sup>2</sup> In the green paper this was termed the 'ecosystem approach'. <http://www.cbd.int/ecosystem>

<sup>3</sup> Towards the Sustainable Management of Wales' Natural Resources: Consultation on proposals for an Environment Bill': <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

In doing so, it included specific proposals for a new area-based approach to integrate natural resource management at a local level, underpinned by the ecosystem approach and the United Nations' Convention on Biological Diversity (CBD) principles.

The development of the White Paper was one of a package of actions undertaken to enable more joined up and proactive management of Wales' natural resources. This included the establishment of Natural Resources Wales in 2013, drawing together three historically separate delivery bodies into a single, integrated natural resource body for Wales. Its creation helped to integrate the regulatory functions within one organisation, but the organisation remains bound by the weaknesses in the legislative framework, consisting of more than 230 pieces of statute. The White Paper proposals were therefore designed to address those weaknesses and enable further integration, as well as supporting the Government's wider objectives in relation to sustainable development.

### Sustainable Development

Our approach to natural resource management is underpinned by the Welsh Government's commitment to the principles of sustainable development. The Welsh Government's Programme for Government reinforces the importance of sustainable development's place as the central organising principle in defining the best development path for Wales and commits all policies and programmes to ensure that they reflect these principles. The relationship between our approach to natural resource management and sustainable development were explained in detail in the White Paper and aligns fully with the requirements of the Well-being of Future Generations (Wales) Act 2015<sup>4</sup>, by setting out the legal definition of sustainable natural resource management and embeds the principles of sustainable development in this definition. The interpretation and application of this definition of natural resource management, and therefore of sustainable development, fundamentally underpins and is at the centre of the Act.

Sustainable Development places an emphasis on social, economic and environmental wellbeing for people and communities, embodying our values of fairness and social justice. It looks to the longer term in the decisions we make now and in the future.

### What is the overall objective of the policy?

The overarching aims of the Act is to enable Wales' resources to be managed in a more proactive, sustainable and joined-up manner and to set out the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider work to help secure Wales's long term well-being, so that it benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

The Act makes provision to help plan and manage Wales' natural resources at a national and local level, through specific requirements for a State of Natural Resources Report (SoNaRR), a National Natural Resources Policy (NNRP) and area statements. The provisions will enable greater integration and simplification of policies, plans and programmes where this is consistent with statutory duties. The

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<sup>4</sup> <http://gov.wales/legislation/programme/assemblybills/future-generations/?lang=en>

Act provides Natural Resources Wales (NRW) with a general purpose duty that aligns fully with the statutory principles for the sustainable management of natural resources, and provides NRW with enhanced powers to enter into management agreements with land owners and establish experimental schemes in line with those principles. The Act also provides public authorities with a reshaped requirement to seek to maintain and enhance biodiversity.

The Act also includes provisions to tackle climate change, through statutory emission reduction targets and carbon budgeting to support their delivery. It includes provisions to improve the use of resources in relation to carrier bags and waste management. The sections on carrier bag charging provide greater flexibility for the Welsh Ministers to adapt to any emerging consumer trends or unintended consequences as a result of the scheme for single use carrier bags and those on waste provide the Welsh Ministers with powers to take action to achieve higher levels of recycling for business waste, food waste treatment and energy recovery. The Act also clarifies the law for a number of environmental regulatory regimes including marine licensing, shellfisheries management, land drainage and flood risk management.

### **What are the stated aims?**

In summary, these proposals will:

- Help us manage our resources effectively and in a more joined up way.
- Give NRW the tools they need to work more effectively.
- Focus on the needs and opportunities for different areas with the needs of communities at the heart of decisions we take.
- Provide a better quality of evidence on the capacity, opportunities and resilience of our natural resources for future generations.

### **How will it be achieved? What will the measure of success be?**

The connections between social justice, economic prosperity and the use of natural resources, for current and future generations have been recognised by identifying a set of shared outcomes and considering how they will be achieved. The Act is one component of the wider strategic policy approach to achieve these long term outcomes. It will focus on establishing a more effective and integrated approach to natural resource management and through this help to bring about significant improvements to our natural environment. It will enhance sustainable growth, supporting businesses and our economy.

No equality issues were identified in relation to the other parts of the Act. In most cases, previous equalities assessments have been undertaken, with the findings still current and applicable. All the relevant subordinate legislation under the Act will be subject to an engagement process and full detailed assessment. This would include an equality assessment in line with the requirements under the Well-being of Future Generations (Wales) Act 2015.

### **What is the timeframe?**

The Act received Royal Assent in March 2016.

**2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?**

**Sustainable Management of Natural Resources**

A broad range of responses were received on previous consultations including:

- In 2010 ‘*A Living Wales: a new framework for our environment, countryside and seas*’ Green Paper.
- In 2012, the ‘*Sustaining a Living Wales*<sup>5</sup>’ Green Paper
- In 2013, ‘*Environment (Wales) Bill*<sup>6</sup> *White Paper*’. The consultation sought views on the full range of proposals, in particular focusing on the Bill’s objectives:
  - To enable Natural Resources Wales to manage our natural resources in a more joined up way.
  - To ensure the decisions we take in relation to our natural resources support our economy and communities, as well as the environment.
  - To simplify processes and to have better quality evidence on our natural resources.
  - To put in place legislation that is right for Wales and is aligned to our priorities.
  - To ensure the principles of integrated NRM and the sustainable management of natural resources are at the heart of the Bill ensuring that the value of our ecosystems can be properly considered.

A question was included to in relation to the needs of Welsh citizens:

**Question 41**

*“We want to ensure that the Environment Bill is reflective of the needs of Welsh Citizens. As such, we would appreciate any views in relation to any of the proposals in this White Paper that may have an impact on a) Human rights b) Welsh language or c) the protected characteristics as prescribed within the Equality Act 2010. These characteristics include gender; age; religion; race; sexual orientation; transgender; marriage or Civil Partnership; Pregnancy and Maternity; and, disability”.*

A range of equalities organisations were invited to respond to the consultation, including Diverse Cymru and the Equality and Human Rights Commission. We received responses to the question from equalities organisations including the Youth Hostel Association and Welsh Language Commissioner.

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<sup>5</sup> In the green paper this was termed the ‘ecosystem approach’. <http://www.cbd.int/ecosystem>

<sup>6</sup> Towards the Sustainable Management of Wales’ Natural Resources: Consultation on proposals for an Environment Bill’: <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

### Youth Hostel Association (YHA):

*“YHA considers that it is important to consider the needs of visitors to Wales to ensure that the tourist industry continues to be supported. YHA is working in partnership with the Campaign for National Parks to encourage disadvantaged persons and ethic groups to visit the Welsh National Parks. The Mosaic project is well established and should not be disadvantaged but encouraged by the proposals.”*

During the White Paper consultation period a number of workshops and events were held. These included a Natural Resources conference on 25 November 2013, attended by over 160 people from a range of different sectors. The conference provided an opportunity to discuss the proposals which have led to the Act, as outlined in the White Paper and other Welsh Government initiatives. Round-table discussions at the conference focused on the proposals relating to the area-based approach for natural resource management. In addition to the conference, four regional consultation events were held to discuss the White Paper proposals. The regional workshops were held on:

- Monday 2 December 2013, Merthyr Tydfil.
- Wednesday 4 December 2013, Aberystwyth.
- Monday 9 December 2013, Llandudno Junction.
- Friday 10 January 2014, Cardiff.

The comments captured at the conference and the regional events informed the consultation summary report and further development of the Bill.

Stakeholders have also been engaged on NRM and the Bill via the Departmental Conference “Child’s Future in Wales” held in November 2014.

Discussions on the development of the Bill since the White Paper consultation have been coordinated through the Natural Resources Reference Group. The Reference Group is the Department’s external stakeholder forum, comprising representatives from key stakeholders including NGOs, business, local authorities, farming sector and NRW. The Reference Group has discussed aspects of the Bill throughout its development and meets approximately every two months.

Information on the Bill has also been provided to stakeholders, throughout its scrutiny, via the Natural Resources e-bulletin. The e-bulletin is sent to nearly 1600 external stakeholders every month.

A summary of the responses to this consultation, together with details of all responses received can be found at:

<http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?skip=1&lang=cy>

(Welsh Version)

<http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?status=closed&lang=en>

(English Version)

## **Additional consultation and engagement**

### **Climate Change**

*The Wales We Want* - Both The Wales We Want Interim and Final Reports, published in June 2014 and March 2015 respectively, showed that climate change was considered the single most critical issue facing future generations.

*UK Committee on Climate Change* - In January 2013, the UK Committee on Climate Change (UKCCC) produced their second annual report "*Progress reducing emissions and preparing for climate change in Wales*"<sup>1</sup>. As part of the report, the Welsh Government requested the UKCCC to provide an assessment of legislative options on climate change mitigation and adaptation provisions that might be appropriate to include in the Bill.

*Climate Change Commission for Wales* - In July 2013 the Climate Change Commission for Wales (CCCW) submitted a Position Paper on the development of the Bill, which was in response to a contribution request from the Minister for Natural Resources and Food.

*Well-being of Future Generations (Wales) Act 2015* - In November 2014, the Environment and Sustainability Committee published the Well-being of Future Generations (Wales) Bill: Stage 1 Committee Report. The report highlighted a number of responses that stated climate change goals needed to be better represented and strengthened within legislation.

During the Environment and Sustainability Committee session on 4 March 2015, it was recommended that establishing statutory climate change targets for Wales would be a positive step in tackling climate change.

### **Charges for Carrier Bags**

Engagement on the carrier bag provisions has taken place with Defra and the devolved governments, the Welsh Local Government Association and several retail associations, such as the Federation of Small Businesses, the Association of Convenience Stores and the British/Welsh Retail Consortium.

### **Collection and Disposal of Waste**

Engagement has been undertaken on the proposals, with key stakeholders including businesses (e.g. Federation for Small Businesses) the waste industry (the Wales Environmental Services Association) public sector (for example Wales Health Estates); NRW, Local authorities, Defra and the devolved governments.

### **Marine Licensing**

Engagement on the marine licensing charging provisions has taken place with Defra, other devolved governments, NRW and other marine licensing stakeholders.

### **Fisheries for shellfish**

Engagement has taken place with 3 Inshore Fisheries Groups, the Welsh Marine Fisheries Advisory Group, and the Menai Strait Fishery Order Management

Association and fishery industry such as Seafish and the Welsh Fishermen's Association.

### **Flood and Coastal Erosion Committee**

NRW have engaged with the Flood Risk Management Wales Committee as part of the review.

### **Land Drainage**

Engagement has taken place with NRW, the Internal Drainage Boards, Environment Agency in England and Agricultural Land Tribunals.

**3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?**

### **Sustainable Management of Natural Resources**

There is a limited evidence base on our natural resources and there is no legal requirement for any organisation to report on the state of natural resources in Wales. This is something we are seeking to address through the Act, particularly through the publication of the SoNaRR. This evidence base, in the future, would help to ensure we have the right information which we can use to help inform decisions on how we may improve our environment, taking into consideration specific local issues, for example in areas of deprivation.

SoNaRR will provide a comprehensive and centralised national evidence base on the status of natural resources in Wales, which is regularly reviewed and updated to reflect current conditions. In doing so it will provide the evidence needed to inform the development of policy to enable the Welsh Ministers to set priorities for action at the national level, as well as evidence to inform the selection of appropriate areas for the implementation of these priorities by NRW at a local level, for example, taking consideration of specific local issues in areas of deprivation.

An outcome of the sustainable management of natural resources will mean that benefits are provided for local communities equally, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. The intention is to create a resilient natural environment, so that natural resources will continue to provide for example clean water, good air quality, climate regulation and crop pollination. This is also likely to lead to improved access to our environment and green spaces which would benefit communities, for example by providing opportunities for outdoor leisure activities.

The principles of sustainable management of natural resources under section 4 of the Act include the need to promote and engage in collaboration and co-operation and to make appropriate arrangements for public participation in decision-making. In applying the principles, NRW and the Welsh Ministers must therefore engage with all relevant sectors of society, including consulting with them. This will also ensure that the principles reflect the public participation requirements of the Convention on



Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention).

It is expected that this will create a positive impact on equality by broadening access to participation and improved decision making, which will include representation of a wider group base within society. This will also be integrated into the main elements of Part 1 of the Act relating to evidence, policy and delivery.

### **Climate Change**

In January 2013, the UK Committee on Climate Change (UKCCC) produced their second annual report *“Progress reducing emissions and preparing for climate change in Wales”*<sup>1</sup>. As part of the report, the Welsh Government requested the UKCCC to provide an assessment of legislative options on climate change mitigation and adaptation provisions that might be appropriate to include in the Bill.

In June 2014 and March 2015, both The Wales We Want Interim and Final Reports were published and showed that climate change was considered the single most critical issue facing future generations. The final report represents the overall summaries of a year-long conversation with people across Wales which started in February 2014. The conversation was undertaken in association with the development of the Well-being of Future Generations (Wales) Act 2015 and engaged nearly 7000 people.

The provisions in this Act place a long-term statutory target to reduce Wales’ emissions by at least 80% lower than the baseline by the year 2050 together with a requirement for the Welsh Ministers to set interim targets and carbon budgets to achieve this target. The framework itself does not raise issues of equality and the Welsh Government is content that the findings in the original equality impact assessment for the original Climate Change Strategy are still applicable.

Nevertheless, when the Welsh Government sets any new proposals and policies for meeting carbon budgets, they would be subject to an engagement process and a full and detailed assessment. This would include an equality assessment in line with the requirements under the Well-being of Future Generations (Wales) Act 2015.

### **Charges for Carrier Bags**

The findings in the original equality impact assessment for the original single use carrier bags charge are still applicable.

In terms of the provision to place a duty on retailers to apply the net proceeds of the charge on carrier bags to good causes, it was initially identified in the original equality impact assessment for the Waste (Wales) Measure 2010 that the proposal to adopt a voluntary agreement with retailers to donate the net proceeds of the charge to good causes would not have significant impact on people with protected characteristics. As with the original equality impact assessment the Welsh Government is content that placing a duty on retailers to donate the net proceeds of the charge to any good causes would not negatively impact people with protected characteristics

When introduced, the provision required sellers to donate the net proceeds from the charge to all good causes and, as a consequence of this, people of with protected

characteristics were considered to be likely beneficiaries. Following amendments agreed at Stage 2 by the National Assembly for Wales' Environment and Sustainability Committee, this provision was amended to require the net proceeds of the charge to be applied to charitable purposes that relate to environmental protection or improvement. However, an exception was included to allow sellers to continue with their arrangements with non-environmental good causes if they gave notice of their intention. As a consequence, it is considered that people with protected characteristics will still benefit from this provision.

### **Collection and Disposal of Waste**

It is intended that the requirements will be introduced via subordinate legislation and therefore as the Act provisions provide enabling powers to the Welsh Ministers only, they do not directly raise issues of equality. At this time, the Welsh Government is content that the findings in the equality impact assessment for the Wales waste strategy Towards Zero Waste are still applicable. Any decision to make regulations under the Act would be subject to an extensive engagement process and full and detailed Regulatory Impact Assessment at that time.

### **Fisheries for Shellfish**

The Act makes amendments to insert enabling powers into the Sea Fisheries (Shellfish) Act 1967. As the Act provides enabling powers for the Welsh Ministers only, the Act provisions themselves do not raise issues of equality. However, further equality analysis of the exercise of those powers will be undertaken by the Welsh Government when the subordinate legislation is introduced.

### **Marine Licensing**

A fees review is underway to ensure that fees will be set proportionally and fairly and a further Impact Assessment will be carried out at that time. For the purposes of introducing the new powers, we have utilised data evidence from NRW and proxy data from other marine licensing authorities to establish evidence based best estimates. The powers will be applied to all users of the marine licensing system.

No impacts on equality issues were identified on completion of the impact assessment in relation to the marine licensing provisions

### **Flood and Coastal Erosion Committee**

This policy will see the establishment of the Flood and Coastal Erosion Committee which will provide advice to the Welsh Ministers on flooding from all sources and coastal erosion across Wales.

The benefits and impacts will apply equally to all people across Wales and capture risk from rivers, surface water, ordinary watercourses, reservoirs and the sea as well as coastal erosion. In providing such advice, it can look at the wider risks and multiple benefits across larger spatial areas, associated with river catchments and/or coastal areas. The Welsh Government can also ensure that flood risk management across Wales is aligned with the National Strategy for Flood and Coastal Erosion Risk Management, including reducing risk from flooding and raising awareness. This should therefore have a positive impact on people at risk from flooding.

## **Land Drainage**

The purpose of the policy is to clarify the powers of the Welsh Ministers to enforce remedial drainage works as directed by an ALT order helping to restore land to its economic function, therefore is neutral from an equality perspective. There may be a positive impact on Human Rights as the provision will ensure an effective remedy and help to resolve cases more quickly, preventing long, protracted disputes. No impacts on equality issues were identified on completion of the impact assessment for the provisions in relation to IDBs.

### **In developing the Bill, the following evidence was considered:**

Equality Impact Assessment for the Welsh Government Draft Budget, 2014:  
<http://wales.gov.uk/topics/equality/inclusivepolicy/impactassessments/draftbudget1415eia/>

How fair is Wales? Equality, human rights and good relations, Equality and Human Rights Commission, 2011:  
<http://www.equalityhumanrights.com/wales/library/how-fair-is-wales/>

UK National Ecosystem Assessment, 2011:  
<http://uknea.unep-wcmc.org/Resources/tabid/82/Default.aspx>

State of Nature Report, 2013:  
<http://www.rspb.org.uk/ourwork/science/stateofnature/index.aspx>

Making Space for Nature: A review of England's Wildlife Sites and Ecological Network, 2010:  
<http://archive.defra.gov.uk/environment/biodiversity/index.htm>

Sustainable development Indicators for Wales, Welsh Government / Statistics for Wales, 2013:  
<http://wales.gov.uk/statistics-and-research/sustianable-development-indicators>

Sustainable Development Bill White Paper:  
<http://wales.gov.uk/consultations/sustainabledevelopment/sdwhitepaper/?lang=en>

Sustainable Development Scheme:  
<http://wales.gov.uk/topics/sustainabledevelopment/publications/onewalesoneplanet/?lang=en>

Climate Change: its impacts for Wales, Welsh Assembly Government, 2009.  
<http://wales.gov.uk/topics/environmentcountryside/climatechange/publications/impact sforwales/>

Equality Act 2010:  
<http://www.legislation.gov.uk/ukpga/2010/15/contents>

Green Growth Wales: Investing in the Future, 2014:  
<http://wales.gov.uk/topics/environmentcountryside/consmanagement/green-growth-wales/?lang=en>

World Health Organisation: Protecting Health in Europe from Climate Change, 2008

[http://www.google.co.uk/url?url=http://www.euro.who.int/\\_data/assets/pdf\\_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4\\_iaP3iglgG&ved=0CBQQFjAA&usg=AFQjCNEv-fAVlihavKJfOxebesb2JxF6vA](http://www.google.co.uk/url?url=http://www.euro.who.int/_data/assets/pdf_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4_iaP3iglgG&ved=0CBQQFjAA&usg=AFQjCNEv-fAVlihavKJfOxebesb2JxF6vA)

University of Exeter in 2014, 'Longitudinal effects on mental health of moving to greener and less green urban areas'

<https://ore.exeter.ac.uk/repository/handle/10871/15080>

## Impact

An assessment on the impact on the protected groups under the Equality Act 2010 has been undertaken for each of the proposals in the Act. Sections 4.1 to 4.11 have been populated with evidence in relation to the sustainable management of natural resources and climate change proposals.

For each of the other policy areas included in the Act for collection and disposal of waste, charges for carrier bags, fisheries for shellfish, marine licensing and land drainage, the impact has been none or negligible.

**4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?**

| Age   | Positive | Negative | None / Negligible | Reasons for your decision (including evidence) / How might it impact?  |
|---|----------|----------|-------------------|--|
| Younger people<br>(Children and young people, up to 18)<br><br>Policy leads should also complete a Children's Rights Impact Assessment. | √        |          |                   | <p>It is intended that the Act will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. Better decision-making, planning and sustainable management of our natural resources have real potential to deliver a positive impact on groups who are most vulnerable and excluded. The Act will therefore support wider work to tackle poverty and inequality.</p> <p>Sustainably managing our natural resources may also lead to an increase in sustainable jobs. This could provide further employment opportunities and skills for young people and future generations; reducing poverty. The Green Growth Wales: Investing in the Future Report <sup>7</sup> stated that:</p> |

<sup>7</sup> <http://wales.gov.uk/topics/environmentcountryside/consmanagement/green-growth-wales/?lang=en>

|                    |   |  |  |  |
|--------------------|---|--|--|--|
| People 18- 50      | √ |  |  | <p>“We already have over 41,000 people employed in the green economy in a variety of industries including energy, waste and water.”</p>  |
| Older people (50+) | √ |  |  | <p>Tackling climate change and reducing greenhouse emissions can have a positive impact on all ages and can help build resilience in communities to extreme weather events such as extreme temperatures and flooding. The World Health Organisation: Protecting Health in Europe from Climate Change<sup>8</sup> stated that there is “Increased risk of heat-related mortality, especially for the elderly, chronically ill, very young and socially isolated”.</p> <p>Our environment is also a part of Wales’ heritage, and managing this sustainably would not only benefit communities in Wales but tourists who visit Wales for its unique heritage and landscape.</p> |

#### 4.2 Because they are disabled?

| Impairment         | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact?  |
|--------------------|----------|----------|-------------------|---|
| Visual impairment  |          |          | √                 | <p>As stated above it is intended that the Act will lead to benefits for all local communities equally, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> <p>The Act should not have a specific impact on disabled people as a whole, although there is significant potential for it to have a positive impact on</p> |
| Hearing impairment |          |          | √                 |   |
| Physically         |          |          | √                 |   |

<sup>8</sup>[http://www.google.co.uk/url?url=http://www.euro.who.int/\\_data/assets/pdf\\_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4\\_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA](http://www.google.co.uk/url?url=http://www.euro.who.int/_data/assets/pdf_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA)

|                          |   |  |   |   |
|--------------------------|---|--|---|---|
| disabled                 |   |  |   | <p>tackling mental health issues. For instance, a report by University of Exeter in 2014<sup>9</sup> highlighted that access to green spaces has been linked to improved mental health. The evidence indicates that access to green spaces can contribute to stress reduction and an increase in general well-being.</p> <p>Green spaces can also lead to opportunities for outdoor physical activity which can again have a positive impact on mental health Through improved physical fitness.</p> <p>Tackling climate change and reducing emissions can have a positive impact for people with disabilities. For example, those suffering from respiratory illnesses are likely to benefit from improved air quality through effective efforts to help reduce the likelihood of extreme weather events in future (including reduced frequency of high daily temperatures during summer).</p> |
| Learning disability      |   |  | √ |   |
| Mental health problem    | √ |  |   |   |
| Other impairments issues |   |  | √ |   |

#### 4.3 Because of their gender (man or woman)?

| Gender | Positive | Negative | None / Negligible | Reason for your decision (including evidence)/ How might it impact?  |
|--------|----------|----------|-------------------|--|
| Male   |          |          | √                 | <p>The Act will not have a specific impact on a particular gender.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> |
| Female |          |          | √                 |  |

<sup>9</sup> <https://ore.exeter.ac.uk/repository/handle/10871/15080>

#### 4.4 Because they are transgender?

| Transgender | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact?  |
|-------------|----------|----------|-------------------|---|
|             |          |          | √                 | <p>The Act will not have a specific impact on transgender people.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> |

#### 4.5 Because of their marriage or civil partnership?

| Marriage and Civil Partnership | Positive | Negative | None / Negligible | Reason for your decision (including evidence)/ How might it impact?  |
|--------------------------------|----------|----------|-------------------|--|
| Marriage                       |          |          | √                 | <p>The Act will not have a specific impact on marriage or civil partnership.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> |
| Civil Partnership              |          |          | √                 |  |

#### 4.6 Because of their pregnancy or maternity?

| Pregnancy and Maternity | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact? |
|-------------------------|----------|----------|-------------------|--|
|-------------------------|----------|----------|-------------------|--|



|                                    |   |  |  |   |
|------------------------------------|---|--|--|---|
| Pregnancy                          | √ |  |  | As set out above, it is intended that the Act will lead to benefits for local communities as a whole, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.<br><br>Tackling climate change and reducing emissions can have a positive impact on pregnant women. For example it can help build resilience in communities to extreme weather events, such as extreme temperatures. The World Health Organisation: Protecting Health in Europe from Climate Change <sup>10</sup> stated that “pregnant workers with increased body metabolism are at heightened risk from increased temperatures in the work environment”. |
| Maternity (the period after birth) | √ |  |  |   |

#### 4.7 Because of their race?

| Race                                      | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact?   |
|---|----------|----------|-------------------|--|
| Ethnic minority people e.g. Asian, Black, | √        |          |                   | The Act will not have a specific impact on people due to their race on the whole, but it may have a positive impact on ethnic minorities as described below.<br><br>In their consultation response to the White Paper, the Youth Hostel Association said that the proposals in the Act would support their work “to encourage disadvantaged persons and ethnic groups to visit the Welsh |
| National Origin (e.g. Welsh, English)     |          |          | √                 |  |

<sup>10</sup> [http://www.google.co.uk/url?url=http://www.euro.who.int/\\_data/assets/pdf\\_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4\\_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA](http://www.google.co.uk/url?url=http://www.euro.who.int/_data/assets/pdf_file/0016/74401/E91865.pdf&rct=j&frm=1&q=&esrc=s&sa=U&ei=u2UVVa-RG4_iaP3iqIqG&ved=0CBQQFjAA&usq=AFQjCNEv-fAVIihavKJfOxebesb2JxF6vA)

|                            |  |  |   |  |
|----------------------------|--|--|---|--|
| Asylum Seeker and Refugees |  |  | √ | <p>National Parks”.</p> <p>The Black Ethnic minority Group <sup>11</sup>stated that: “Many ethnic communities live in some of the worst environments in the inner cities. The use of the countryside by ethnic groups for enjoyment and recreation directly improves their quality of life.”</p> |
| Gypsies and Travellers     |  |  | √ |  |
| Migrants                   |  |  | √ |  |
| Others                     |  |  | √ |  |

#### 4.8 Because of their religion and belief or non-belief?

| Religion and belief or non – belief   | Positive | Negative | None / Negligible | Reason for your decision (including evidence)/ How might it impact?   |
|---|----------|----------|-------------------|---|
| Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify) |          |          | √                 | <p>The Act will not have a specific impact on religious groups.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> |

<sup>11</sup> <http://www.ben-network.org.uk/resources/pubs.asp>

|                          |  |  |   |  |
|--------------------------|--|--|---|--|
| Belief e.g.<br>Humanists |  |  | √ |  |
| Non-belief               |  |  | √ |  |

#### 4.9 Because of their sexual orientation?

| Sexual Orientation | Positive | Negative | None / Negligible | Reason for your decision (including evidence)/ How might it impact?   |
|--------------------|----------|----------|-------------------|---|
| Gay men            |          |          | √                 | <p>The Act will not have a specific impact on people due to their sexual orientation.</p> <p>It is intended that the Act will lead to benefits for all local communities as a whole by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations.</p> |
| Lesbians           |          |          | √                 |   |
| Bi-sexual          |          |          | √                 |   |

**4.10 Do you think that this policy will have a positive or negative impact on people's human rights? *Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.***

| Human Rights   | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact?   |
|--|----------|----------|-------------------|--|
| Human Rights including Human Rights Act and UN Conventions | √        |          |                   | <p>The joined-up and proactive planning and management of Wales' natural resources embodies fully the international values of sustainable development and has the potential to have a positive impact on all.</p> <p>The sustainable natural resource management provisions set out in Part 1 of the Act have been specifically designed to complement the principles confirmed in UN's Convention on Biological Diversity (CBD) and align fully with the UN's Framework Convention on Climate Change objectives. The EU Commission, UN CBD Secretariat and other international organisations have acknowledged the Act as an exemplar of best practice.</p> <p>The Act is therefore consistent with the Convention for the Protection of Human Rights and Fundamental Freedoms and The Charter of Fundamental Rights of the European Union.</p> |

***If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.***

***Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.***

**4. 11 Do you think this policy will have a socio-economic impact, especially when decisions are contributing to tackling poverty or could adversely impact on lower-socio economic groups?**

| Socio-economic impacts | Positive | Negative | None | Reason for your decision (including evidence) / How might it impact?  |
|------------------------|----------|----------|------|---|
|                        | √        |          |      | <p>There are clear connections between tackling poverty, economic prosperity and the use of natural resources for current and future generations, and there is substantial evidence to suggest more integrated management is needed which better recognises the value of our ecosystems and the services they provide<sup>12</sup>. For example, the UK wide 2010 <i>Making Space for Nature</i><sup>13</sup> report made a case for a refreshed 'restorative approach' which rebuilds nature and creates a more resilient natural environment for the benefit of wildlife and ourselves.</p> <p>Other connections between tackling poverty and the use of natural resources include the enhanced biodiversity duty. This could enhance the capacity of our natural resources to provide ecosystem services such as clean water, good air quality, climate regulation and crop pollination, as well as providing habitats for wildlife.</p> <p>Biodiversity drives the functioning of our ecosystems, which in turn deliver a range of essential services to society. It is crucial, therefore, to sustaining ecosystems at a level that enables them to provide the vital services on which our lives depend.</p> <p>Repealing and replacing the duty (section 40 of the Natural Environment and Rural Communities Act 2006) will support delivery of the Well-being goals under the Well-being of Future Generations (Wales) Act 2015. Improving regulatory services will provide more opportunities to make improvements to the health and recreation of those poorest members of the community, such as improved air quality and open access to green space i.e. parks and gardens.</p> <p>The right mix of ecosystem services and the formulation of new markets, over</p> |

<sup>12</sup> UK National Ecosystem Assessment, (2011), p53

<sup>13</sup> *Making Space for Nature: A review of England's Wildlife Sites and Ecological Network*, (2010)

|  |  |  |  |   |
|--|--|--|--|---|
|  |  |  |  | <p>the long term, will help to boost green growth and job creation.</p> <p>At an international level biodiversity and tackling poverty have been linked via the post 2015 Development Agenda of the United Nations<sup>14</sup>, which includes a development goal, the aim of which is to show the role that biodiversity plays on such issues as tackling poverty and creating economic activity.</p> |
|--|--|--|--|---|

#### 4.12 Do you think that this policy will have any positive or negative impact on Sustainable Development?

| Sustainable Development | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact?   |
|-------------------------|----------|----------|-------------------|--|
|                         | √        |          |                   | <p>The approach taken in the Act to sustainably manage Wales' natural resources also builds on the Welsh's Government's commitment to sustainable development as our central organising principle to define the best development path for Wales<sup>15</sup>. This approach is based on a significant evidence base, as set out specifically in the Sustainable Development Scheme, and allows wider social and economic benefits provided by natural resources, and their inter-relationships to be considered.</p> <p>It also embodies our values of fairness and social justice. The Act will ensure that decisions made by the Welsh Government and its partners optimise opportunities for our communities, economy and the environment in Wales – and that the needs of future generations are considered.</p> |

<sup>14</sup> <http://www.un.org/millenniumgoals/enviro.html>

<sup>15</sup> Sustainable Development Bill White Paper <http://wales.gov.uk/consultations/sustainabledevelopment/sdwhitepaper/?lang=en>

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|--|--|--|--|--|

**4.13 Do you think that this policy will have any positive or negative impact on the Welsh Language?**

| Welsh Language | Positive | Negative | None / Negligible | Reason for your decision (including evidence) / How might it impact?  |
|----------------|----------|----------|-------------------|---|
|                | √        |          |                   | <p>Overall, we assess that there would be a positive impact on the Welsh Language. We agree with the Welsh Language Commissioner's response to the Environment Bill consultation who stated that the policy fully promotes supports and develops the language. In particular the Commissioner stated "The proposal to require NRW to develop and implement an area-based approach for the sustainable management of natural resources is a way of ensuring that there will be an appropriate focus on the Welsh language in its heartlands".</p> <p>The Act intends to support all communities to be resilient and sustainable. This could have a positive impact on supporting Welsh Language communities and could help to maintain the number of Welsh Language speakers within rural areas.</p> |

***If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.***

***Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.***

## **Equality Impact Assessment – Part 2**

### **1. Building on the evidence you gathered and considered in Part 1, please consider the following:**

#### **1.1 How could, or does, the policy help advance / promote equality of opportunity?**

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The Act will ensure that decisions made by the Welsh Government and its partners optimise opportunities for our communities, economy and the environment in Wales – and that the needs of future generations are considered.

Working with other bodies, NRW will lead a new approach to planning natural resources at a local level – taking into account local needs and priorities - and publish area statements setting out the opportunities, challenges and broad actions required in a stated area to sustainably manage our natural resources.

NRW will also ensure we have a robust evidence base, in the future, by preparing a State of Nature Report (SoNaRR) to ensure we have the right information which we can use to help inform decisions on how we may improve our environment, taking into consideration specific local issues, for example in areas of deprivation.

#### **1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?**

The Act would not directly influence unlawful discrimination, harassment or victimisation. However, as confirmed above, it is intended that the Act will lead to benefits for all local communities as a whole, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. It is intended that decision making will benefit all groups in society.



### **1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?**

The Act will also encourage decision-makers to consider the needs and opportunities for different areas with the needs of communities at the heart of the decision- making process.

## **2. Strengthening the policy**

### **2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?**

**What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?**

N/A – only positive or negligible effects were identified

### **2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.**

**(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)**

N/A - only positive or negligible effects were identified

### 3. Monitoring, evaluating and reviewing

#### How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

In evaluating the provisions introduced through the new legislation, the following will be a useful guide to success:

- The tools the legislation introduces are being used successfully, in conjunction with delivery measures, to provide increased certainty and transparency in implementing Welsh Government's policies for natural resources.
- The net environmental, social and economic benefits of implementing the proposals justify the resource allocated to them, i.e. they are cost effective, and there is no evidence that this resource could have reasonably been used in a different way to produce superior results more efficiently.
- Development in the environment and exploitation of its resources continues in a sustainable way without the negative effects on the environment that are occurring and that would continue to occur if changes were not made.
- The provisions are perceived as being implemented fairly and constructively by the majority of those involved in the environment.

Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into SoNaRR, NNRP and area statements. These could also be reviewed if the Welsh Ministers review their well-being objectives, as set under the Well-being of Future Generations (Wales) Act 2015. It is expected that this would prompt a review of NNRP and any changes to NNRP would prompt a review of the area statements.

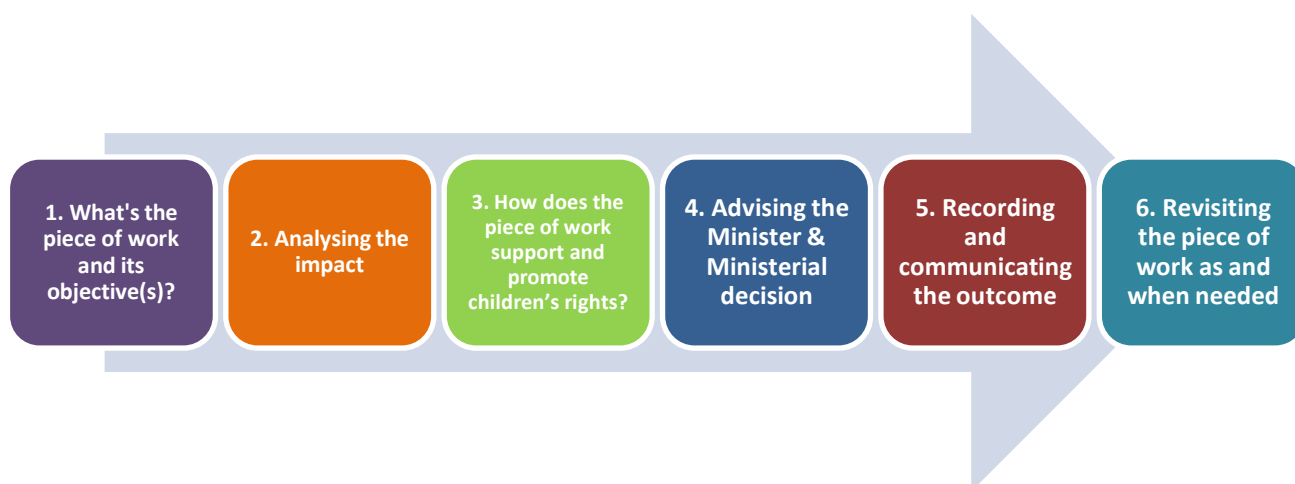
Climate change will also be covered in the NNRP and therefore will be evaluated in line with the monitoring and assessment procedures provided under Part 1 of the Act for NNRP.

**Environment (Wales) Act 2016**

**Children's Rights Impact Assessment (CRIA)**

|                               |                              |
|-------------------------------|------------------------------|
| <b>Title / Piece of work:</b> | Environment (Wales) Act 2016 |
| <b>Department:</b>            | Natural Resources            |
| <b>Date:</b>                  | 09/07/2014                   |

## **Six Steps to Due Regard**



### **Step 1. What's the piece of work and its objective(s)?**

You may wish to include:

- A brief description of the piece of work
- What the time frame for achieving it is?
- Who are the intended beneficiaries?
- Is it likely that the piece of work will affect children?
- Will the piece of work have an affect on a particular group of children, if so, describe the group affected?

In order to secure Wales' future prosperity we need to recognise the value of our natural resources and the services they provide. To do this we need to put in place a modern legislative approach that recognises that our water, land and air are all interlinked and our economy, society and environment are all interdependent.

The overarching aims of the Act are to enable Wales' resources to be managed in a more proactive, sustainable and joined-up manner and to set out the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider work to help secure Wales's long term well-being, so that it benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

The Act makes provision to help plan and manage Wales' natural resources at a national and local level, through specific requirements for a SoNaRR, a NNRP and area statements. The provisions will enable greater integration and simplification of policies, plans and programmes where this is consistent with statutory duties. The Act provides NRW with a general purpose duty that aligns fully with the statutory principles for the sustainable management of natural resources, and provides NRW with enhanced powers to undertake land management agreements and experimental schemes in line with those principles. The Act also provides public authorities with a reshaped requirement to seek to maintain and enhance biodiversity.

The Act also includes provisions to tackle climate change, through statutory emission

reduction targets and carbon budgeting to support their delivery. It also includes provisions to improve the use of resources in relation to carrier bags and waste management. The sections on carrier bag charging will expand and improve the scheme for single use carrier bags and those on waste provide the Welsh Ministers with powers to take action to achieve higher levels of recycling for business waste, food waste treatment and energy recovery. The Act also clarifies the law for a number of environmental regulatory regimes including marine licensing, shellfisheries management, land drainage and flood risk management.

### **What are the stated aims?**

In summary, these proposals will:

- Part 1: Sustainable Management of Natural Resources – provides a modern legislation for managing Wales’ natural resources that helps to tackle the challenges we face and is focused on the opportunities our resources provide.
- Part 2: Climate Change- provides the Welsh Ministers with power to put in place statutory emission reduction targets and carbon budgeting to support their delivery.
- Part 3: Charges for Carrier Bags – provides the Welsh Ministers with the necessary powers to address issues in implementing the successful carrier bag charge.
- Part 4: Collection and Disposal of Waste – improves waste management processes by helping us achieve higher levels of business waste recycling, better food waste treatment and increased energy recovery.
- Parts 5 & 6: Fisheries for Shellfish and Marine Licensing – clarifies the law in relation to shellfisheries management and marine licensing.
- Part 7: Flood & Coastal Erosion Committee and Land Drainage – clarifies the law for other environmental regulatory regimes including flood risk management and land drainage.

The Act received Royal Assent in March 2016. It is intended that the Act will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations, including young people.

### **Step 2. Analysing the impact**

- What are the positive and/or negative impacts for children, young people or their families?
- Where there are negative impacts; what compensatory measures may be needed to mitigate any negative impact?
- How will you know if your piece of work is a success?
- Have you developed an outcomes framework to measure impact?
- Have you considered the short, medium and long term outcomes?
- Do you need to engage with children & young people and/or stakeholders to seek their views using consultation or participatory methods?
- Do you need to produce child friendly versions of proposals/consultations?

## **Sustainable Management of Natural Resources**

As stated above it is intended that the Act will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations, this will include positive impacts for young people.

Better decision-making and managing our natural resources sustainably has the potential to have a positive impact on groups who are most vulnerable, and therefore will have positive impacts on tackling poverty and inequality.

NRW are undertaking trials in three catchment areas – the Dyfi, Rhondda & Tawe, to develop the thinking and processes for area-based natural resource management. The idea behind the area trials is they will provide NRW with the opportunity to develop this approach and incorporate into their planning in preparation for the roll out of statutory guidance under the Act, in particular in relation to the meeting the priorities identified in the NNRP, which will be addressed at a local level via the area statements.

For example the area trials include initiatives to cut back forest/ woodland areas to improve local communities' access to the land for recreational purposes. The Act may have a positive impact and provide communities access to open spaces which provides opportunity for outdoor activities and recreational areas.

It may also cover disadvantaged areas such as those designated as Communities First areas and will aim to establish schemes which benefit these communities and will encourage community cohesion.

Monitoring of the area trials will be undertaken in order to assess the outcomes and impacts of the area trials.

The Environment Bill White Paper consultation took place between October 2013 and January 2014, and sought views on the full range of proposals, in particular focusing on the objectives of the Environment (Wales) Bill ('the Bill'):

- To enable Natural Resources Wales to manage our natural resources in a more joined up way.
- To ensure the decisions we take in relation to our natural resources support our economy and communities, as well as the environment.
- To simplify processes and to have better quality evidence on our natural resources.
- To put in place legislation that is right for Wales and is aligned to our priorities.
- To ensure the principles of integrated NRM and the sustainable management of natural resources are at the heart of the Bill, ensuring that the value of our ecosystems can be properly considered.

A broad range of responses were received, including responses from organisations

such as the Youth Hostel Association (YHA). One of the key responsibilities of the YHA is to improve young people's access to the countryside. In their response to the consultation, they approved of the aims of the Bill and provided an explanation of how the Bill's aims reflected those of a key programme they have been running with young people from BME (black minority ethnic) groups. Four stakeholder events were also held across Wales in Cardiff, Aberystwyth, Merthyr Tydfil and Llandudno. Attendees at these events also re-iterated the requirement for children's needs to be considered. Working with other bodies, NRW will lead on a new approach to planning natural resources at a local level, delivering the priorities identified in NNRP via the area statements at a local level.

Factsheets on the Act and a short animation film have been prepared to ensure that the Act is accessible by all, including children and young people.

A competition was also held for primary schools in Wales to coincide with the introduction of the Bill, they were required to design a poster to help communicate the aims of the Bill. Over 300 entries were received from primary schools across Wales.

### **Step 3. How does your piece of work support and promote children's rights?**

Dependant upon the impact of your piece of work, use balanced judgement to assess:

- Which UNCRC articles are **most** relevant to the piece of work? Consider the articles which your piece of work impacts upon.  
<http://uncrcletsgetitright.co.uk/images/PDF/UNCRCRights.pdf>
- How are you improving the way children and young people access their rights?
- What aspects of children's lives will be affected by the proposal?
- What are the main issues that the CRIA should focus on?
- Does the piece of work help to maximise the outcomes within the articles of the UNCRC?
- If no, have any alternatives to the current piece of work been considered?

No negative impacts on children were identified for any of the policy areas contained in the Act. The following potential positive impacts were identified:

#### **Sustainable Management of Natural Resources**

With respect to Articles 2, 6, 24 and 27 of the United Nations Convention on the Rights of the Child (UNCRC), an outcome of the sustainable management of natural resources will lead to benefits for local communities of all ages, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations, including young people. Better decision-making and managing our natural resources sustainably has the potential to have a positive impact on groups, including children, who are most vulnerable.

## **Climate Change**

As a result of previous carbon emission we are already locked into a certain amount of climate change over the next 30-40 years.

Whilst climate change is a global phenomenon, the impacts of climate change are also felt at a local level, by vulnerable people such as children who have limited ability to adapt to extreme weather events and climate change e.g. those living in deprivation, the less educated and those who are physically or mentally ill.

Climate change has a disproportionate effect on those most vulnerable, as those who contribute least to the problem through emissions, are ones that may be most affected by climate change impacts and may also have to pay most to address the issue - people on low incomes may be disproportionately affected by costly policy interventions and lack the safety net of resources to cushion the direct effects of climate change.

The impacts of climate change can affect health, nutrition, education as well as adding pressures on households, such as rising food and energy prices. How much emissions are reduced and adaptation is delivered will determine the future climate risks for children. An assessment of the Articles under the UNCRC has been applied and Article 6, 12, 24 and Article 27 are applicable.

The Welsh Government's aim is to set out a clear pathway within the context of its UK and EU obligations for at least an 80% reduction in emissions by 2050. A clear pathway for decarbonisation not only provides transparency but will also have a positive impact on the environment, people, the economy and communities. For instance work on energy efficiency not only helps to reduce emissions but also ensures people are living in warm homes, whilst also providing local jobs and skills for young people. Work on pollution and prevention control helps to ensure that we have access to clean and accessible water, air quality and green spaces, which has health benefits for children. Whilst work on green growth provides investment and opportunities for decarbonisation, which will shape the future skills set needed by children as they enter the workforce.

If emissions are reduced and resilience to climate change increased, it will not only help to ensure delivery on the targets but help to provide wider benefits to current and future generations, whilst limiting the impacts of climate change on those future generations.

When the Welsh Government sets any new proposals and policies for meeting carbon budgets, they would be subject to an engagement process and full and detailed assessments which would include a Children's Rights Impact Assessment.

## **Charges for Carrier Bags**

Allowing the Welsh Ministers to place charges on other types of carrier bags, as well as single use carrier bags, in order to reduce demand for these and encourage their re-use. This would enable a wider environmental awareness through an overall reduction in the demand for re-usable carrier bags by consumers, and a change in consumer behaviour towards re-use of the bags they already own.

This may affect all children in a positive way through the resulting environment



improvements that may arise from a reduction in the production and, inappropriate disposal of, carrier bags.

The second provision will require new sellers, and those who had previously not donated, to give their net proceeds to environmental good causes, of which an exception is included to enable sellers to continue their arrangements with non-environmental good causes.

An indirect effect of the provision is that there would be an increase in the net proceeds of the charge being donated to good causes and as a result some children may benefit.

### **Collection and Disposal of Waste**

An assessment of the Articles under the UNCRC has been applied and it has been identified that Article 6, Article 17 and Article 24 are applicable.

The policy proposals support the aims of Article 6 and 24, and by supporting the more sustainable management of waste and associated benefits, they are likely to contribute to the improvement of those rights within Wales and globally.

The Welsh Government considers that the policy proposals are not in conflict with the provisions of Article 17. Children are already informed of the broader principles of sustainable waste management (i.e. reduce, re-use, recycle) within the national curriculum. It is not considered necessary or appropriate to inform children of the legislation in place to help achieve those outcomes.

With respect to Article 24, the overall benefits of the policy proposal will be to improve the overall environment in Wales, which will give greater effect to Article 24 relating to a clean environment so that children and young people will stay healthy.

### **Marine Licensing**

The marine licensing regime provides the framework for authorising developments in Welsh waters. In determining an application for a marine licence (including the terms on which it is to be granted and what conditions, if any, are to be attached to it), the appropriate licensing authority must have regard to—

- (a) the need to **protect the environment**,
  - (b) the need to **protect human health**,
  - (c) the need to **prevent interference with legitimate uses of the sea**,
- and such other matters as the authority thinks relevant.

As such the UNCRC Articles that could apply are Article 6 and Article 24.

The extended powers outlined in the Act will enable the licensing authority to recoup fees associated with administering marine licences. Being able to recoup these fees will ensure that the licensing authority can deliver an effective, fit for purpose marine licensing regime now and in the future.

An effective marine licensing regime will contribute to the achievement of a healthy marine environment. A healthy marine environment contributes to the wellbeing of the children of Wales and for future generations. Supporting the more sustainable

management of the marine environment is likely to make a positive contribution to UNCRC.

Furthermore, with respect to Article 6 and 24, the overall benefits of the policy proposal will be to contribute to the sustainable development of the marine environment in Wales and to continue to consider the need to protect human health in permitting future development, which will give greater effect to Articles 6 and 24.

### **Fisheries for Shellfish**

The Articles of the UNCRC that could apply are Article 6 and Article 24. The remainder of the Articles have been assessed as not being applicable.

The policy proposals support the aims of Article 6 and 24, and by supporting the sustainable and economic shellfishery opportunities in Wales are likely to contribute to the improvement of those rights within Wales and globally. The proposals will have no direct impacts on children and young people, with any impacts being indirect and positive, and the outcomes of those impacts being most relevant to articles 6 and 24.

The overall benefits of the policy proposal will be to increase the provision of nutritious food and therefore the chances of children to develop healthily in Wales.

### **Land Drainage**

The proposed amendments to legislation under the Land Drainage Act 1991 have no direct impact on the lives of children and young people.

### **Flood and Coastal Erosion Committee**

The proposed amendments to legislation under the Flood and Water Management Act 2010 have no direct impact on the lives of children and young people

The Act aims to provide benefits for local communities equally, by encouraging decision makers to consider the economic, social and environmental impacts of decisions on current and future generations. It intends to create a resilient natural environment, so our natural resources can provide clean water, good air quality, climate regulation and crop pollination. A healthy environment supports a healthy lifestyle, helping to improve overall health and well-being.

The natural environment may indirectly lead to positive impacts for children, for example the Welsh Government's Foundation Phase Learning explains the important role played by outdoor environmental activities:

*"children learn through first-hand experimental activities with the serious business of*

*play providing the vehicle ... first-hand experiences allow children to develop an understanding of themselves and the world in which they live ... the Foundation Phase environment should promote discovery and independence and a greater emphasis on using the outdoor environment as a resource for children's learning.'*<sup>16</sup>

The outdoor environment can help to stimulate children's learning –activities including learning about how plants grow, and how schools can manage their own gardens help encourage children to take an interest in the environment from an early age.

#### **Step 4. Advising the Minister and Ministerial decision**

The Minister for Natural Resources has been regularly briefed on the development of the Act and has considered the assessment undertaken analysing the impacts on children's rights covered in this assessment. In addition to the full assessment the Explanatory Memorandum includes a summary of the impacts in relation to each of the policy areas in the Act.

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<sup>16</sup> (Framework for Children's Learning for 3-7 year olds in Wales, p.4)  
<http://wales.gov.uk/docs/dcells/publications/141111-framework-for-childrens-learning-for-3-to-7-year-olds-en.pdf>

### **Step 5. Recording and communicating the outcome**

This Children's Rights Impact Assessment is stored on the Welsh Government's record management system (iShare A10649182), and published to the Welsh Government website for public access.

This document has been updated during the development of the policy and during the scrutiny of the Bill. A version to reflect the content of the Bill as introduced into the Assembly on 11 May 2015 was published by the National Assembly for Wales. This version reflects the content of the Act as at March 2016.

### **Step 6. Revisiting the piece of work as and when needed**

As highlighted above, this is a live document and has been updated during the development of the Bill. It was assessed and updated to reflect changes after amendments to the Bill were agreed at Stages 2 and 3.

This version reflects the content of the Bill as passed and by the Assembly and therefore the Act which received Royal Assent in March 2016.

It will continue to be updated and as and when relevant during the implementation of this Act.

In evaluating the provisions introduced by the Act, the following will be a useful guide to success:

- The tools the legislation introduces are being used successfully, in conjunction with delivery measures, to provide increased certainty and transparency in implementing Welsh Government's policies for natural resources.
- The net environmental, social and economic benefits of implementing the proposals justify the resource allocated to them, i.e. they are cost effective, and there is no evidence that this resource could have reasonably been used in a different way to produce superior results more efficiently.
- Development in the environment and exploitation of its resources continues in a sustainable way without the negative effects on the environment that are currently occurring and that would continue to occur if changes were not made.
- The provisions are perceived as being implemented fairly and

constructively by the majority of those involved in the environment.

Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into SoNaRR, NNRP and area statements. These could also be reviewed if the Welsh Ministers review their well-being objectives, as set under the Well-being of Future Generations (Wales) Act 2015.

### **Budgets**

|  |           |
|--|-----------|
| <b>As a result of completing the CRIA, has there been any impact on budgets?</b> | <b>No</b> |
| <b>Please give any details:</b>  |           |

### **Monitoring and Review**

|   |                      |
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| <b>Do we need to monitor/review the proposal?</b> | <b>Yes</b>           |
| <b>Set the review date:</b>                       | <b>December 2016</b> |

## Environment (Wales) Act 2016

### Rural Proofing Tool

This should enable you to consider the needs, desires of people, communities and businesses in rural Wales.

|   |                                     |
|---|-------------------------------------|
| <b>Policy/<br/>Programme/Initiative to<br/>be rural proofed</b> | <b>Environment (Wales) Act 2016</b> |
| <b>Division/Department</b>                                      | <b>Natural Resources</b>            |

| <b>Questions</b>  | <b>Comments</b>  |
|---|--|
| <b>Q1. Stakeholders</b><br>What contact have you had with rural stakeholders?<br>Please briefly describe any events targeted at rural stakeholders. | <p>A broad range of responses have been received on previous consultations including:</p> <ul style="list-style-type: none"><li>• In 2010 '<i>A Living Wales: a new framework for our environment, countryside and seas</i>' Green Paper.</li><li>• In 2012, the '<i>Sustaining a Living Wales</i>'<sup>17</sup>, Green Paper</li><li>• In 2013, '<i>Environment (Wales) Bill</i>'<sup>18</sup> <i>White Paper</i>'. The consultation sought views on the full range of proposals, in particular focusing on the objectives of the Environment (Wales) Bill ('the Bill'):<ul style="list-style-type: none"><li>➤ To enable Natural Resources Wales to manage our natural resources in a more joined up way.</li><li>➤ To ensure the decisions we take in relation to our natural resources support our economy and communities, as well as the environment.</li><li>➤ To simplify processes and to have better quality evidence on our natural resources.</li><li>➤ To put in place legislation that is right for Wales and is aligned to our priorities.</li><li>➤ To ensure the principles of integrated</li></ul></li></ul> |

<sup>17</sup> In the green paper this was termed the 'ecosystem approach'. <http://www.cbd.int/ecosystem>

<sup>18</sup> Towards the Sustainable Management of Wales' Natural Resources: Consultation on proposals for an Environment Bill': <http://wales.gov.uk/consultations/environmentandcountryside/environment-bill-white-paper/?lang=en>

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|  | <p>NRM and the sustainable management of natural resources are at the heart of the Bill, ensuring that the value of our ecosystems can be properly considered.</p> <p>A number of rural stakeholders responded to the White Paper; including Farming Unions, Countryside and Business Land Association, Campaign for Protection of Rural Wales, rural local authorities, National Parks Wales and Campaign for National Parks.</p> <p>During the White Paper consultation period a number of workshops and events were held. These included a Natural Resources conference on 25 November 2013, attended by over 160 people including key rural stakeholders. The conference also had a key speaker from the farming community who provided a rural perspective on Natural Resource Management (NRM).</p> <p>The conference provided an opportunity to discuss the proposals which have led to the Act, as outlined in the White Paper and other Welsh Government initiatives. Round-table discussions at the conference focused on the proposals relating to the area-based approach for natural resource management.</p> <p>In addition to the conference, four regional consultation events were held to discuss the White Paper proposals; this was to ensure that discussion was open and accessible to all stakeholders, particularly those with a rural interest. The regional workshops were held on:</p> <ul style="list-style-type: none"> <li>• Monday 2 December 2013, Merthyr Tydfil.</li> <li>• Wednesday 4 December 2013, Aberystwyth.</li> <li>• Monday 9 December 2013, Llandudno Junction.</li> <li>• Friday 10 January 2014, Cardiff.</li> </ul> <p>The comments captured at the conference and the regional events informed the consultation summary report and further development of the Bill.</p> <p>Discussions on the development of the Bill since the White Paper consultation have been coordinated through the Natural Resources Reference Group. The Reference Group is the Department's external stakeholder forum, comprising representatives from</p> |
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|  | <p>key rural stakeholders from the farming sector such as Farming Unions, CLA and Campaign for Protection of Rural Wales. The Reference Group has discussed aspects of the Act throughout its development and meets approximately every two months.</p> <p>Information on the Bill has also been provided to stakeholders, through the scrutiny process, via the Natural Resources e-bulletin. The e-bulletin is sent to nearly 1600 external stakeholders every month.</p> <p>A summary of the responses to the White Paper consultation, together with details of all responses received can be found at:<br/> <a href="http://wales.gov.uk/consultations/environmentandcounttryside/environment-bill-white-paper/?skip=1&amp;lang=cy">http://wales.gov.uk/consultations/environmentandcounttryside/environment-bill-white-paper/?skip=1&amp;lang=cy</a><br/> (Welsh Version)<br/> <a href="http://wales.gov.uk/consultations/environmentandcounttryside/environment-bill-white-paper/?status=closed&amp;lang=en">http://wales.gov.uk/consultations/environmentandcounttryside/environment-bill-white-paper/?status=closed&amp;lang=en</a><br/> (English Version)</p> <p>NRM was also one of the themes covered at the Welsh Government's stand at the Royal Welsh Show in July 2014.</p> <p>Fishery officials have also engaged with the fishing industry at 3 regional Inshore Fishery Groups around Wales and the Welsh Marine Fishery Advisory Groups to discuss the proposals contained in the Bill.</p> |
| <p><b>Q2. Access</b><br/> Will access be an issue for rural people? (Rural people may have to travel long distances to access services).</p> <p>Yes_____ how will you overcome barriers?</p> <p>No _____go to Q3</p> | <p>There are no access issues arising from the Act.</p> <p>In relation to the provisions dealing with the <b>collection and disposal of waste</b>:</p> <p>Householders in rural Wales already benefit from access to a good range of recycling services. However, a number of respondents to the White Paper consultation commented on the lack of rural recyclable material collection from businesses. It is intended that the Act will improve this situation. All waste companies, including those operating in rural areas already have a statutory requirement to collect paper, plastic, glass and metal separately where technically, economically and environmentally practicable.</p> <p>The provisions of the Act requiring material to be segregated by the waste producer are intended to ensure that waste collection companies have greater</p>  |



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|  | <p>volumes of segregated materials available for collection, thereby increasing the economic viability of operating separate collection services. The requirement to increase the range of materials to be separately collected will ensure that a more comprehensive system of recyclable material collection will be available to waste producers in rural communities.</p>  |
| <p><b>Q3. Needs of Rural People</b><br/> Has the policy taken account of rural needs, e.g. older population, lack of affordable housing, language requirements?</p> <p>Yes_____ please describe the needs and the mitigation action?</p> <p>No_____ What do you plan to do to take into account?</p> | <p>Yes. Below is a description of how rural needs have been taken into account for some of the specific areas of the Act.</p> <p><b>Sustainable Management of Natural Resources</b><br/> As stated in Q1 there has been ongoing consultation and engagement with stakeholders representing rural interest such as farming unions.</p> <p>Working with other bodies, NRW will lead a new approach to planning natural resources at a local level. It will publish area statements setting out the key risks that need to be carefully managed and mitigated and the key opportunities for the sustainable use of natural resources at an area level, including both rural and urban areas in Wales.</p> <p>By highlighting the role that biodiversity plays in ecosystem resilience, the intent of the provision in the Act is to ensure that the maintenance and enhancement of biodiversity contributes to the long-term sustainability of the processes that underpin the way ecosystems work.</p> <p>This will enhance the capacity of our natural resources to provide ecosystem services such as clean water, climate regulation and crop pollination, as well as providing habitats for wildlife in both rural and urban areas.</p> <p>Ecosystem benefits, for the purpose of the Act are:</p> <ul style="list-style-type: none"> <li>• Supporting services, for example nutrient cycling, oxygen production and soil formation. These are the services that are necessary for the production of all other services.</li> <li>• Provisioning services, for example food, fibre, fuel and water. These are the products obtained from ecosystems.</li> <li>• Regulating services, for example climate regulation, water purification and flood</li> </ul> |

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|   | <p>protection. These are the benefits obtained from the regulation of ecosystem processes.</p> <ul style="list-style-type: none"> <li>• Cultural services, for example education, recreation, and aesthetic benefits. These are the cultural benefits people obtain from ecosystems.</li> </ul> <p>The Act will complement the proposals within the Well-being of Future Generations (Wales) Act 2015, enforcing our commitment to sustainable development as the best way to improve the well-being of Wales now and for future generations.</p> <p><b>Climate Change</b><br/>Tackling Climate Change and reducing emissions can help build resilience to extreme weather events such as extreme temperatures and flooding. It can therefore have a positive impact on rural communities.</p> <p><b>Collection and Disposal of Waste</b><br/>As householders already have access to a good range of recycling services, the proposals will impact on non-domestic elements (for example, businesses and the public sector). The policies are not therefore expected to adversely impact on the older generation, or affordable housing. Where necessary, communication with Welsh speaking businesses over the requirements will be conducted in Welsh.</p> <p><b>Land Drainage</b><br/>The aim of the provision in relation to internal drainage boards and their advertising requirements is for a more cost effective and flexible means of advertising to ensure the messages are delivered efficiently and effectively to rural areas through various types of advertising, e.g. digital, websites, social media, parish boards etc.</p> <p>The provision relating to the power of entry will help to alleviate flooding and ensure that farming land is sufficiently drained to be used for rural purposes such as farming.</p> |
| <p><b>Q4 (a) Impact on Services</b><br/>Will the policy lead to the creation of new services (positive impacts) or the closure of existing services (negative impacts)?</p> | <p>There will be no impact on services with regards to most of the provisions of the Act. The potential positive and negative impacts that have been identified are set out below.</p>   |

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| <p>Yes_____ please explain</p> <p>No _____ move to Q4(b)</p>                       | <p><b>Potential positive impacts:</b></p> <p><b>Collection and Disposal of Waste</b><br/> The provisions requiring material to be segregated by the waste producer are intended to ensure that greater volumes of segregated materials are available for collection by waste collection companies, thereby increasing the economic viability of operating separate collection services.</p> <p>The requirement to increase the range of materials that waste collection companies collect separately should ensure that a more comprehensive system of recycle collection will be available to waste producers in rural communities.</p> <p>The provisions of the Act are likely to result in an increase in rural infrastructure, for example material processing facilities and material collection services.</p> <p><b>Fisheries for Shellfish</b><br/> The provisions in the Act are designed to increase investment in shellfisheries in Welsh waters. This should lead to an increase in the local economy and potentially the creation of jobs in both rural and urban areas.</p> <p><b>Potential negative impacts:</b></p> <p><b>Collection and Disposal of Waste</b><br/> Research commissioned by the Welsh Government predicts that though many businesses are likely to accrue savings, some businesses may incur an increase in the cost of their waste collection services. The research is summarised in the regulatory impact assessment for the Act<sup>19</sup>. It suggests that businesses producing smaller amounts of waste are more likely to see an increase in their annual waste collection costs. In the most extreme scenario modelled, in which separate food waste collection is extended to all waste producers, the additional cost to a typical business producing small amounts of waste is expected to be less than £700 per annum.</p> |
| <p><b>Q4 (b) How do you plan to overcome or mitigate any negative impacts?</b></p> | <p><b>Collection and Disposal of Waste</b><br/> It may not be possible to ensure that the proposals are cost neutral or beneficial to all producers of business waste. However, as part of the development of</p>  |

<sup>19</sup> *Environment Act Regulatory Impact Assessment*, pg. 215.

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|  | <p>Regulations under the powers conferred on the Welsh Ministers by the Act, the Welsh Government will be developing guidance to support the proposals and to mitigate negative impacts on those adversely impacted.</p>  |
| <p><b>Q5. Rural Places-Land</b><br/>Does your policy require the purchase or use of land?<br/>Have you considered rural dimensions such as land value, availability or restrictive designation?</p> <p>Yes _____ how will you overcome barriers?</p> <p>No _____ Go to Q6.</p> | <p><b>Sustainable Management of Natural Resources</b><br/>The Act will make provision for NRW to enter into voluntary land management agreements with any person, landowner or business, with a legal right over the land, to manage that land. The land management agreements may impose positive obligations or restrictions on a land owner or occupier to manage the land in a way that will contribute to for example the sustainable management of natural resources, or to manage land in a way that may contribute to flood alleviation and can provide a sufficient level of certainty that the land will continue to be maintained to a specific standard even if it is sold.</p> <p><b>Collection and Disposal of Waste</b><br/>The proposals may result in a small localised increase in commercial waste material facilities, for example depots for collected recyclable materials.</p> <p>However, overall the proposals are expected to significantly reduce reliance on landfill through the provision of alternate forms of waste management such as recycling. The sustainability assessment post adoption statement for the Wales Waste Strategy “Towards Zero Waste”<sup>20</sup> concluded that increasing recycling (over landfill) will reduce landtake and associated environmental impacts arising from landfill.</p> |
| <p><b>Q6. Terrain</b><br/>Will your policy work in areas of difficult terrain, e.g. narrow roads, steep mountains?</p> <p>Yes _____ please explain how?</p> <p>If no _____ how will you overcome barriers?</p>   | <p>Yes.</p> <p><b>Sustainable Management of Natural Resources</b><br/>As stated above the Act will allow NRW to produce area statements that will set out the key risks that need to be carefully managed and mitigated and the key opportunities for the sustainable use of natural resources at an area level. This allows NRW to identify sustainable solutions by taking into account the needs and opportunities of a given area. It also allows a holistic approach to tackling key challenges, for example in reducing flood risk and tackling climate change.</p>   |

<sup>20</sup> [http://wales.gov.uk/topics/environmentcountryside/epq/waste\\_recycling/publication/towardszero/?lang=en](http://wales.gov.uk/topics/environmentcountryside/epq/waste_recycling/publication/towardszero/?lang=en)

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|   | <p><b>Land Drainage</b></p> <p>The policy will enable poorly drained land to be restored by ensuring the drainage ditches are in good working condition as directed by an Agricultural land Tribunal Order.</p>   |
| <p><b>Q7. Rural Business</b></p> <p>Is your policy relevant to SMEs or Micro Businesses?</p> <p>Yes _____ how have you taken their situation into account?</p> <p>No _____ go to Q8.</p>  | <p>The parts of the Act that are potentially relevant to SMEs or Micro Businesses are set out below.</p> <p><b>Climate Change</b></p> <p>Tackling Climate Change and reducing emissions can help build resilience to extreme weather events such as extreme temperatures and flooding. It can therefore have a positive impact on rural communities and rural businesses such as the agriculture sector.</p> <p><b>Collection and Disposal of Waste</b></p> <p>The Welsh Government will take into account the situation of SMEs and micro businesses as regulations (and accompanying support and guidance) are developed under the powers conferred on the Welsh Ministers by the Act.</p> <p><b>Fisheries for Shellfish</b></p> <p>The changes are designed to increase investment in shellfisheries in Welsh waters and are therefore designed to help SMEs in this sector.</p> <p><b>Land Drainage</b></p> <p>The policy is applicable to individual farming and business units by ensuring that land is adequately drained and restored to allow for farming or business use.</p> |
| <p><b>Q8. Access to Support</b></p> <p>Does your policy expect business to be able to access support? (This may be in the form of advice, training, finance etc.)</p> <p>Yes _____ What barriers will they face and how will they overcome them?</p> <p>No _____ go to Q9</p> | <p>There will be no impact on business and the ability to access support in relation to most of the aspects of the Act. The parts that may involve business to access support are described below.</p> <p><b>Collection and Disposal of Waste</b></p> <p>The Welsh Government already operates a number of programmes which support businesses on resource efficiency, including Resource Efficient Wales advice service and the Business Wales programme operated by the Department of Economy, Science and Transport (ES&amp;T).</p> <p>In addition to this, the Welsh Government will develop support and guidance to coincide with the introduction</p>   |

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|  | <p>of Regulations under the powers conferred on the Welsh Ministers by the Act.</p> <p><b>Fisheries for Shellfish</b><br/>Any support or guidance can be provided to fishery groups if needed, through phone calls and meetings and access to information on the Welsh Government's webpages. In particular, officials will visit the 3 inshore Fishery Groups to ensure a full understanding of the provisions and the changes they mean is provided to those in the fisheries industry i.e. fisherman.</p>  |
| <p><b>Q9. Infrastructure</b><br/>Does your policy depend on infrastructure such as good road/rail connections or fast broadband speeds?</p> <p>Yes _____ how have you made provision for businesses in more isolated rural areas?</p> <p>No _____ go to Q10</p>                    | <p>There will be no impact on infrastructure in relation to most of the parts of the Act. Two potential areas of the Act have been identified as potentially depending on infrastructure, described below.</p> <p><b>Fisheries for Shellfish</b><br/>Yes – the upturn in investment could lead to an increase in transport provision which would be beneficial to rural SMEs in this sector, and possibly outside of it.</p> <p><b>Land Drainage</b><br/>The provision in relation to IDBs and their advertising requirements may depend on fast broadband speeds in a way that by distributing the relevant messages, rural areas may have some difficulty accessing the internet due to poor connection. It is intended that this will improve as a result of the Superfast Broadband initiative. The aim of the provision, to provide more flexibility in advertising requirements for IDBs, will mean that rural areas will also be able to target their notices more directly, for example, through parish notice boards or community halls.</p> |
| <p><b>Q10. Other Issues</b><br/>Did any other issues come up as a result of the engagement with stakeholders mentioned in Q1 or any other consultation?</p> <p>Yes _____ What were they and how have you modified your policy to take them into account?</p> <p>No _____ go to</p> | <p>Stakeholders who responded to the White Paper were widely supportive of implementation of the Act as a whole. No specific issues relating to rural matters were raised.</p>  |

## Objectives.

### **Objectives**

The proofing tool aims to help you consider rural realities and needs as part of the policy-making process. Now that you have completed the questionnaire, what are your main objectives to make your policy relevant and practical in a rural setting?

**Please list up to five objectives:**

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| <b>1</b> | <p>Through the Act the area statements will help local stakeholders and delivery bodies to consider the challenges and opportunities for the sustainable management of natural resources in their areas, which may include rural areas.</p> <p>Some of the main aims of area statements that are intended to impact positively on those with rural interests are:</p> <ul style="list-style-type: none"><li>- The identification of potential opportunities and priorities at a local level and potential collaboration and engagement opportunities for different bodies to work together and encourage active participation in the delivery of the sustainable management of natural resources at a local level and across different stakeholders.</li><li>- A holistic approach taken to tackling key challenges, for example in reducing flood risk and tackling climate change.</li><li>- The rationalisation of processes to remove any duplication of activities.</li></ul>  |
| <b>2</b> | <p>In developing the Bill the Welsh Government considered the implementation of the proposals in relation to the sustainable management of natural resources (Part 1 of the Act) through assessing the outcomes of the 3 area trials undertaken by NRW. In particular, the impact on rural areas will be considered.</p> <p>The purpose of the area trials is to explore how to embed an integrated approach to natural resource management within the operation of Natural Resources Wales, within specific geographical areas. It will demonstrate how the duties in the Act might be applied in practice. In doing so the trials will seek to deliver as many benefits as possible for the people, environment and businesses of Wales, through capitalising on the opportunities identified collaboratively throughout their development and implementation. It will also be an opportunity to raise awareness of the role of other public bodies, land managers and private business in the sustainable management of natural resources.</p> <p>On completion of the three trials, the aim is to have produced a successful template for the implementation of area based planning across Wales.</p> |
| <b>3</b> | <p>Engagement with the rural community will be maintained through the Reference Group and other mechanisms, in order to consider the impact of</p>  |



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|          | the Act on rural areas.   |
| <b>4</b> | <p>The provisions of the Act that impact on communities have been considered, including rural communities. They will continue to be monitored by means of post implementation review and support will be developed if appropriate.</p> <p>Post-implementation review will be facilitated through ongoing monitoring and assessment activities and processes, which have been built into SoNaRR, NNRP and area statements.</p> |



# **Asesiad o'r Effaith ar y Gymraeg**

**Deddf yr Amgylchedd (Cymru) 2016**

**Mawrth 2016**

## Asesiad o'r Effaith ar y Gymraeg

|  |   |                          |                          |                |
|--|---|--------------------------|--------------------------|----------------|
| <b>Teitl:</b> Deddf yr Amgylchedd (Cymru) 2016   | <b>Rhif Cyfeirnod yr Asesiad o'r Effaith ar y Gymraeg</b><br><br><i>(cwblhawyd gan Uned y Gymraeg):</i><br>14/12/01 |                          |                          |                |
| <b>Math o Raglen/Prosiect</b><br><br><div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Polisi<br/> <input checked="" type="checkbox"/> Deddfwriaeth<br/> <input type="checkbox"/> Grant<br/> <input type="checkbox"/> Newid busnes<br/> <input type="checkbox"/> Seilwaith<br/> <input type="checkbox"/> Adeiladu, Cyfalaf<br/> <input type="checkbox"/> TGCh<br/> <input type="checkbox"/> Arall (Nodwch isod)         </div> <div style="width: 50%;"> <input type="checkbox"/> Prosiect neu raglen<br/> <input type="checkbox"/> Ymchwil, gwerthuso<br/> <input type="checkbox"/> Gwasanaethau<br/> <input type="checkbox"/> Contractau, tendrau         </div> </div> |   |                          |                          |                |
| <b>Costau: Beth yw cost oes gyfan y rhaglen/prosiect a ragwelir?</b><br><br>Os yw'n llai na £25,000 yna nid oes angen Asesiad llawn bob amser (gweler y canllawiau).   |   |                          |                          |                |
| Dan £25,000  | £25,000 - £49,000   | £50,000 - £249,000       | £250,000 – £1 filiwn     | Dros £1 filiwn |
| <input type="checkbox"/>   | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/> | X              |
| <b>O'r uchod, a oes unrhyw gostau a nodwyd sy'n uniongyrchol gysylltiedig â'r Gymraeg?</b><br><br>Mae costau am waith cyfieithu a chostau cysylltiedig wedi'u dyrannu ar gyfer Bil yr  |   |                          |                          |                |

Amgylchedd (y Bil), dogfennau cysylltiedig, gofynion cysylltiedig (er enghraifft, Polisi Adnoddau Naturiol Cenedlaethol) a gweithgareddau cyfathrebu sydd wedi cynnwys digwyddiadau gyda chyfleusterau cyfieithu ar y pryd.

**Pa mor hir y disgwylir i'r rhaglen/prosiect barhau?**

| Hyd at flwyddyn          | Hyd at 2 flynedd         | Hyd at 5 mlynedd         | Hyd at 10 mlynedd        | Dros 10 mlynedd          | Anhysbys |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|----------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X        |

**Dyddiadau sy'n gerrig milltir allweddol ar gyfer y rhaglen/prosiect:**

- Cyhoeddwyd Datganiad Polisi Adnoddau Naturiol Cenedlaethol anstatudol yng ngwanwyn 2015 (er mwyn cadarnhau blaenoriaethau cyn i'r Ddeddf ddod i rym ac i fod yn sail ar gyfer craffu ar y Bil)
- Cafodd y Bil ei gyflwyno ym mis Mai 2015
- Cafodd y Ddeddf Gydsyniad Brenhinol ym mis Mawrth 2016
- Caiff yr Adroddiad cyntaf ar Gyflwr Adnoddau Naturiol ei gyhoeddi yn hydref 2016, y Polisi Adnoddau Naturiol Cenedlaethol cyntaf yng ngwanwyn 2017 a chaiff datganiadau ardal eu paratoi o ganol 2017 ymlaen

**CAM 1: CYNLLUNIO**

**Beth yw nodau ac amcanion y polisi?**

**Beth yw'r canlyniadau dymunol/beth a gaiff ei ystyried yn 'llwyddiant'?**

Pwrpas cyffredinol y ddeddfwriaeth yw sicrhau bod gan Gymru fframwaith deddfwriaethol modern ar gyfer rheoli adnoddau naturiol mewn ffordd fwy rhagweithiol, cynaliadwy a chydgyssylltiedig. Mae rheoli adnoddau naturiol yn gynaliadwy yn egwyddor allweddol yn y fframwaith hwn, sy'n cydnabod bod cydnerthed ecosystemau a'r gwasanaethau maent yn eu darparu yn hanfodol i les cenedlaethau heddiw a'r dyfodol. Mae'r Ddeddf yn darparu ar gyfer helpu i gynllunio ac i reoli adnoddau naturiol Cymru ar lefel genedlaethol a lleol, drwy Adroddiad am Gyflwr Adnoddau Naturiol, Polisi Adnoddau Naturiol Cenedlaethol a datganiadau ardal, ynghyd â darpariaethau ategol, fel y ddyletswydd bioamrywiaeth a chydnerthed ecosystemau.

Rhoddwyd rhagor o bwerau i Cyfoeth Naturiol Cymru (CNC) ymgymryd â chytundebau rheoli tir a chynlluniau arbrofol er mwyn helpu i reoli adnoddau naturiol yn gynaliadwy. Pan fydd CNC yn gofyn am gymorth a/neu wybodaeth gan gyrff cyhoeddus, fel y'u diffinnir yn y Ddeddf, bydd gan y gyrff hyn ddyletswydd i ddarparu hyn mewn perthynas â pharatoi a chynhyrchu Adroddiad ar Sefyllfa Adnoddau Naturiol a datganiadau ardal.

Mae'r Ddeddf yn rhoi diben cyffredinol i CNC sy'n gwbl gydnaws â'r egwyddorion statudol ar gyfer rheoli adnoddau naturiol yn gynaliadwy, ac mae'n rhoi rhagor o

bwerau i CNC ymgymryd â chytundebau rheoli tir a chynlluniau arbrofol yn unol â'r egwyddorion hyn Mae'r Ddeddf hefyd yn newid ychydig ar y gofyniad sydd ar awdurdodau cyhoeddus i geisio cynnal a gwella bioamrywiaeth.

Mae darpariaethau yn y Ddeddf hefyd i fynd i'r afael â newid yn yr hinsawdd, a hynny drwy gyfrwng targedau i leihau allyriadau a thrwy gyllidebau carbon. Mae'n cynnwys nifer o ddarpariaethau eraill hefyd i gefnogi amcanion cyffredinol y Ddeddf, yn cynnwys darpariaethau mewn perthynas â chodi tâl am fagiau siopa er mwyn gwella'r cynllun presennol ar gyfer bagiau siopa untro. Mae'r Ddeddf hefyd yn rhoi pwerau i Weinidogion Cymru weithredu er mwyn sicrhau bod busnesau'n ailgylchu mwy o wastraff, bod mwy o wastraff bwyd yn cael ei drin, a mwy o ynni'n cael ei adfer. Mae'r Ddeddf yn sicrhau mwy o eglurder am y gyfraith sy'n ymdrin â nifer o systemau i reoleiddio'r amgylchedd, gan gynnwys trwyddedu morol, rheoli pysgodfeydd cregyn, draenio tir a rheoli perygl llifogydd.

Y nod yw sicrhau bod adnoddau naturiol Cymru yn cael eu rheoli a'u defnyddio mewn ffordd ac ar gyflymder sy'n cynnal a gwella cydnerthedd ecosystemau a'r gwasanaethau maent yn eu darparu i ddiwallu anghenion cymdeithasol, economaidd ac amgylcheddol cenedlaethau'r presennol a'r dyfodol.

### **Pa ddewisiadau polisi sydd wedi'u hystyried?**

**a**

**Beth fydd yr effeithiau os *na* fydd y polisi'n cael ei weithredu?**

### **Opsiynau polisi sydd wedi'u hystyried**

Ystyriwyd nifer o opsiynau polisi fel rhan o'r broses gasglu tystiolaeth i lywio'r Asesiad o'r Effaith Rheoleiddiol.

Un opsiwn yw 'gwneud dim' sef parhau â'r fframweithiau statudol a pholisi.

Yr ail opsiwn yw

- cyflwyno deddfwriaeth er mwyn:
  - Darparu dull integredig o reoli adnoddau naturiol yn gynaliadwy, sy'n cynnwys proses ryngysylltiedig a gorfodol ar gyfer gwella'r sylfaen dystiolaeth, datblygu polisi a darparu ar y lefel genedlaethol a lleol o fewn amserlen benodol a thryloyw. Byddai hyn hefyd yn darparu dyletswyddau a phwerau i gyrff gyfrannu at y gwaith o reoli adnoddau naturiol yn gynaliadwy, sy'n arwain at economi mwy ffyniannus, cymdeithas gydlynol ac amgylchedd iach a chydnerth.
  - Rhoi dyletswydd ar Weinidogion Cymru i bennu targedau newid yn yr hinsawdd er mwyn gweithio tuag at gyflawni ein targed ar gyfer lleihau allyriadau nwyon tŷ gwydr. Bydd hyn yn helpu i ddarparu sicrwydd ar gyfer buddsoddiad tuag at Gymru carbon isel.
  - Ehangu cwrpas y darpariaethau ar fagiau siopa yn Neddf Newid yn yr Hinsawdd 2008 i bennu isafswm tâl am fathau gwahanol o fagiau siopa, yn ychwanegol at y tâl ar fagiau siopa untro, a rhoi dyletswydd ar

werthwyr i gymhwyso'r enillion net o'r tâl. Mae'r Ddeddf hefyd yn rhoi dyletswydd ar werthwyr i roi'r enillion net o'r tâl am fagiau siopa i achosion da.

- Ei gwneud hi'n ofynnol i fusnesau a'r sector cyhoeddus gyflwyno deunyddiau gwastraff ailgylchadwy penodol i'w casglu ar wahân: bydd yn ofynnol i bobl sy'n casglu gwastraff gasglu deunyddiau gwastraff ailgylchadwy penodol ar wahân (yn ogystal â'r deunyddiau hynny sy'n ofynnol o dan Reoliadau Gwastraff (Cymru a Lloegr) (fel y'u diwygiwyd) fel uchod); bydd yn gwahardd llosgi deunyddiau gwastraff penodol; gwahardd anfon deunyddiau gwastraff penodol i safleoedd tirlenwi a gwahardd gwaredu gwastraff bwyd i garthffos o eiddo annomestig.
- Diwygio Deddf Pysgodfeydd Môr (Pysgod Cregyn) 1967 i ddarparu dau bŵer newydd i alluogi Gweinidogion Cymru i fynd ati ar unwaith, drwy Hysbysiad Gwarchod Safle, i fynnu bod gweithgareddau pysgota mewn pysgodfa'n cael eu haddasu/yn dod i ben. Bydd yr Hysbysiad yn ei gwneud hi'n ofynnol i'r unigolyn gydymffurfio â thelerau'r Hysbysiad (a fydd am gyfnod penodol). Bydd y pŵer arall yn galluogi Gweinidogion Cymru i ddiwygio/dirymu Gorchymyn Unigol neu Reoli wedyn er mwyn adlewyrchu effaith yr Hysbysiad Gwarchod Safle.
- Diwygio'r pwerau codi ffioedd trwyddedu morol o dan Ddeddf y Môr a Mynediad i'r Arfordir 2009, a fydd yn galluogi'r awdurdod trwyddedu i geisio adennill costau'n llawn wrth weinyddu'r system trwyddedu morol.
- Gwneud newidiadau i Ddeddf Rheoli Llifogydd a Dŵr 2010 mewn perthynas â'r Pwyllgor Rhanbarthol Llifogydd ac Arfordir yng Nghymru.
- Diwygio Deddf Draenio Tir 1991 fel na fydd rhaid i Fyrddau Draenio Mewnol ddileu'r gofyniad i hysbysebu mewn papurau newydd lleol a'r London Gazette a darparu trefn apelio i awdurdodau lleol herio ardollau a godir gan CNC.
- Cau bwlch mewn deddfwriaeth o ran pwerau Gweinidogion Cymru o dan Adran 29 o Ddeddf Draenio Tir 1991 a galluogi asiant arbenigol Gweinidogion Cymru i gael mynediad dilyffethair i wirio a yw'r unigolyn yn cydymffurfio â darpariaethau Gorchymyn Tribiwnlys Tir Amaethyddol.

Yn achos rhai o'r darpariaethau polisi yn y Ddeddf, sef y darpariaethau gwastraff a thrwyddedu morol, nodwyd opsiynau polisi pellach. Mae rhagor o fanylion am yr opsiynau ar gyfer pob rhan o'r Ddeddf yn yr Asesiad Effaith Rheoleiddiol<sup>21</sup> a gyhoeddir gyda'r Ddeddf.

<sup>21</sup> <http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/environment-bill/?skip=1&lang=cy>

## **Beth fydd yr effeithiau os na fydd y polisi'n cael ei weithredu?**

### **Rheoli Adnoddau Naturiol yn Gynaliadwy**

Mae tystiolaeth ddiweddar, megis y *National Ecosystem Assessment* (NEA) ar gyflwr ecosystemau'r DU, a gynhaliwyd yn 2011, yn dangos bod bioamrywiaeth yn parhau i ddirywio a bod rhyw draean o'r gwasanaethau a ddarperir gan ein hamgylchedd naturiol naill wedi eu diraddio neu'n dirywio. Yr un oedd y canfyddiadau yn yr adroddiad ar *State of Nature*, a gyhoeddwyd yn 2013. Mae'r dystiolaeth wyddonol hefyd yn dangos bod effeithiau'r newid yn yr hinsawdd yn debygol o barhau, gyda thymheredd dyddiol wedi cynyddu 0.7 gradd Celsius yng Nghymru o gymharu â gwaelodlin 1990 gyda chynnydd rhagamcanol o tua 1.3 gradd Celsius erbyn 2020.

Mae bioamrywiaeth yn elfen allweddol o ecosystemau a gall llai o amrywiaeth arwain at wneud ecosystemau'n llai cydnerth. Mae ecosystemau llai cydnerth yn llai tebygol o allu addasu i bwysau newid yn yr hinsawdd ac felly'n llai tebygol o allu parhau i ddarparu gwasanaethau ecosystem. Mewn cyferbyniad, gall ecosystemau mwy cydnerth ein helpu i addasu ac ymateb i effeithiau newid yn yr hinsawdd a risgiau trychinebau cysylltiedig. Mae diraddiad ecosystemau yn cyfaddawdu gallu systemau naturiol i ddal a storio carbon, a gall droi'r systemau hyn o fod yn ddalfeydd carbon i fod yn ffynonellau, gan ddwysáu'r dirywiad parhaus.

Argymhellodd yr Ymchwiliad i Fioamrywiaeth a gynhaliwyd gan Bwyllgor Cynaliadwyedd y Cynulliad Cenedlaethol y dylai Llywodraeth Cymru fabwysiadu dull strategol ar lefel yr ecosystem o reoli bioamrywiaeth. Mae'r adroddiad, *Making Space for Nature* (2010) a'r adroddiad *State of Nature* (2013), a gyhoeddwyd ar lefel y DU yn dadlau o blaid dull adferol newydd o weithredu sy'n ailadeiladu natur ac sy'n creu amgylchedd naturiol mwy cydnerth er budd bywyd gwyllt ac er ein budd ninnau hefyd. Ceir tystiolaeth sylweddol i awgrymu bod angen trefniadau rheoli mwy integredig sy'n rhoi mwy o gydnabyddiaeth i werth ein hecosystemau a'r gwasanaethau maent yn eu darparu. Cafwyd cydnabyddiaeth ryngwladol o'r angen am ddull mwy integredig o weithredu ym maes rheoli amgylcheddol. Mae Comisiwn y Cenhedloedd Unedig ar Fioamrywiaeth Fiolegol, a gyflwynodd y dull rheoli ar lefel yr ecosystem, wedi cadarnhau mai'r dull hwn yw ei brif fframwaith ar gyfer rheoli tir, dŵr ac adnoddau byw mewn modd integredig. Mae'r Ddeddf yn cyflwyno'r dull hwn.

Nid yw cymunedau Cymru mor gydnerth wrth wynebu effeithiau newid yn yr hinsawdd ac nid yw ein hadnoddau naturiol yn gallu darparu gwasanaethau cymdeithasol, economaidd ac amgylcheddol hyfyw dros y tymor canol a'r tymor hir.

### **Mae'r trefniadau llywodraethu ar gyfer elfennau o wneud penderfyniadau yn fwy cymhleth**

Nid oes angen ystyried ecosystemau'n ehangach wrth wneud penderfyniadau sy'n effeithio ar ein hadnoddau naturiol (ac eithrio mewn rhai achosion cyfyngedig e.e. y Gyfarwydddeb Fframwaith Dŵr) ac felly byddent yn canolbwyntio ar un cyfrwng yn bennaf (e.e. dŵr). Ni fyddai'n rhaid ystyried y gwasanaethau a ddarperir gan ein hecosystemau wrth wneud penderfyniadau na gwerthusiad o'r effeithiau ar werth y gwasanaethau hynny dros y tymor hir. Ni fyddai yna sail dystiolaeth gydlynol a chynhwysfawr i ddarparu tystiolaeth ganolog i unrhyw luniwr penderfyniadau. Datblygwyd y fframwaith deddfwriaethol amgylcheddol yn bennaf mewn ymateb i bwysau newydd ac i broblemau amgylcheddol penodol dros y blynyddoedd ac yn aml,

mae'n gul o ran ei ffocws. Gall y dull hwn fod yn annibynnol ar bolisi economaidd a chymdeithasol - ac mae wedi arwain at gyfuniad cymhleth o reoleiddio nad yw bob amser yn cydweithio er mwyn gwireddu'r nod cyffredin o wella dyfodol Cymru yn y tymor hir.

#### Mae dulliau arloesol o reoli adnoddau naturiol Cymru yn gynaliadwy yn gyfyngedig

Mae dealltwriaeth wyddonol a chymdeithas wedi symud ymlaen ac mae'n rhaid i'n dull ni o reoli'r amgylchedd naturiol a'n deddfwriaeth esblygu felly. Bydd dulliau arloesol o dreialu dulliau newydd yn gyfyngedig i weithgareddau cadwraeth CNC.

Ni fyddai gan CNC bŵer i dreialu dulliau newydd, a allai gynnwys defnyddio technegau a thechnoleg newydd neu amgen i gyflawni eu nod o reoli adnoddau naturiol Cymru yn gynaliadwy. Er enghraifft, ni fyddai CNC yn gallu treialu cynlluniau arbrolfol, yn sgil cyfyngiadau'r strwythur deddfwriaethol.

#### Mwy o gymhlethdod i CNC o ran cyflawni ei bwrpas cyffredinol a'i rwymedigaethau o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Sefydlwyd CNC er mwyn creu un corff amgylcheddol ar gyfer Cymru. Mae gan CNC gymysgedd unigryw o gyfrifoldebau, sy'n cwmpasu tir, coedwigaeth, natur a bywyd gwyllt, ansawdd aer, adnoddau ac ansawdd dŵr, rheoli'r perygl o lifogydd a physgota dŵr croyw. Cafodd ddyletswydd newydd o dan Orchymyn Corff Adnoddau Naturiol Cymru (Sefydlu) 2012, sy'n ei gwneud yn ofynnol iddo sicrhau bod amgylchedd ac adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio.

Gyda Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn cyflwyno gofynion newydd ar ddatblygu cynaliadwy, byddai diben cyffredinol CNC yn anghyson, a gallai greu gwrthdaro.

Byddai cysoni'r diben yn sicrhau cysondeb rhwng swyddogaethau CNC o dan y Gorchymyn Sefydlu, Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 a'r Ddeddf hon ac yn darparu dull mwy integredig. Bydd hyn yn ein galluogi i ystyried y cysylltiad deinamig rhwng ein hamgylchedd naturiol, ein heconomi a chymdeithas fel y gallwn wneud penderfyniadau sy'n ystyried y cysylltiad rhwng y tri maes. Nod Llywodraeth Cymru drwy'r Ddeddf hon yw galluogi CNC i gyflawni yn erbyn ei amcanion hirdymor sef lles cymdeithasol, economaidd ac amgylcheddol.

#### Newid yn yr Hinsawdd

Nid lleihau allyriadau a meithrin cydnherthedd yw unig fanteision gweithredu ar newid yn yr hinsawdd. Mae hefyd yn sicrhau bod gan Gymru aer glân, dŵr, llefydd priodol i fyw ynddynt, tir ffermio cynhyrchiol, ffynonellau ynni diogel a swyddi gwyrdd.

Er bod y newid yn yr hinsawdd yn ffenoma byd-eang, mae'r effeithiau yn cael eu teimlo'n lleol. Gall effeithio mewn ffordd anghymesur ar y bobl fwyaf agored i niwed mewn cymdeithas. Mae'r darpariaethau yn y Ddeddf hon yn pennu targed statudol hirdymor i leihau allyriadau Cymru gyda gofyniad i Weinidogion Cymru bennu targedau interim a chyllidebau carbon i gyflawni'r targed hwn.

Mae yna gonsensws gwyddonol eang iawn ynghylch newid yn yr hinsawdd a'r angen am weithredu. Dim ond yn gwneud y broblem yn anoddach ac yn ddrotach i'w datrys

fydd oedi wrth weithredu ar newid yn yr hinsawdd.

Mae newid yn yr hinsawdd yn effeithio mewn ffordd anghymesur ar y rhai sydd fwyaf agored i niwed, gan mai'r bobl sy'n cyfrannu leiaf at y broblem drwy allyriadau yw'r rhai a all gael eu heffeithio fwyaf gan effeithiau newid yn yr hinsawdd. Mae'n bosibl y byddant yn gorfod talu yn fwy na neb i fynd i'r afael â'r mater hefyd.

Amcan Llywodraeth Cymru yw pennu llwybr clir yng nghyd-destun ei rhwymedigaethau ar lefel y DU a'r UE er mwyn gostwng allyriadau o leiaf 80% erbyn 2050. Yn ogystal â sicrhau tryloywder, bydd llwybr clir ar gyfer datgarboneiddio yn cael effaith gadarnhaol ar yr amgylchedd, pobl, yr economi a chymunedau.

Bydd lleihau allyriadau a chynyddu'r gallu i wrthsefyll y newid yn yr hinsawdd yn helpu i gyrraedd y targedau a sicrhau manteision ehangach ar gyfer cenedlaethau heddiw ac yfory, ein cymunedau a'n dyfodol diwylliannol yn gyffredinol.

Os bydd Llywodraeth Cymru yn pennu unrhyw argymhellion a pholisïau newydd ar gyfer bodloni cyllidebau carbon, byddent yn destun proses ymgysylltu ac asesiadau manwl a llawn, gan gynnwys Asesiad o'r Effaith ar y Gymraeg.

#### Codi tâl am Fagiau Siopa

Pe na fyddai'r pwerau o dan Ddeddf Newid yn yr Hinsawdd 2008 wedi cael eu hestyn, ni fyddai Gweinidogion Cymru yn gallu defnyddio'r Rheoliadau i fynd i'r afael ag unrhyw gynnydd yn y defnydd o fathau eraill o fagiau siopau ac â'u gwaredu yn amhriodol. Byddai hyn yn cael effaith niweidiol ar yr amgylchedd ac yn tanseilio amcanion codi tâl am fagiau siopa untro.

O ran cymhwyso'r enillion net, nid codi arian at achosion da oedd diben y tâl am fagiau siopa. Fodd bynnag, er bod nifer o werthwyr yn mynd ati o'u gwirfodd i roi'r enillion net o'r tâl i achosion da, mae Gweinidogion Cymru yn pryderu bod rhai yn elwa ar y tâl hwnnw. O beidio â gweithredu'r ddyletswydd, ni fyddai Gweinidogion Cymru yn gallu mynd i'r afael â'r mater hwn.

#### Casglu a Gwaredu Gwastraff

Pe nai bai'r newidiadau wedi'u gwneud drwy gyfrwng y Ddeddf, ni cheid y budd mwyaf posibl o ailgylchu deunyddiau gwastraff gwerthfawr a'r manteision sy'n gysylltiedig â hynny.

#### Pysgodfeydd Cregyn

O dan yr opsiwn gwneud dim, byddai'r diwydiant pysgod cregyn yn parhau i gael ei gyfyngu, a byddai'n anodd denu buddsoddiad.

#### Trwyddedu Morol

O beidio â gwneud y newidiadau yn y Deddf, byddai CNC (yr awdurdod trwyddedu) yn ariannu gwaith gweinyddu'r drefn drwyddedu i bob pwrpas. Hefyd, ni fyddai modd sicrhau cyfleoedd i roi mwy o ffocws ar ddechrau'r broses drwyddedu gan mai dim ond gwasanaethau cyn-ymgeisio cyfyngedig y byddai CNC yn eu cynnig.



## Y Pwyllgor Llifogydd ac Erydu Arfordirol

O beidio â gwneud y newidiadau yn y Deddf, byddai'r Pwyllgor Rheoli Perygl Llifogydd ac Erydu Arfordirol yn parhau fel y'i sefydlwyd o dan Ddeddf Rheoli Llifogydd a Dŵr 2010. Nodwyd nifer o broblemau gyda chwmpas y pwyllgor, sydd wedi arwain at ddiffyg eglurder ynglŷn â phwy sy'n gyfrifol am wneud penderfyniadau ac atebolrwydd, yn enwedig o ran cymeradwyo rhaglen rheoli perygl llifogydd CNC.

Mae'r Pwyllgor, fel y'i sefydlwyd o dan Ddeddf Rheoli Llifogydd a Dŵr 2010, yn canolbwyntio ar graffu a chynghori CNC ar ei weithgareddau, a hynny'n unig, tra bydd cylch gwaith y Pwyllgor Llifogydd ac Erydu Arfordirol arfaethedig yn ehangach ac yn cynnwys cynghori Gweinidogion Cymru ar weithgarwch rheoli perygl llifogydd cyffredinol yng Nghymru yn ogystal â'r gwaith a wneir gan awdurdodau lleol, cwmnïau dŵr a charthffosiaeth a'r asiantaethau priffyrdd.

### Draenio tir

O beidio â gweithredu'r polisïau, ni fydd gan awdurdodau lleol ddull digonol o herio ardollau gan CNC sy'n annheg yn eu barn nhw, a bydd y system hysbysebu yn hen ffasiwn ac ni fydd yn berthnasol mwyach i Gymru.

Bydd y Deddf yn darparu ar gyfer ymdrin ag atgyfeiriadau gan ymgeiswyr y Tribiwnlys Tir Amaethyddol mor gyflym ac effeithlon â phosibl er mwyn gallu cwblhau achos yn llwyddiannus. Os na fydd y Ddeddf yn cael ei gweithredu, gallai'r achosion hyn gymryd mwy o amser i'w prosesu.

## **A yw'r rhaglen yn dangos cysylltiad clir â strategaeth Llywodraeth Cymru ar gyfer y Gymraeg – iaith fyw: iaith byw?**

Nac ydyw

## **Beth yw'r effeithiau (cadarnhaol a/neu negyddol) ar y Gymraeg a nodwyd gennych yn y cam cynllunio cychwynnol?**

Ni nodwyd effeithiau negyddol ar yr iaith Gymraeg mewn perthynas ag unrhyw ddarpariaethau yn y Ddeddf.

Nodwyd yr effeithiau cadarnhaol posibl canlynol mewn perthynas â Rheoli Adnoddau Naturiol yn Gynaliadwy.

### **Cadarnhaol**

Drwy ddefnyddio adnoddau naturiol yn effeithlon a chynaliadwy dros y tymor hir ar lefel genedlaethol a lleol, mae'r Ddeddf yn rhoi'r cyfle i gyflwyno nifer o effeithiau cadarnhaol i gymunedau Cymru gyda'r nod o sicrhau dyfodol ffyniannus i Gymru. Bydd llawer o'r manteision hyn yn cael yr un effaith ar gymunedau Cymraeg a di-Gymraeg.

Bydd y Ddeddf yn cefnogi'r gwaith o weithredu Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 drwy ddarparu dulliau integredig yn ymwneud â'r modd y gall rheoli adnoddau naturiol yn gynaliadwy helpu i gyflawni amcanion llesiant y Ddeddf honno. Mae'r Ddeddf yn darparu systemau a all helpu cyrff cyhoeddus i gyflawni eu

dyletswyddau o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015, er enghraifft bydd datganiadau ardal yn darparu tystiolaeth i lywio asesiadau llesiant lleol ond gallant hefyd ddarparu cyfleoedd economaidd, cymdeithasol ac amgylcheddol yn yr ardal o reoli adnoddau naturiol yn gynaliadwy, a gall cyrff cyhoeddus gyfrannu at y rhain. Bydd y cynlluniau llesiant o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn nodi'n glir sut y bydd Byrddau Gwasanaeth Lleol a'u partneriaid yn gweithio gyda'i gilydd i wella llesiant pobl a chymunedau yn eu hardal.

Un o'r saith nod llesiant statudol y mae'n rhaid i gyrff cyhoeddus geisio eu cyflawni yw'r nod llesiant, "Cymru â diwylliant bywiog lle mae'r Gymraeg yn ffynnu".

Amlygir effeithiau penodol ar gymunedau sy'n cynnwys siaradwyr Cymraeg. Ceir crynodeb o'r cyfleoedd isod:

- Bydd y Polisi Adnoddau Naturiol Cenedlaethol yn pennu'r blaenoriaethau a'r cyfleoedd ar gyfer rheoli adnoddau naturiol yn gynaliadwy yng Nghymru gan sicrhau bod ein hecosystemau yn gryf a'n bod felly yn gallu darparu gwasanaethau i ddiwallu anghenion y presennol a'r dyfodol. Bydd hyn yn ei dro yn sicrhau bod y gwasanaethau hyn yn para am gyfnod hir, sy'n newyddion da gan fod llawer o'n gweithgareddau cymdeithasol ac economaidd yn dibynnu arnynt. Enghreifftiau yw cymwysiadau rheoli tir a defnydd tir, diwydiannau echdynnol a diwydiannau primaidd. Yn benodol o ran y Gymraeg, mae ystadegau'n dangos bod 29.5% o'r rhai sy'n cael eu cyflogi yn y diwydiannau amaethyddiaeth, ynni a dŵr yn siaradwyr Cymraeg (Gallu i siarad Cymraeg yn ôl Diwydiant - Cyfrifiad 2011). Mae diwydiannau amaethyddiaeth, ynni a dŵr yn dueddol o fod yn wledig, gyda chyfran uwch wedi'u lleoli yng nghadarnleoedd y Gymraeg. Disgwylir y bydd rheoli ein hadnoddau naturiol yn well yn cael effaith gadarnhaol ar gynaliadwyedd y diwydiannau hyn ac yn darparu cyfleoedd ar gyfer twf pellach, gan gyfrannu'n anuniongyrchol ond yn gadarnhaol at y defnydd o'r Gymraeg yn y cymunedau hyn.
- Bydd datganiadau ardal yn gweithredu blaenoriaethau polisi a chyfleoedd cenedlaethol ar gyfer ein hadnoddau naturiol mewn ardaloedd lleol – bydd hyn yn sicrhau bod blaenoriaethau a chyfleoedd yn cael eu darparu a'u cyflawni ar y raddfa briodol. Bydd datganiadau ardal yn cael eu seilio ar ddata cyfredol a chadarn a ddarperir gan yr Adroddiad ar Gyflwr Adnoddau Naturiol ac, o safbwynt ymarferol, bydd angen ystyried anghenion penodol y gymuned leol berthnasol wrth lunio datganiadau ardal. Gall datganiadau ardal nodi cyfleoedd newydd, er enghraifft, talu am wasanaethau ecosystem neu atebion naturiol i liniaru llifogydd neu storio carbon. Yn fwy penodol, gallai cymunedau Cymraeg eu hiaith sy'n elwa ar y cyfleoedd cymdeithasol ac economaidd a nodir yn y Polisi Adnoddau Naturiol Cenedlaethol weld mwy o ffyniant wrth i swyddi cynaliadwy, wedi'u targedu, gael eu creu'n lleol, gan leihau'r allfudo sy'n digwydd wrth i siaradwyr Cymraeg symud i ganolfannau economaidd fel Caerdydd neu ymhellach i ffwrdd i lefydd fel Bryste neu Lundain. Gallai hyn helpu i wrthdroi'r golled sydd wedi digwydd wrth i siaradwyr Cymraeg adael

cadarnleoedd yr iaith yn ogystal â lleihau'r golled net o siaradwyr Cymraeg rhugl o Gymru. Mae CNC yn cynnal treialon mewn tair ardal, ac un o'r ardaloedd hynny yw Dyfi, sydd yn y fro Gymraeg.

- Gall rheoli adnoddau naturiol yn gynaliadwy gael effaith gadarnhaol ar allu Cymru i wrthsefyll newid yn yr hinsawdd ac effeithiau newid yn yr hinsawdd. Bydd hyn yn cael effaith gadarnhaol ar gymunedau Cymru. Gall y cynigion ar gyfer cytundebau rheoli tir a chynlluniau arbrofol helpu i ddod o hyd i ddulliau newydd o liniaru effeithiau newid yn yr hinsawdd ac addasu iddo drwy: (i) ddod o hyd i ffyrdd newydd o wella cydnorthedd ecosystemau ac felly gwella'r gallu i addasu i bwysau yn sgil yr hinsawdd; (ii) gwella gwasanaethau i storio carbon neu i liniaru llifogydd.

Nodwyd yr effeithiau cadarnhaol posibl a ganlyn mewn perthynas â Rhan 2, y Newid yn yr Hinsawdd:

- Mae'r Ddeddf yn caniatáu ar gyfer creu corff cynghori yng Nghymru a fydd â'r bwriad o roi cyngor arbenigol, annibynnol ar y newid yn yr hinsawdd. Bydd yn rhoi'r pwerau i Weinidogion Cymru greu corff annibynnol os bydd angen yn y dyfodol, gan helpu i brawfesur darpariaethau'r Ddeddf at y dyfodol. O'r herwydd, disgwylir effeithiau cadarnhaol mewn perthynas â'r Gymraeg. Er enghraifft, byddai corff cynghori penodol i Gymru yn hoelio sylw ar Gymru wrth ymgysylltu ag eraill, ac yn caniatáu ar gyfer gwneud hynny yn Gymraeg, yn ôl y gofyn.

### **Negyddol**

Ni nodwyd unrhyw effeithiau negyddol.

### **Pwy yw'r rhanddeiliaid? A yw anghenion siaradwyr a dysgwyr Cymraeg yn cael sylw? I ba raddau y mae grwpiau sydd â diddordeb yn y Gymraeg yn debygol o ymateb yn gadarnhaol i'r cynigion?**

Yn yr ystyr ehangach, mae Cymru gyfan yn rhanddeiliaid, gan y bydd y Ddeddf, o'i gweithredu, yn cael effaith hirdymor cadarnhaol ar ffyniant Cymru. Ochr yn ochr â hyn datblygwyd cynllun ymgysylltu â rhanddeiliaid ar gyfer y Rhaglen Rheoli Adnoddau Naturiol ac fe nodwyd rhanddeiliaid allweddol. Sefydlwyd Grŵp Cyfeirio rhanddeiliaid adrannol ac mae E-fwletin dwyieithog ar gyfer y Rhaglen yn cael ei anfon at dros 1600 o rhanddeiliaid bob mis.

Cyhoeddwyd Papur Gwyrdd "Cynnal Cymru Fyw" ar gyfer ymgynghoriad rhwng mis Ionawr 2012 a mis Mai 2012. Ar y cyfan, cafwyd cefnogaeth eang i'r cynigion. Ni ymatebodd unrhyw grwpiau â diddordeb yn y Gymraeg yn uniongyrchol. Mae Llywodraeth Cymru wedi cyhoeddi dogfen ymateb:

<http://llyw.cymru/consultations/environmentandcountryside/sustainingwales/?skip=1&lang=cy>)

Cyhoeddwyd Papur Gwyn "Tuag at Reoli Adnoddau Naturiol Cymru yn Gynaliadwy" ar gyfer ymgynghoriad rhwng mis Hydref 2013 a mis Ionawr 2014. Ar y cyfan, cafwyd cefnogaeth gadarnhaol i'r pecyn o gynigion mewn perthynas â chynigion Rheoli Adnoddau Naturiol yn y Papur Gwyn. Cyhoeddwyd yr holl ymatebion ynghyd â dogfen

ymateb Llywodraeth Cymru ar wefan Llywodraeth Cymru yn:

<http://llyw.cymru/consultations/environmentandcountryside/environment-bill-white-paper/?skip=1&lang=cy>

Fel rhan o'r ymgynghoriad ar y Papur Gwyn, cynhaliwyd nifer o ddigwyddiadau ymgynghori ledled Cymru. Cafodd rhanddeiliaid gyfle i siarad yn y Gymraeg yn y digwyddiadau hyn.

Ymatebodd Comisiynydd y Gymraeg i'r ymgynghoriad ac roedd yn gefnogol ar y cyfan.

Mae rhagor o fanylion am yr ymgynghoriad a gynhaliwyd ar gyfer y Bil yn y Memorandwm Esboniadol.

### **Os na chwblhawyd asesiad, neu os na chanfuwyd effeithiau, rhowch adroddiad llawn at ddibenion cadw cofnod**

(Gellid defnyddio hwn yn y Tribiwnlys Iaith Gymraeg yn y dyfodol)

Amherthnasol

### **Pa gamau gweithredu/gwaith pellach sydd wedi'u nodi yn ystod y cam cynllunio cychwynnol?**

e.e. gofynion data, yr angen am adolygiad cymheiriaid, ymgysylltu'n allanol gyda grwpiau Gymraeg eu hiaith, nodi rhanddeiliaid neu restr ymgynghori, yr angen i gysylltu ag Uned y Gymraeg am gyngor)?

Cysylltwyd ag Uned y Gymraeg yn Llywodraeth Cymru er mwyn cael rhagor o gyngor.

## **CAM 2: NODI AC ASESU EFFEITHIAU**

### **Crynodeb o'r Asesiad Effaith Manwl**

**Crynowch yr asesiad manwl o effaith a gynhaliwyd ynghyd â'r sgorau a ddynodwyd.**

### **Effeithiau cadarnhaol:**

Er nad yw'r Ddeddf wedi'i chynllunio'n benodol i fynd i'r afael â materion sy'n ymwneud â'r Gymraeg, mae pedair effaith gadarnhaol wedi'u nodi drwy reoli adnoddau naturiol, sef:

1. Bydd y Ddeddf yn cefnogi'r broses o weithredu'r saith nod llesiant a gyflwynir yn Neddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015. Mae hyn yn cynnwys y nod ar gyfer "Cymru â diwylliant bywiog lle mae'r Gymraeg yn ffynnu".
2. Bydd y Polisi Adnoddau Naturiol Cenedlaethol yn pennu'r blaenoriaethau a'r cyfleoedd ar gyfer y defnydd cynaliadwy o adnoddau naturiol yng Nghymru gan arwain at ecosystemau mwy cadarn. Bydd hyn yn fanteisiol i gymunedau ledled Cymru gan

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| <p>arwain at ffyniant hirdymor, mantais gymdeithasol ac iechyd a lles.</p> <p>3. Bydd datganiadau ardal yn hwyluso dulliau lleol o reoli adnoddau naturiol yn gynaliadwy ac yn darparu ar gyfer atebion a dargedir sy'n seiliedig ar broffil economaidd, cymdeithasol ac amgylcheddol ardal benodol. Dylai hyn arwain at gymunedau Cymraeg mwy cadarn sy'n elwa ar y cyfleoedd economaidd, cymdeithasol ac amgylcheddol a nodir. Yn ei dro, gallai hyn gael effaith gadarnhaol ar allfudo siaradwyr Cymraeg rhugl o rai cadarnleoedd Cymraeg.</p> <p>4. Bydd rheoli adnoddau naturiol yn gynaliadwy yn cefnogi lliniaru ac addasu i'r newid yn yr hinsawdd, gan arwain at gymunedau mwy cadarn a fydd yn fanteisiol i gymunedau Cymraeg mewn ffordd debyg i'r hyn a nodwyd yn effaith 3.</p> |  |
| <b>Effeithiau negyddol:</b>  |  |
| Ni nodwyd unrhyw effeithiau negyddol.  |  |
| <b>Cyfleoedd i hyrwyddo'r Gymraeg e.e. cynnydd o ran statws, defnydd o wasanaethau Cymraeg, defnydd o'r Gymraeg o ddydd i ddydd, y Gymraeg yn y gwaith?</b>  |  |
| Bydd y Ddeddf yn cefnogi'r gwaith o gyflawni nodau llesiant, ac un ohonynt yw "Cymraeg â diwylliant bywiog lle mae'r Gymraeg yn ffynnu".   |  |
| <b>Tystiolaeth/data a ddefnyddiwyd gan gynnwys proffil demograffig wrth ystyried yr effeithiau:</b>  |  |
| Mae 29.5% o'r rhai sy'n cael eu cyflogi yn y diwydiannau amaethyddiaeth, ynni a dŵr yn siaradwyr Cymraeg (Gallu i siarad Cymraeg yn ôl diwydiant - Cyfrifiad 2011).  |  |
| <b>Beth yw'r effaith gyffredinol debygol a ragwelir ar y Gymraeg os bydd y polisi hwn yn cael ei symud ymlaen ar sail yr asesiad o effaith/asesiad risg?</b>   | Cadarnhaol: <input checked="" type="checkbox"/><br>Negyddol: <input type="checkbox"/><br>Niwtral: <input type="checkbox"/><br>Anhysbys: <input type="checkbox"/> |
| <b>Penderfyniad yn dilyn yr Asesiad</b>  | 1. Dim newid sylweddol<br><input checked="" type="checkbox"/>  |
|  | 2. Addasu'r polisi er mwyn gwella effeithiau<br><input type="checkbox"/>   |
|  | 3. Parhau â'r polisi gyda mesurau lliniaru<br><input type="checkbox"/>   |
|  | 4. Rhoi'r gorau i'r polisi a chael gwared arno<br><input type="checkbox"/>   |

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| <p><b>Os 2, 3 neu 4 oedd yr ateb uchod – atebwch y canlynol:</b></p> <p><b>Sut y byddwch chi'n ymdrin â'r effeithiau hyn er mwyn gwella'r canlyniadau ar gyfer y Gymraeg? Nodwch fanylion y mesurau lliniaru/pwyntiau gweithredu/dewisiadau amgen sydd wedi'u mabwysiadu er mwyn lleihau'r effeithiau negyddol a chynyddu'r canlyniadau cadarnhaol:</b></p>   |
| <p><b>Os ydych yn ymgysylltu neu'n ymgynghori, beth yw eich cynlluniau? Pa gwestiynau ydych chi am eu gofyn i randdeiliaid am yr Asesiad o'r Effaith ar y Gymraeg a materion sy'n gysylltiedig â'r Gymraeg?</b></p>   |
| <p>Cafodd yr Asesiad o'r Effaith ar y Gymraeg ei gyhoeddi ochr yn ochr â'r Bil wrth iddo gael ei gyflwyno gerbron Cynulliad Cenedlaethol Cymru ar 11 Mai 2015. Ni chafwyd unrhyw adborth mewn perthynas â'r Gymraeg yn ystod taith y Bil.</p>   |
| <p><b>CAM 3: AR ÔL YMGYNGHORI A PHARATOI AR GYFER CYHOEDDI, MONITRO A GWERTHUSO</b></p>   |
| <p><b>Ar ôl ymgynghori, pa newidiadau ydych chi wedi'u gwneud i fynd i'r afael ag unrhyw faterion a godwyd sy'n ymwneud â'r Gymraeg?</b></p>  |
| <p>Cafodd y sylwadau a'r adborth a ddaeth i law yn ystod taith y Bil eu hystyried ac os oedd hynny'n briodol, gweithredwyd arnynt. Nid oedd unrhyw rai ohonynt yn ymwneud â'r Gymraeg.</p>  |
| <p><b>Sut y byddwch chi'n monitro'r effeithiau parhaus pan fydd y polisi'n cael ei weithredu?</b></p>   |
| <p>Roedd y Bil yn destun proses graffu'r Cynulliad Cenedlaethol, a oedd yn cynnwys cyfraniadau gan randdeiliaid. Daeth adborth am y Bil a'r Datganiad Polisi Adnoddau Naturiol Cenedlaethol drwy'r Grŵp Cyfeirio Adnoddau Naturiol a thrwy gysylltiad uniongyrchol â rhanddeiliaid.</p> <p>Bydd unrhyw waith monitro ar effeithiau'r Ddeddf yn cael ei gynnal yn ystod yr adolygiad ar ôl gweithredu.</p> <p>Lle bo hynny'n briodol, defnyddir y dulliau hyn i ystyried effeithiau'r Ddeddf ymhellach, gan gynnwys effeithiau ar y Gymraeg.</p> |
| <p><b>Amlinellwch sut y byddwch chi'n parhau i gofnodi effeithiau mewn gwaith monitro a gwerthuso yn y dyfodol?</b></p>   |
| <p>Bydd adolygiad ar ôl gweithredu'n cael ei hwyluso drwy weithgareddau a phrosesau monitro ac asesu parhaus, sy'n rhan o'r fframwaith ar gyfer rheoli adnoddau naturiol yn</p>   |

gynaliadwy. Mae'r Fframwaith yn cynnwys yr Adroddiad ar Gyflwr Adnoddau Naturiol, y Polisi Adnoddau Naturiol Cenedlaethol a datganiadau ardal.

Mae'r tri dull cyflawni yma'n creu proses gyson drwy ddylanwadu ar ei gilydd. Bydd yr Adroddiad ar Gyflwr Adnoddau Naturiol yn darparu'r sylfaen dystiolaeth er mwyn i'r Polisi Adnoddau Naturiol Cenedlaethol nodi blaenoriaethau a chyfleoedd allweddol ar gyfer rheoli adnoddau naturiol yn gynaliadwy, a bydd y broses hon yn mynd rhagddi ar raddfa briodol drwy gyhoeddi datganiadau ardal. Bydd datganiadau ardal yn casglu dystiolaeth leol, sydd yn ei thro yn gallu helpu i lywio'r Adroddiad ar Gyflwr Adnoddau Naturiol, ac yn y pen draw bydd modd mesur y cynnydd sy'n cael ei wneud tuag at reoli ein hadnoddau naturiol yn gynaliadwy.

Mae'r Deddf yn galluogi Gweinidogion Cymru i adolygu'r Polisi Adnoddau Naturiol Cenedlaethol a chyhoeddi un newydd unrhyw bryd, ac mae'n nodi bod yn rhaid i Weinidogion Cymru adolygu'r Polisi ar ôl pob etholiad Cynulliad.

Enghraifft arall o adeg pan allai adolygiad o'r Fframwaith Rheoli Adnoddau Naturiol gael ei gynnal yw pe bai Gweinidogion Cymru yn adolygu eu hamcanion lles, fel y nodir yn Neddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015. Disgwylir i hyn sbarduno adolygiad o'r Polisi Adnoddau Naturiol Cenedlaethol a byddai unrhyw newidiadau i'r Polisi yn sbarduno adolygiad o'r datganiadau ardal.

#### **Unrhyw sylwadau eraill – canlyniadau parhaus gwerthusiadau, effeithiau sy'n ymddangos**

Dim