



# Public Consultation Submissions & Responses

Intent and Objectives: National Biodiversity Strategy and Action Plan to 2030

August 2020

Environment & Resources Authority



## CONSULTATION FEEDBACK

Ref No.	Name of Stakeholder / Date	Comments Received	Response / Remarks
1	James Gabarretta 29/07/2020	<p>I am writing to you with regards to the NBSAP. In general I agree with the intent and scope of the document as they are quite generic and flexible. I would like to put forward the following points :</p> <ul style="list-style-type: none"> <li>In light of recent advancements with regards to land reclamation of sea; how would this technique fit into the NBSAP? It is important to consider how (IN THE WORST CASE SCENARIO) land reclamation can be used for the restoration of areas e.g where significant amounts of land have been lost to erosion or where the area has been degraded due to anthropogenic factors. Similarly how will the issue of habitat loss on land and sea be counteracted with this technique/technology?</li> </ul>	<p>As a strategic document, the NBSAP to 2030 will aim to ensure that Malta's biodiversity is safeguarded, whilst ensuring a comprehensive and proactive framework to achieve this sustainably. In view of this, restoration will be addressed in relevant measures.</p> <p>The NBSAP shall build on the existent legal requirements concerning major projects, which call for relevant assessments to assess whether there shall be any significant impacts arising from proposals for such.</p>
		<ul style="list-style-type: none"> <li>Another query for consideration is 'Will the destruction of land in urban cores be balanced by the restoration of areas which are not urban but degraded (similar to the compensatory planting of trees concept)' ? There are abundant cases of fallow land / brownfields which are worthy of restoration efforts. How can these be addressed?</li> </ul>	<p>Restoration will be addressed in relevant measures. The NBSAP to 2030 and other related policy are envisaged to include measures/targets on nature-based solutions and green infrastructure within the urban context, while also supporting the healthy functioning of the urban and rural ecosystems. This will hence lead to the promotion of urban biodiversity in collaboration with the relevant entities.</p>

		<ul style="list-style-type: none"> <li>Finally, how can the concept of urban biodiversity be enhanced and mainstreamed inline with the guidelines that the ERA issued on Blue and Green Infrastructure?</li> </ul> <p>I'm pretty sure that most of the queries have already been put forward by your staff but I trust that there's no harm in writing them myself.</p>	<p>Relevant considerations shall be made to address land degradation through a restoration target in line with current legislation and policy, and also following the EU Biodiversity Strategy to 2030.</p>
2	<p>Elaine Caruana</p> <p>Wild Birds Regulation Unit</p> <p>30/07/2020</p>	<p>WBRU reviewed the intent and objectives of the National Biodiversity Strategy and Action Plan to 2030. The objectives address a broad range of issues which are vital to safeguard our biodiversity and achieve a level of sustainability in various sectors. Thus, WBRU agrees with the intent and objectives of the National Biodiversity Strategy and Action Plan and is pleased to note that measures addressing biodiversity loss and measures to foster nature conservation shall be included and implemented. Biodiversity loss plays a crucial part in the conservation efforts which cater for the decreasing population of various species including farmland birds. The objective to offer strategic direction on how to address such biodiversity loss is also critical as it will ensure an effective implementation process.</p>	<p>Comment is noted and agreed to. Malta's NBSAP to 2030 is to adequately address all drivers of biodiversity loss, to allow for the safeguarding of various species and their habitats.</p>

3	David Pace 31/07/2020	<p>1. I agree with the proposed intent and objectives of this strategy, but they are very broad and general. There is a mention of stake-holders, but how is the strategy going to control human influence in the form of rampant construction, hunting, trapping and general lack of access in the countryside?</p> <p>Why is there no mention of the Public Domain Act which was promised five years ago by the authorities and is still in limbo?</p>	<p>The NBSAP is a strategic document which is and will be implemented in line with relevant legal obligations. In view of this it is not plausible to mention all the relevant laws of Malta. The intent and the objectives provide a general overview of the envisaged policy. In this regard, the development of the Strategy, national targets and measures will be carried out with the involvement of relevant stakeholders. Furthermore, the NBSAP is an overarching national policy, which is envisaged to be adopted by the Maltese Government and implemented by relevant entities.</p> <p>The Strategy will include concrete targets and measures that aim to create favourable conditions for biodiversity, while taking into account social and economic factors. In this respect, it will address anthropogenic pressures on the environment that have negative impact on biodiversity.</p> <p>The NBSAP to 2030 will be made available for public consultation and interested parties will have the opportunity to provide comments on each specific element.</p>
		<p>2. I envision a Malta covered with concrete actually at the rate things are going, but I wish that ERA starts to take afforestation seriously not by planting hundreds of saplings but hundreds of thousands of metre-long trees that are irrigated in summer to combat climate change and decrease our carbon footprint.</p> <p>I envision a Malta that tree-planting does not fall under four different ministries, but only one - ERA and valleys don't fall under two ministries, but one - ERA, but obviously ERA does not remain subservient to the PA. It needs to become the PAs watchdog because right now everything the PA decides goes and this is destroying important areas of biodiversity.</p>	<p>Comment has been duly noted, and will be considered in the development of the new NBSAP and related policy. A number of the initiatives mentioned are indeed being followed, with regular progress, based also on existing legislation and policy; and this by ERA and also by other entities, also through regular discussions between such. Initiatives &amp; projects carried out by ERA can be found at: <a href="https://era.org.mt/">https://era.org.mt/</a>.</p> <p>Issues relevant to afforestation and valleys are being addressed to parallel strategic documents, under the EPA, namely the NTWSAP and WCMP, which are both undergoing public consultation at the moment of writing.</p>

		I envisage that Nature 2000 sites are properly protected by environmental wardens and not left to rot with thousands of people, hunters, trappers, etc, trampling, destroying and killing anything that moves.	Environmental rangers have also been engaged.
		I envisage ERA starting to invest in genuine conservation efforts to increase the population of threatened rare animals such as the Freshwater Crab, the Weasel, snakes, bats, etc and rare flora such as many disappearing orchids.	ERA is already addressing such conservation measures and is financing projects and research carried out by experts and addressing the freshwater crab, the Mediterranean killifish, various flowering plants, protected mammals, reptiles and amphibians. For more information can be found at: <a href="https://era.org.mt/">https://era.org.mt/</a> .
		3. The crucial aspect of all this is the political strength ERA should be given. If it remains being subsumed by the PA, it's all in vain. Also, the people at the helm and constituting it's boards shouldn't be party apparatchiks and syncophants but environmental managers and scientists such as botanists, biologists and ecologists.	Comment duly noted; it should be noted that ERA, as the national regulator for the environment, strives to ensure that its goals are effectively implemented. Recent legislation enacted has further strengthened ERA's legal powers on a number of issues. ERA pursues the implementation of environmental policies, targets and measures through collaboration with other relevant competent authorities/entities and stakeholders. Meanwhile, relevant boards constitute diverse representatives, including relevant experts in the field.
4	David Abela 31/07/2020	I fully support this initiative but, in order to achieve the desired outcome, I strongly feel that it has to be underpinned by enforcement, including regular warden ( or LESA) patrols and imposition of strong fines which will hurt the pocket of those who flaunt the laws.	Comment has been noted and agreed. ERA is heavily investing in enforcement with a considerable increase in staff complement. Moreover, environmental rangers have also been engaged.

5	<p>Claire Bonello LL.D</p> <p>04/08/2020</p>	<p><b>Limited and generic scope of objectives</b></p> <p>It is not clear what status the National Biodiversity Strategy and Action Plan will have. Will it be a binding document with mandatory application or merely another non-enforceable strategy, of which we have many? What will be the position of the National Biodiversity Strategy and Action Plan in the hierarchy of national plans and policies? Although its mode of formulation and publication follows that for subsidiary plans and policies under Article 51 of Chapter 549 of the Laws of Malta, there is still no indication as to whether it will qualify as a mandatory document which has to be observed whenever the Environment and Resources Authority or any other entity (such as the Planning Authority) have to reach decisions about matters which include biodiversity issues. There is also no indication as to whether ERA will have to regard the provisions of the National Biodiversity Strategy and Action Plan when providing consultation replies when acting as an external consultee in planning application considerations.</p>	<p>The NBSAP is a legal obligation stemming from Malta’s commitments in relation to the UN CBD and the implementation of national needs and regional commitments. Furthermore, the NBSAP is a subsidiary plan as per Article 51 of the Environment Protection Act (CAP. 549) and is one of the daughter strategies of the National Strategy for the Environment, which sets the policy framework for the preparation of plans, policies and programs issued under the Environment Protection Act (CAP. 549).</p> <p>Malta’s next NBSAP is envisaged to be endorsed and adopted by the Maltese Government, which would ensure that the values of biodiversity are considered and prioritised across all national sectors.</p> <p>ERA considers both the NBSAP and other relevant policies when providing consultation replies.</p>
		<p>There is also mention of this Strategy being a “driver” for mainstreaming biodiversity into national plans and policies. How is this going to be effectively implemented?</p>	<p>The NBSAP has already been instrumental as a driver for mainstreaming biodiversity, as seen from the progress reports in term of its implementation so far. The NBSAP is Malta’s business plan within the biodiversity and natural contexts. Wide stakeholder engagement, including with academia, businesses, national and local authorities and civil society, is essential for fostering responsibility, ownership and accountability by relevant sectors for biodiversity conservation. Hence, consultation will be carried out throughout its development and implementation.</p>

	<p><b>No reference to in situ conservation prioritised by the UN Convention on Biological Diversity</b></p> <p>The objectives make absolutely no reference to 2 of the main aims of the UN Convention on Biological Diversity, namely:</p> <ol style="list-style-type: none"> <li><b>1. In situ conservation</b> of ecosystems and natural habitats (mentioned in the Preamble and Article 8 of the Convention). This is cited as being a “fundamental requirement” for the conservation of biological diversity in the Convention – yet it is not mentioned once. In situ conservation is especially pertinent to the Maltese context where both the Environment and Resources Authority and the Planning Authority have completely given up on any attempt at “in situ conservation” (especially when large projects with a huge impact are concerned) and adopted an unscientific “barter” approach whereby significant biodiversity loss and eradication of natural habitats is “compensated” for by tree-planting measures or monetary contributions. The efficacy of these compensatory measures is highly dubious. Moreover, there have been instances when the compensatory measures (such as tree planting) permitted by ERA, have not been adhered to, and monetary compensation has been substituted. This is resulting in a loss of biodiversity with measures being taken only resulting in monetary</li> </ol>	<p>The NBSAP 2012-2020 already addresses such matters; the forthcoming NBSAP will build on this. This issue, along with other matters, will be included in Malta’s NBSAP to 2030 and other relevant policy considerations. It is also noted that the consultation carried out to date focused on the overall intent and objectives at a strategic level.</p>
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		<p>transactions to the environmental regulator. This is not the scope of the Convention.</p>	
		<p><b>2. Liability and redress for damage to biological diversity (Article 14 of the Convention)</b></p> <p>This is not catered for in the Objectives. Maltese entities such as ERA shy away from the issue of ascertaining liability and are allergic to any mention of enforcement. Unless provision is made for the purposes of ascertaining responsibility, liability and redress for damage to biological diversity, we will see repetitions of the debacle at Wied Qirda – a protected area – which has been ruined, and where the public was faced with the anomalous situation whereby the environmental regulator (ERA) issued a joint press release with the contravenor, stating that things were under control. The truth of the matter can be ascertained by an onsite visit.</p>	<p>The NBSAP 2012-2020 already addresses such matters; the forthcoming NBSAP will build on this. Liability and redress will be included in Malta’s NBSAP to 2030, as was the case for the NBSAP 2012-2020.</p>
		<p><b>Vision for Malta’s Biodiversity</b></p> <p>Rather than a vision I would expect and hope that regulatory bodies such as ERA to militate against biodiversity loss instead of allowing and encouraging all sorts of sham “compensatory” or mitigation measures based on studies/impact assessments of dubious value.</p>	<p>As the national environmental regulator, ERA operates in line with the Environment Protection Act (Cap. 549) and it’s Subsidiary Legislation.</p>



6	Kriss Debono Agriculture Directorate - Rural Development Programme 12/08/2020	1. Do you agree with the proposed intent and objectives of this strategy?  Yes they seem to provide a holistic approach in establishing way forward in the policy and implementation of biodiversity strategy.	Comment has been duly noted.
		2. What do you envision for Malta's biodiversity to 2030?  It is envisioned that there be a holistic and synergetic plan, whereby the measures and consequently objectives be clearly set, together with the with the allocated Competent Authorities established. It would be appropriate to that Maltas's biodiversity 2030 establishes a priority on what needs to be conserved and how such conservation practices are to take place.	Comment has been duly noted and agreed. The NBSAP to 2030 will provide a comprehensive plan with clearly defined targets and measures for biodiversity conservation. This will be carried forward in an inclusive manner through active consultation with relevant entities and competent authorities, to incorporate current and future, commitments and obligations as relevant.
		3. What aspects do you retain to be crucial to safeguard Malta's biodiversity by 2030?  Clear legal framework that establishes the role and competences of ERA together with any other affected and relevant Competent Authorities that are entrusted to monitor and enforce the policy put forward. For example On Theme 6: Sustainable Use of Natural Resources: Soil, Water and Land (Code - NR) – there is mention Measures incorporated in a soil action plan are formulated to address these goals in terms of how to mitigate the threats to Maltese soils and adopt measures aimed at soil conservation. What is this Soil Action Plan? Are there any concrete objectives and target indicators set that would ensure that such measures have had the required and desired effect? Who will implement these monitoring and enforcement	ERA's role and competencies are as established under the Environment Protection Act (Cap. 549). It should be noted that the NBSAP is to be adopted by the Maltese Government and implemented by all relevant entities in synergy. In this regard, ERA concurs with the need to have clarity on the roles and competences of all competent authorities in relation to the NBSAP to 2030. This will ensure ownership and resource allocation in relation to the achievement of the set Targets. Meanwhile, the aim is to have measurable indicators accompanying the NBSAP.  In relation to the Soil Action Plan you may wish to refer to <a href="https://agrikultura.gov.mt/en/agricultural_directorate/Documents/nationalAgriculturalPolicy/napFinal.pdf">https://agrikultura.gov.mt/en/agricultural_directorate/Documents/nationalAgriculturalPolicy/napFinal.pdf</a> .

		procedures? Is there the need of a regulatory framework in this regard for such measures to have any effect?	
7	Simon Agius Strategy & Policy Implementation Directorate – Local Government Division 14/08/2020	<p><b>1) Do you agree with the proposed intent and objectives of this strategy?</b> We agree since as a Directorate we believe and have shown our full commitment to participate in environmental initiatives and we believe that the environment should be on top of the national agenda.</p>	Comment has been duly noted.
		<p><b>2) What do you envision for Malta's biodiversity to 2030?</b> For 2030, we envision that a legal framework would have been enacted, followed by an educational campaign promoting environmental issues, especially with regards to biodiversity and ecosystems present around us. Investment in state of the art technology is to be implemented as a way to ensure security, and adequate law enforcement against abuse &amp; vandalism and the imposition of more effective legal deterrents – like effective jail sentences and fines.</p>	<p>Malta's NBSAP to 2020 already included such issues and it is envisaged that such measures will also be included in the next NBSAP to 2030.</p> <p>Whilst acknowledging the need for more investment in terms of technology, enforcement and awareness, you may wish to refer to <a href="http://era.org.mt">era.org.mt</a> and the earlier progress reports vis-à-vis the implementation of the NBSAP 2012-2020.</p>
		<p>Naturally by 2030 we expect the public to be more educated &amp; aware on environmental issue and to have taken ownership of the environment around them. We also expect more to be done to curb abusive and over zealous development and construction activities and to enact buffer zones around sensitive ecological zones in order to protect these vital eco-systems. As a Directorate we propose more committment towards sustainable development. More crucially we have to safeguard against environmental degradation.</p>	<p>The sustainable use of resources is an essential step towards nature conservation and sustainable development. The inclusion of relevant measures addressing environmental degradation through promoting nature conservation, restoration and spatial multi-functionality is a key aspect within an NBSAP.</p>

	<p>Apart from this we as a Directorate have in the past years issued schemes to incentivate the Local Authorities to embark in cleanup initiatives &amp; we pledge to continue doing so, with particular respect and attention to zones such as valleys, cliffs, woods, and other natural sites. Finally, towards achieving a healthy biodiversity, we envisage to start from today in a campaign of extermination of certain invasive species like for example rats &amp; certain weeds, that compete with local endangered species for food or even hunt them, or otherwise invade and occupy the natural habitat of local endemic species. This has to be done in a selective, humane &amp; scientific manner that respects nature and the environment.</p> <p>For these collective aims we expect the full contribution of civil society at large, and a continued commitment of all stakeholders.</p>	<p>ERA appreciates all initiatives by local entities aimed at safeguarding biodiversity, and shall seek to collaborate more with Local Councils on issues relating to invasive alien species and biodiversity in general.</p>
	<p><b>3) What aspects do you retain to be crucial to safeguard Malta's biodiversity by 2030?</b>  The Key areas to consider to sustain and safeguard biodiversity are as follows:</p> <ol style="list-style-type: none"> <li>1) Government Legislation –And More effective Law Enforcement measures.</li> <li>2) Natural Reserves &amp; Buffer Zones near ecological sites to safeguard against construction.</li> <li>3) Reduce of Invasive Species &amp; Habitat Restoration</li> <li>4) Sustainable Development and more discipline &amp; enforcement in the Constuction Sector</li> <li>5) Captive Breeding &amp; Seedbanks</li> </ol>	<p>Comment duly noted and will be taken into consideration as relevant during the development of the NBSAP to 2030.</p>

		<p>6) Investment towards Research &amp; innovation related to ecological issues.</p> <p>7) Reducing Climate Change. – reducing Co2 emissions and other emissions fo harmful gasses – towards being completely Carbon Neutral in 2050.</p> <p>8) Purchase Sustainable Products – reducing plastic waste.</p> <p>9) Sustainable &amp; Healthy Living – eating organic food, using recyclable packaging &amp; using natural resources conscientously like minimising water wastage.</p> <p>10) Education &amp; Awareness. Educate the General Public to take ownership of the natural environment around us.</p>	
8	<p>Krista Farrugia</p> <p>Adi Associates Ltd</p> <p>18/08/2020</p>	<p>An analysis of governance in Malta will help identify the best approach to ensure ecosystem services are integrated. Good governance must ensure that:</p> <ul style="list-style-type: none"> <li>• better account is taken of the value of biodiversity during decision-making; and</li> <li>• stakeholder involvement is adequate – engage people in policy development, increase awareness of the value of biodiversity and ecosystem services, increase the number of people taking positive action.</li> </ul> <p>Ecosystem services valuation should be carried out. This will help ensure that biodiversity is not undervalued and is considered on a par with other resources. The next Biodiversity Strategy must seek to ensure that ecosystem services are considered horizontally and</p>	<p>ERA recognises the importance of public awareness, mainstreaming biodiversity and ecosystem services into relevant sectoral policies, and the importance of further research on the link between biodiversity and ecosystem services. In this regard, such aspects are expected to form an integral part of the NBSAP to 2030.</p> <p>Meanwhile, it is pertinent to note that policy is indeed developed through relevant public consultation procedures as is required by the Environment Protection Act (Cap. 549). Further to this, efforts are indeed being made on the mapping and evaluation of ecosystem services, with the aim of utilising such as a tool in decision-making and policy development.</p>

	<p>integrated into all relevant sectoral policies. This is also a main mission for the EU:</p> <p><i>By 2050, European Union biodiversity and the ecosystem services it provides – its natural capital – are protected, valued and appropriately restored for biodiversity’s intrinsic value and for their essential contribution to human wellbeing and economic prosperity, and so that catastrophic changes caused by the loss of biodiversity are avoided.</i></p> <p><i>Halt the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restore them insofar as is feasible, while stepping up the EU contribution to averting global biodiversity loss.</i></p> <p>It is recognised that more research is required with regards to biodiversity and its link to ecosystem services – the Biodiversity Strategy should champion this.</p>	
	<p>It should also be understood at a strategic level that there are ecosystem services trade-offs: for example, agricultural production and water quality; land use and biodiversity; water use and aquatic biodiversity; and current water use for irrigation and future agricultural production. Thus, an integrated approach to policy making is imperative. Ecosystem service trade-offs arise when the provision of one service is enhanced at the cost of reducing the provision of another service, and ecosystem service synergies arise when multiple services are enhanced simultaneously (MEA 2005, Raudsepp-Hearne et al. 2010 as cited in Paavola &amp; Hubacek, 20131). An important prerequisite for</p>	<p>Noting the significance of trade-offs associated with ecosystem services, and the value of understanding mitigation and reduction of impacts in this regard, such subject matter will be catered for in the NBSAP to 2030.</p> <p>ERA supports inclusion in the next NBSAP of measures related to mainstreaming biodiversity into national policies, strategies and plans in order to ensure that healthy and productive ecosystems are maintained as a priority by all sectors.</p>

		<p>assessing synergies and trade-offs between ecosystem services is an understanding of which ecosystem services are provided and where.</p> <p>The Strategy also needs to ensure a coherent and resilient ecological network made up of core areas of high conservation value, connections like corridors and stepping stones between these areas, buffer zones, areas for restoration and sustainable use areas to be used and managed sustainably. A healthy network will help deliver optimal services. However, we must also move quickly from solely paper protection through strategies and management plans with very good intentions to actual action on the ground to really safeguard in a tangible manner the biodiversity of the Maltese Islands.</p> <p>Implementation of already agreed actions (such as the various N2000 management plans) and facilitation of proposals for active management and restoration of natural areas must be helped and supported and not forgotten or rendered impossible through excessive bureaucracy or turf wars.</p> <p><sup>1</sup> Paavola, J. &amp; Hubacek, K. 2013. <i>Ecosystem Services, Governance and Stakeholder Participation: An Introduction</i>. 18(4) Ecology and Society</p>	
9	<p>Marie-Therese Camenzuli</p> <p>Interdiocesan Commission for the</p>	<p><b>1. Do you agree with the proposed intent and objectives of this strategy?</b></p> <ul style="list-style-type: none"> <li>It is very difficult not to agree with the proposed intent and objectives, if one values biodiversity. However, while going through the list one cannot but experience a certain degree of déjà vu. The list of objectives is yet another proof that ERA (and hopefully the nation) knows what</li> </ul>	<p>ERA recognises the importance of well-connected and resilient ecological networks and the implementation of conservation measures that result in concrete action, and indeed it continuously strives to achieve this. In fact, this was reflected in the targets and measures of the NBSAP 2012-2020. Moreover, measures conducive to enhanced actions are envisaged to be emphasised in the upcoming NBSAP. These will include reference to green infrastructure, nature-based solutions, restoration, implementation of conservation measures, and augmented inter-institutional cooperation, amongst others. Further to this, related policy developments also take such aspects into consideration as pertinent.</p> <p>ERA has carried out an assessment of the NBSAP 2012-2020, which is available at: <a href="https://chm.cbd.int/database/record?documentID=252696">https://chm.cbd.int/database/record?documentID=252696</a>, in response to reporting obligations under the United Nations Convention on Biological Diversity. This will serve as a basis for the development of NBSAP to 2030 and for furthering implementation of measures safeguarding the environment. This analysis will shed light on which aspects require further momentum at a national level in the coming years. Moreover, the outcome of this analysis will assist the prioritisation of targets and measures, and</p>

<p>Environment 18/08/2020</p>	<p>needs to be done to protect our biodiversity from the various threats it faces (and succumbs to) on a daily basis. These threats lie along a continuum: with the irresponsible behaviour of individual citizens at one end, running through a general disregard towards biodiversity by policy makers and ending up in a lack of commitment by authorities to take drastic action to safeguard our common biodiversity heritage. Therefore, to avoid yet another well written, but ineffective strategy, the KA suggests that in the proposed review of the NBSAP (2012- 2020), besides focusing on <b>what</b> aspects were not achieved, ERA should also seriously study <b>why</b> they weren't achieved. This review needs to be included in the preamble of the NBSAP (2030).</p> <ul style="list-style-type: none"> <li>• Technically, the points presented are more akin to “aims” rather than “objectives” since they lack specificity. The KA hopes that the specific objectives (against which the success of subsequent actions is established) will surface in the proposed strategy.</li> <li>• What is also lacking is a statement of an overarching principle (or principles) that would then be reflected in all the ensuing objectives. Such a principle needs to consider two very important perspectives: <ul style="list-style-type: none"> <li>○ Being a small island with a very high population density, Malta is blessed by a biodiversity that is both unique and at</li> </ul> </li> </ul>	<p>alignment with the higher ambition of the CBD post-2020 Global Biodiversity Framework and the EU Biodiversity Strategy for 2030.</p> <p>Whilst noting that the consultation was carried out on the overall intent and objectives at a strategic level, ERA takes note of the detailed comments and relevant considerations. Further details on the national targets and measures, along with other priority issues will be included in Malta’s NBSAP to 2030. Relevant entities and stakeholders shall be involved throughout the process of the development of the NBSAP to 2030 and its implementation.</p> <p>It should be noted that the reference to <i>ecosystem services</i> can be used in parallel to the idea of intrinsic values. Recognising the value of ecosystems and their services does not imply that these should be traded on the market, rather it shows that they are worth protecting and conserving.</p> <p>ERA agrees that the next NBSAP to 2030 should promote sustainable production and consumption, in line with the 2030 Agenda for Sustainable Development and its Sustainable Development Goals. Furthermore, the current NBSAP addresses issues related to overexploitation, which would be also considered in the next NBSAP.</p>
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		<p>the same time vulnerable. Therefore, considering that environmental concerns have always played second fiddle to a host of unsustainable economic interests, the KA expects that a new NBSAP would assign top priority to the protection of our common biodiversity heritage and would ensure that such priority is guaranteed.</p> <ul style="list-style-type: none"><li>○ The KA would suggest caution when the proposed NBSAP addresses “<i>the protection of ecosystems and their services</i>” (Objective 4) not to promote (or rather consolidate) the materialist and consumption-driven mentality that valorises biological resources on the basis of their commercial value. On this matter, Pope Francis warns us that: “It is not enough, however, to think of different species merely as potential ‘resources’ to be exploited, while overlooking the fact that they have value in themselves. Each year sees the disappearance of thousands of plant and animal species which we will never know, which our children will never see, because they have been lost forever. The great majority become extinct for reasons related to human activity. Because of us, thousands of species will no longer give glory to God by their very existence, nor convey their message to</li></ul>	
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		<p>us. We have no such right.” (Chap. 1, par. 33)<sup>i</sup>.</p> <ul style="list-style-type: none"> <li>• Issues related to biodiversity have long been of concern for the KA and the subject of various opinion papers and public statements<sup>ii</sup>. The KA would be happy to submit these statements to ERA as part of its consultation exercise.</li> </ul>	
		<p><b>2. What do you envision for Malta’s biodiversity to 2030?</b></p> <ul style="list-style-type: none"> <li>• Safeguarding our common biodiversity heritage for present and future generations should be given top priority in our nation’s vision for the future (see objective 1). The KA feels that if no concrete (and drastic) action is taken towards achieving this goal, from now till 2030 Malta will continue to experience an overall loss in its biodiversity.</li> <li>• The KA had been stressing, since March 2008, the need for an effective regulatory authority in the environmental field that is independent and detached from the regulatory authority in the field of development. In fact, the KA had – on several occasions<sup>iii</sup> – advocated for the demerger of MEPA that eventually saw the creation of ERA tasked with safeguarding the environment for a sustainable quality of life<sup>iv</sup>. Unfortunately, there were several instances where ERA proved to lack the proverbial teeth needed to halt projects that had major negative environmental and social impacts. Moreover, there were other instances where ERA</li> </ul>	<p>ERA is striving for concrete action, which aligns with the high ambition of the EU Biodiversity Strategy for 2030 and the Global Biodiversity Framework. Efforts to accompany targets and measures with SMART indicators (that is indicators which are Specific, Measurable, Achievable, Realistic and Timely) are underway both at the national and international level. Such indicators should promote and monitor concrete action.</p> <p>ERA thrives to provide its technical opinion in relevant processes, including that related to development and planning. Through the NBSAP, ERA is aiming for further mainstreaming of biodiversity into various sectors, whilst ensuring the conservation and safeguarding of nature and biodiversity (and other interlinked natural aspects).</p> <p>ERA’s Compliance and Enforcement Directorate serves an important function within the Authority and carries out numerous enforcement and compliance activities, which Directorate has been greatly enhanced in the past months.</p> <p>Further efforts, including capacity building, are envisaged to allow the Authority to have a further reach and carry out its tasks.</p>

		<p>preferred to remain silent or even sided with uncontrolled development against the common good of Malta and its common citizens. A very recent example of such a position is the approval of the new Marsascala waterpolo pitch by the Planning Authority.<sup>y</sup></p> <ul style="list-style-type: none"> <li>• Achieving the objectives outlined for NBSAP 2030 implies a much stronger ERA that actively enforces actions to safeguard our common biodiversity heritage, rather than just expecting faulting entities to see the light and comply out of good will! Besides the untethered will to act against ALL kinds of wrong doers, ERA would need strong legal powers to right past wrongs (through restoration of degraded environments), halt continuing irregularities and prevent the surfacing of new threats. This would require something much stronger than just the <i>streamlining legal requirements</i> (see objective 6).</li> </ul>	
		<p><b>3. What aspects do you retain to be crucial to safeguard Malta's biodiversity by 2030?</b></p> <ul style="list-style-type: none"> <li>• In its efforts to protect our common biodiversity heritage, NBSAP 2030 needs to address the threat of alien species. While the natural occurrence of these species due to (for example) Climate Change is difficult to manage, the incidence of alien species (aka exotic pets) that escape captivity or are irresponsibly released in the wild can be effectively controlled. The importation and the rearing of</li> </ul>	<p>ERA has dedicated considerable effort towards IAS, ranging from awareness campaigns, to direct action on the ground, to policy development. In November 2020, the <a href="#">National Strategy for Preventing and Mitigating the Impact of Invasive Alien Species (IAS) in the Maltese Islands, together with sector specific National Codes of Good Practice</a> and an <a href="#">Action Plan Addressing Escape From Confinement of Invasive Alien Species (IAS) of Union Concern 2020 (Pets, Aquaria and Terrarium species)</a> were adopted. These were designed for use by the general public, and relevant stakeholders involved in the regulation, movement and use of, as well as management of, alien species in the Maltese Islands. This Strategy and accompanying National Codes of Good Practice fulfil the requirements of Malta's NBSAP, 2012-2020 (Measures BI1 to BI4). IAS is envisaged to be</p>

		<p>such organisms needs to be strictly controlled and monitored (e.g. through microchipping and DNA profiling). Besides being a threat to global biodiversity, such practice promotes the illegal trafficking of exotic animals, and can cause irreparable damage to the local biodiversity.</p> <ul style="list-style-type: none"> <li>• Although the political and the developers' rhetoric tend to downplay its impact, the major threat to our common biodiversity heritage is the unbridled construction industry that is destroying habitats at an unprecedented rate, turning living spaces into urban asphalted jungles. Objectives 3 and 5 should initiate processes that: <ul style="list-style-type: none"> <li>○ <b>effectively</b> and <b>permanently</b> curb the further sprawl of the so-called development into ODZs;</li> <li>○ launch restoration programmes through which degraded environments are reclaimed as wild open spaces;</li> <li>○ developing urban green areas and green corridors between localities (that should not be used as an opportunity for further ODZ development); and</li> <li>○ institutionalising environmental concerns in the composition, workings and decisions of the Malta Council for Economic and Social Development (MCESD) (as part of objective 4). This would ensure that environmental concerns are given equal weighting as economic and social concerns in Malta's</li> </ul> </li> </ul>	<p>featured in the upcoming NBSAP given the pressures/threats they exert of local biodiversity. Implementation of relevant on the ground measures is ongoing, and will continue as required.</p> <p>The NBSAP to 2023 will include, nature restoration targets and measures. These will align with a series of concrete commitments and actions to restore degraded ecosystems that will be proposed in the EU Nature Restoration Plan.</p> <p>ERA recognises the threats of overdevelopment and recognises the importance of green infrastructure. In fact, in 2019 ERA published an <a href="#">Information Document on the benefits and multi-functionality of Green Infrastructure</a>. Measures and targets addressing the need for a well-connected green network, urban biodiversity, and nature-based solutions are envisaged in the upcoming NBSAP.</p> <p>Furthermore, it is to be noted that the NBSAP is an overarching national policy, which is envisaged to be adopted by the whole Government and implemented by all relevant entities.</p>
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		<p>quest for a sustainable quality of life. This important contribution to the safeguarding of our common biodiversity heritage could be officially acknowledged by changing MCESD's name to MCSD (i.e. Malta Council for Sustainable Development).</p> <ul style="list-style-type: none"> <li>• Once again, the KA would like to stress that the success of the NBSAP 2030 is completely dependent on whether ERA will be its fearsome champion that would: <ul style="list-style-type: none"> <li>○ fight tooth and nail to defend our common biodiversity heritage against the threats of unsustainable development;</li> <li>○ encourage government and other national bodies to lead by example and show their commitment and respect towards biodiversity by refraining from proposing and/or supporting projects that would wreak havoc to our common biodiversity heritage; and</li> <li>○ unmasking initiatives intended to greenwash over the negative impact of infrastructural and construction projects on the environment.</li> </ul> </li> </ul>	
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	<p>Conclusion</p> <p>The KA acknowledges and praises the efforts being made to safeguard our common biodiversity heritage and would really like to see all this good will be translated into action that leads towards a change in mindsets that is conducive to an enhanced quality of life ... as outlined by Pope Francis:</p> <p><i>“We need to grow in the conviction that a decrease in the pace of production and consumption can at times give rise to another form of progress and development. Efforts to promote a sustainable use of natural resources are not a waste of money, but rather an investment capable of providing other economic benefits in the medium term. If we look at the larger picture, we can see that more diversified and innovative forms of production which impact less on the environment can prove very profitable.</i></p> <p><i>It is a matter of openness to different possibilities which do not involve stifling human creativity and its ideals of progress, but rather directing that energy along new channels.”</i> (Chap.5, par. 191)<sup>i</sup>.</p> <p>Monday 17th August 2020</p> <p><sup>i</sup> Encyclical Laudato Si’.  <a href="http://www.vatican.va/content/francesco/en/encyclicals/documents/papafrancesco_20150524_enciclica-laudato-si.html">http://www.vatican.va/content/francesco/en/encyclicals/documents/papafrancesco_20150524_enciclica-laudato-si.html</a></p> <p><sup>ii</sup> The two major opinion papers/statements on biodiversity are:</p> <p>Kummissjoni Ambjent (2007). <i>Opinjoni dwar Rizorsi Ambjentali</i>. Kummissjoni Ambjent -Arcidjoċesi ta’ Malta.</p> <p>Kummissjoni Interdjoċesana Ambjent (2017). <i>Position Paper: Rispett lejn il-ħajja fil-forom kollha tagħha</i>.</p>	<p>Comment duly noted.</p>
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## LATE COMMENTS

Ref No.	Name of Stakeholder / Date	Comments Received	Response / Remarks
1	Mario Saliba Ministry for Gozo 19/08/2020	<p><b>Do you agree with the proposed intent and objectives of this strategy?</b> Yes, we agree with the proposed intent and objectives of this strategy. However, we wish to include a specific objective, outlining the necessity for the protection and preservation of marine ecosystems.</p> <p><b>What do you envision for Malta's biodiversity to 2030?</b> Further emphasis should be made towards the protection of marine based ecosystems including supporting the undertaking of the necessary studies and research. Moreover, it is being recommended that Gozo is promoted as a pilot location for the promotion of green technologies.</p> <p><b>What aspects do you retain to be crucial to safeguard Malta's biodiversity by 2030?</b> The main elements that need to be retained are:</p> <ol style="list-style-type: none"> <li>1. Research and studies aimed at valorisation and conservation of the genetic merit of the local biodiversity of the island;</li> <li>2. Implementation of action plans aimed at conservation and management of Natura 2000 sites and the country's valleys;</li> <li>3. Encourage resource efficiency such as the exploitation of water through secondary sources as well as the protection of the country's soil deposits.</li> </ol>	<p>Comment duly noted and will be taken into consideration as relevant during the development of the NBSAP to 2030.</p> <p>Concerning the protection of the marine environment, Malta has designated a large extent of its waters as marine protected areas (Natura 2000 sites). Meanwhile, ERA is actively working on the development of the relevant conservation measures for such areas and their implementation.</p> <p>Various initiatives are also followed when considering research and implementation of measures to safeguard Natura 2000 sites and other natural areas, by ERA and also in collaboration with other entities and stakeholders; these will continue and be further enhanced.</p>

2	<p>Annick Bonello Cassar</p> <p>Nature Trust Malta</p> <p>20/08/2020</p>	<p><b>Based on the 2020 targets – below are comments summarized by Nature Trust Malta, according to the targets.</b></p> <p><b>Target 1:</b> More investment in education at all age levels, and need for our leaders/politicians/influential persons to 'lead by example' since that is the most effective way of increasing awareness.</p> <p><b>Target 2:</b> A lot needs to be done here. The only policy currently taking sustainability into account is Green Public Procurement. In other policies, the benefits of sustainability and conservation are usually ignored and ridden roughshod over (e.g. Planning policy, which in balance is there mostly to benefit developers and corruption). As for decision-making, it is usually heavily dictated by partisan political interests and, once again, the interests of big business.</p> <p><b>Target 3:</b> Some progress has been made here, with some subsidies being eliminated, and incentives provided to farmers for maintaining parts of their fields biodiversity-friendly. But more awareness-raising has to be done among the farming community, and better fine-tuning of this scheme to enable a more efficient and effective uptake.</p> <p><b>Target 4:</b> This is still not being done effectively in practice.</p> <p><b>Target 5:</b> The problem here is that</p> <ol style="list-style-type: none"> <li>1) an approach is being taken of supposedly safeguarding a few natural habitats and then sacrificing the rest of the country to unbridled development</li> <li>2) those natural habitats that are supposedly protected are so only in name,</li> </ol>	<p>Comment duly noted and will be taken into consideration as relevant during the development of the NBSAP to 2030. ERA has carried out an assessment of the NBSAP 2012-2020, which is available at: <a href="https://chm.cbd.int/database/record?documentID=252696">https://chm.cbd.int/database/record?documentID=252696</a>, in response to reporting obligations under the United Nations Convention on Biological Diversity. This will serve as a basis for the development of NBSAP to 2030 and for furthering implementation of measures safeguarding the environment. Relevant entities and stakeholders shall be involved throughout the process of the development of the NBSAP to 2030 and its implementation.</p>
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	<p>since a) there are no / not enough wardens to ensure that laws and regulations are not breached and  b) the level of protection given is poor (e.g. hunting allowed in what is supposed to be Malta's largest national park, again with no adequate surveillance by wardens who should be able to intervene and stop even armed hunters from flouting the law). ERA needs to address the serious problems with enforcement of biodiversity protection legislation.</p> <p><b>Target 6:</b> No adequate controls for pesticide use are in place. Also, illegal water extraction from boreholes continues unchecked. These issues need to be addressed ASAP.</p> <p><b>Target 7:</b> Again, only lip service is being paid to sustainability. Farmers are under pressure to produce more due to massive competition from foreign produce, thus leading to over-use of pesticides and fertilisers which is uncontrolled. Fish farm owners are allowed to acquire tuna without adequate controls for excessive or illegal capture.</p> <p><b>Target 8:</b> Sea pollution from chemicals has decreased. But plastic pollution is still a huge problem in spite of campaigns to reduce it, and the problem is not treated at source (i.e. stringent controls on businesses using non-recyclable plastics and, again, strict enforcement of regulations is necessary). Lack of adequate supervision to prevent soil and groundwater pollution from excess nutrients.</p> <p><b>Target 9:</b> Legislation to identify and prevent the arrival and spread of invasive alien species is neither ambitious enough nor proactive enough. Practically no resources are being dedicated to monitoring the sale - whether in shops or online - of species which may be invasive and detrimental to native species, and no</p>	
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	<p>safeguards are being adopted. We are not taking advantage of the possibility to forward or own invasive alien species list to be incorporated into the European list of IAS.</p> <p><b>Target 10:</b> Finally, a MPA has been set up. But this is useless without appropriate legislation and adequate enforcement. Fishing and harpooning must be restricted in such zones, and illegal targeting of protected species seriously punished. As stated above, local biodiversity is being supposedly abetted by the setting up of supposedly protected areas on one hand, whereas all biodiversity in the rest of the Islands are facing the chop or the cull due to unregulated excessive development.</p> <p><b>Target 11:</b> This cannot be achieved if enforcement remains at such abysmal levels, and the authorities remain reactive rather than proactive.</p> <p><b>Target 12:</b> This has been addressed through at least one project, but no controls exist on the importation and propagation of foreign crop varieties.</p> <p><b>Target 13:</b> We have clearly failed in reaching this target. Ecosystems are being allowed to degrade, often either directly or indirectly because of the actions of developers, and then they are considered available for development by the PA and other authorities. It is about time that ODZ zones are really respected as practically 'no go' areas for development - otherwise the whole ODZ system will remain a farce and biodiversity nationwide will continue to suffer.</p> <p><b>Target 14:</b> Much more lip-service than action is being taken with regard to climate change mitigation and adaptation. Government needs to pull up its socks and start to take climate change seriously.</p>	
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3	<p>Rebecca Barbara</p> <p>Planning Authority</p> <p>21/08/2020</p>	<p>The Planning Authority understands that biodiversity protection is a nationwide responsibility that needs to be guided by the NBSAP. On the basis of the DPA2016 provisions the PA is a key national actor whose functions and responsibilities can have a direct effect on the successful attainment of national biodiversity objectives and targets. Whilst there is a general agreement to the intent and objectives of the revised NBSAP, the PA believes that there is scope to focus the revised Strategy and Action Plan on effective mainstreaming by different actors and sectors, through more guidance that enables stakeholders and other actors to understand how, biodiversity objectives can be adequately translated in the respective plans, policies and decision making processes if tangible and effective results on the ground are the ultimate aim. Enabling stakeholders and actors to take their respective responsibility with clear guidance would support good governance to safeguard biodiversity. Therefore the PA agrees that communication is key, however not only in terms of awareness campaigns with the public or specific sectors, but in order to enable and support mainstreaming, new methods of engagement between ERA (as regulator) and other actors to address how nature based solutions can be promoted should feature in the revised strategy.</p>	<p>Comment duly noted and will be taken into consideration as relevant during the development of the NBSAP to 2030. Concerning the enabling of stakeholder engagement and providing relevant guidance, one should note that the NBSAP to 2030, similar to the NBSAP 2012-2020, is an overarching national policy, which is envisaged to be adopted by the whole Government and implemented by all relevant entities. In the regard, relevant entities and stakeholders shall be involved throughout the process of the development of the NBSAP to 2030 and its implementation.</p>
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