



Operating Procedures on Beach Cleaning

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Compliance & Enforcement Unit
Environment and Resources Authority

Introduction

The Environment & Resources Authority (ERA) has developed the following operating procedures to guide local beach managers to keep beaches of high environmental importance clean, while protecting coastal resources. These operating procedures seek to find a balance between the use of these beaches for recreation, and ecological considerations. The operating procedures apply to beaches listed in the Annex I and II and any other beach protected by provisions of S.L. 549.44. Annex III refers to marine Protected Areas, where the provisions of 1.12 apply.

Background

The cleaning of beaches involves the removal of material left on shorelines and beaches and is an important tool for visitor management and amenity. However, insensitive or incautious cleaning methodologies can be detrimental to the environmental characteristics of beaches. Adverse impacts can be particularly consequential in areas protected legally, both at national and international levels, specifically for their environmental value.

Seagrass (primarily *Posidonia oceanica*) is an important part of the coastal and ocean ecosystem, providing food and habitat for a variety of species. Even when it washes ashore, it continues to serve important purposes - providing a place where sand collects to help build beaches and dunes, providing nutrients for coastal systems and areas where birds and other animals forage and find shelter. The wrack forms an effective means to slow down sand from being washed away particularly in rough seas during storms, and should therefore be left in place when possible. Other waste, on the other hand, can pose a hazard to humans and ecosystems, and should be removed with care.

Accumulations of *Posidonia oceanica* wrack washed ashore, however, can cause management challenges, particularly in warmer weather when the material decays and causes odour problems. The *Posidonia oceanica* should as a rule be left in situ for as long as possible during the year when the incidence of rough weather is higher, so as to maintain a healthy sand budget, unless particular circumstances of significance arise.

Another consideration that was taken into consideration for the drafting of these operating procedures is that the agencies locally entrusted with beach cleaning are generally in possession of limited dedicated machinery and personnel, and hence preparations for the bathing season in the different beaches need to be staggered. Sufficient time is to be therefore afforded for this to be possible before the hot weather settles in.

General principles

The framework aims to attain a balance that can allow beach cleaning to take place but within parameters which should normally result in operations that do not unduly impact on the ecology of the coast. Because seagrass is a natural and important part of the coastal ecosystem, it is recommended to be left in place whenever possible. When beach cleaning is deemed necessary, however, local conditions and management considerations must be fully understood and addressed before selecting appropriate techniques. When removing seagrass accumulations from a beach, as much as practically possible the lowest impact techniques available should be resorted to.

It is being clarified that these Operating Procedures are concerned **only** with **beach cleaning** that consists of the removal of waste and litter from the beaches, **and removal of *Posidonia oceanica* wrack accumulations.**

Hence:

- other beach grooming activities, such as the shifting or removal of sand, pebbles, and natural coastal boulder scree elements; and
- any form of engineering works, such as:
 - sand shifting;
 - digging;
 - trenching;
 - mound formation; or
 - the creation of new access-ways, including permanent or semi-permanent formation of tracks, either of compacted soil or concrete or other material,

are **not covered or permitted** by these Operating Procedures.

Any of the aspects above would need specific and separate authorizations and permits from the relevant Authorities.

The provisions hereunder are without prejudice to any other provision emanating from the Environment Protection Act, Cap. 549. Site specific regulations, authorization/permit conditions and/or management plan provisions take precedence over the general provisions of these Operating Procedures.

Beach cleaning is to be coordinated with the Site Managers¹ where these are in place. Any application for a Nature Permit as required through these Operating Procedures, is to be accompanied by a declaration from the beach Manager, when one is in place, that the operations being applied for meet the satisfaction and approval of the Manager.

¹ Refers to Site Managers established by virtue of management agreements with MESDC or its predecessors for the purpose of site management for conservation

Specific attention should be given to beach cleaning in Blue Flag beaches and Beaches of Quality, in view of any particular requirements.

Any removal or displacement of *Posidonia* and/or cleaning of waste by means of vehicles, other than that related to the collection and emptying of bins, would need to be notified to the ERA's Compliance & Enforcement Unit on ceu.nature@era.org.mt **at least three working days in advance**, even where an authorization or permit is not required.

The provisions of these Procedures will take effect within two weeks from the publication of the approved Operating Procedures. However, Nature Permits will be required as from 01 January 2018, except for those resulting from the provisions of 3.1.1(g), where the requirement is to be considered as immediate.

Operating Procedures for Beach Cleaning

1. Ecological Considerations

- 1.1 Removal of *Posidonia oceanica* should be conducted on an “as needed” basis due to the variable rates of wrack washed ashore. This should only be carried out in the period between **15 April and 30 September**, unless otherwise prescribed in a permit authorisation. These period restrictions do not apply to limited manual displacement of *Posidonia oceanica* wrack, without the use of mechanical vehicles, within the same bay or beach. In cases where *Posidonia oceanica* is to be removed, alternative use of the resource should be considered.
- 1.2 Where practical and feasible, areas within the beach where an amount of *Posidonia oceanica* banquettes may be left or deposited, shall be identified.
- 1.3 Removal of *Posidonia* banquettes should as much as possible, not be carried out in the beaches listed in Annex II, which are more remote, less easily accessible, and/or not heavily frequented by bathers. Stringent conditions would be made to apply to any cleaning proposed in these beaches, if this is authorized, and the exceptional circumstances that may precipitate any such interventions are to be amply justified to the satisfaction of ERA in the applications made to it. A Nature Permit in terms of law would be necessary for each intervention in these Annex II beaches, and the Authority would reserve the right to monitor any such interventions, or to appoint monitors to do so on its behalf at the expense of the operator.
- 1.4 No form of beach cleaning and/or removal of *Posidonia* is to take place between sunset and 5am, except for manual cleaning under low illumination. Beach cleaning operations that involve vehicular access onto the beaches shall be strictly carried out after 5am.
- 1.5 There is a presumption against mechanized sand sifting in beaches. The use of mechanical rakes, blades or sand sifting equipment may only take place on sandy beaches when covered by a Nature Permit.

In the event that such an activity is proposed, the following provisions shall apply:

- Rakes or blades shall not be used in areas where natural indigenous vegetation is present;
- The buffer areas and limitations on machinery use in areas hosting sand dunes and turtle nests are also applicable to sand sifting operations; and
- Sand sifting equipment must not penetrate more than 15 centimetres from the sand surface.

- 1.6 No form of sand sifting or mechanised trampling shall take place in those areas of beaches known to harbour protected in-faunal species and the protected Ghost Crab – il-Granċ tar-Ramla, *Ocypode cursor*.
- 1.7 Access onto sand dunes or onto dune vegetation assemblages shall be strictly limited only for manual cleaning of litter, on foot and when absolutely necessary. Any cleaning activity on sand dunes or dune vegetation assemblages that involves more than three people would require a Nature Permit. No mechanised cleaning of these areas can be carried out or be permitted. No form of driving, parking or manoeuvring of motor vehicles is permitted on the dunes or dune vegetation.
- 1.8 During any mechanised beach cleaning activity, no form of mechanical means of transport, mechanized equipment and/or vehicular or mechanical interventions can occur within a radius of 15 metres from any known or likely viable turtle nest, within 5 metres from sand dunes, or over any natural vegetation within the protected site.
- 1.9 In the event of a known or likely marine turtle nesting occurrence, only careful manual collection of surface litter, as authorized or supervised by ERA officials, can take place within a radius of 10 meters from the confirmed or presumed location of the nest. These considerations apply as long as the nest still holds live eggs or potential for such. In this regard, only ERA officials will consider a turtle nest as not being viable.
- 1.10 During any beach cleaning activity, trampling on natural indigenous vegetation should be avoided. Any observed turtle tracks are to be immediately reported to ERA by calling on telephone number 2292 3500.
- 1.11 The removal of flotsam and litter from beaches, should as a rule, be carried out by hand, unless specifically authorised by ERA.
- 1.12 Stretches of the seas around the Maltese Islands have been declared as Protected Areas, at times even when the coast contiguous with them is not. Whilst beach cleaning or removal of *Posidonia oceanica* wrack from the coast primarily affects the terrestrial part of the beaches, certain practices may also affect the marine parts, especially when material is pushed into the sea. Hence along the coastal areas covered by Coastal Special Protected Areas and Coastal Sites of Community Importance, as shown in Annex III of this document, any beach operation that will involve movement of material into the sea or that may otherwise extend onto the sea, are required to be pre-authorized by a Nature Permit.
- 1.13 No form of chemical agents may be used on beaches for the purpose of cleaning, unless specifically authorized in advance by ERA, and/or imposed by the Health authorities, and/or in case of spills affecting the coast.

2. Operational considerations

2.1 Vehicular Access

These Operating Procedures only cover the use of vehicles that may be driven onto beaches for the sole purpose of collection and/or transportation of waste, or *Posidonia*, away from the site.

- 2.1.1 There shall be a general presumption against the driving, parking or manoeuvring of heavy vehicles off existing roads and tracks leading to the beach or on the beach itself for cleaning or other purposes.
- 2.1.2 Vehicular access onto beaches for the removal of *Posidonia* wrack should preferably be limited to small or compact utility vehicles, such as skid-steers (“bobcat” type vehicles), pick-up trucks, or small dumper vehicles with front load skips, with pick-up vehicles/vans not exceeding 5.4m in length, other vehicles not exceeding 4.0 meters in length, and no vehicles being heavier than 3,600 kg in kerb weight.
- 2.1.3 A Nature Permit would be required for operations:
- where vehicles that are larger or heavier than specified in 2.1.2 need to be used off existing roads and tracks on the beaches for the removal of large amounts of bulk material or other operational requirements. In such instances, and subject to authorization, these vehicles should not exceed 6.5 meters in length and 12,000kg in kerb weight; and/or
 - on particular beaches, where vehicles that are 4.0 metres long would find difficulty to access the beach or manoeuvre within it, due to site constraints (e.g. the beaches of Kemmuna).
- 2.1.4 Vehicles used for the collection and emptying of bins may only be driven onto the beaches if they do not exceed 3.4m in length. When practically possible, waste bins should first be manually moved and grouped at the least possible number of collection spots nearest to access points from existing roads to be subsequently collected/emptied by the vehicle. It should be ensured that the footprint of manoeuvring and number of trips on the beach is kept to the barest minimum.
- 2.1.5 Certain beaches are not so easily accessible by existing roads or tracks. Facilitating the cleaning of these beaches is not to lead to the creation of new access-ways, both directly by road/track formation, or indirectly by repeated trampling. If vehicles conforming to 2.1.4 cannot reach the beaches via existing roads/tracks, then litter and waste bins on the said beaches are only to be collected manually.
- 2.1.6 Vehicles that are driven over beaches are to be equipped with rubber tyres. Machinery that operates on tracks (ktajjen) is prohibited on any part of the beach.

2.1.7 Any utility vehicle accessing the site shall be in good working order. The entity carrying out the operations is responsible for ensuring that there are no fuel or other spillages onto the beach, and is environmentally liable for any pollution and eventual site remediation precipitated by same.

2.2 Waste Management Considerations

2.2.1 Waste bins available on location are to be preferably covered, and not allowed to overflow so as to prevent beach and marine littering.

2.2.2 Conventional mixed-waste litter bins should be complemented with bins that enable waste separation at source. Receptacles for the disposal of charcoal should be made available in beaches where there is an incidence of bar-b-q's, and such waste should be disposed of appropriately.

2.2.3 Waste collectors should not mix different waste streams and shall ensure that the waste is deposited at permitted waste management facilities according to legal requirements, in particular S.L. 549.63 (The Waste Regulations).

2.2.4 When determining the spatial distribution of on-site waste disposal bins and the timing of waste collection, operators shall take into account the increased risk posed by adverse coastal weather conditions, in particular strong winds and wave action, which may give rise to the dispersal of waste.

2.2.5 Collected waste should not be stored, stockpiled, incinerated, or buried on any beach. All collected waste material must be disposed of appropriately in permitted waste management facilities. Storage or disposal of *Posidonia oceanica* wrack on or close to area of collection, also in line with 1.2, is encouraged.

3. Requirements for Permits/Authorisations

3.1 Requirements for Nature Permits

3.1.1 The following activities will require a Nature Permit in line with the provisions of S.L. 549.44, before the works are carried out:

- (a) Collection of waste from bins that does not conform to the provisions in 2.1.4 to 2.1.6; and/or
- (b) A Nature Permit valid for up to one year will be required for non-manual beach cleaning operations that will involve vehicular passage and manoeuvring onto Annex I beaches and fall within the parameters described in 2.1.3. The provisions of 1.3 apply for Annex II beaches; and/or
- (c) Any beach cleaning operation that will involve the removal or displacement of *Posidonia* wracks outside the period stipulated in 1.1; and/or
- (d) Beach operations that will involve movement of material into the sea or that may otherwise extend onto the sea, in the coastal areas shown in Annex III; and/or
- (e) Mechanized sand sifting; and/or
- (f) Manual sand dune cleaning in the circumstances described in 1.7; and/or
- (g) Any departure from the provisions of these Operating Procedures.

Every application for a nature permit shall require information from the applicant detailing inter alia, the timing and frequency of the beach cleaning activities; the site involved; the beach cleaning methods that need to be deployed; the type of waste stream that needs to be collected; the type of access to and from the site; specifications of any machinery or vehicle that is required to carry out the operation; the final disposal site of the waste; and any other information deemed necessary to process the application. Any application for a Nature Permit is to be accompanied by a declaration from the beach Manager, when one is in place, which affirms that the operations being applied for meet the satisfaction and approval of the Manager. A copy of a nature permit application may be downloaded from <http://era.org.mt/en/Pages/Nature-Permitting.aspx>

The applicant may opt to provide any additional information that could be considered as important for any justifications or arguments being made.

3.1.2 The provisions of 3.1.1 are without prejudice to any requirement in any other law.

3.2 Requirements for Waste Permits

- 3.2.1 All vehicles and vessels engaged in transporting the waste material from beach cleaning activities are to be in possession of a valid waste carrier registration issued by ERA under the appropriate class (A2), as per requirements of the Waste Management (Activity Registration) Regulations 2007 (L.N. 106 of 2007). This list can be found in: <http://era.org.mt/en/Pages/Waste-Carriers.aspx>
- 3.2.2 The final disposal of waste material shall be carried out at sites or facilities authorised by ERA. The list of authorised facilities may be found in: <http://era.org.mt/en/Pages/Waste-Management-Applications.aspx>

3.3 Emergencies

- 3.3.1 In cases of emergency where action would need to be taken immediately and before a Nature Permit can be issued, the competent authority responsible for cleansing or any other public agency / entity responsible under the particular circumstances, may take any necessary action, subject to the following provisions:
- a) Any action shall take into consideration mitigation measures to safeguard environment concerns;
 - b) ERA is informed as soon as practically possible in the circumstances;
 - c) Any action taken under this proviso is to be subsequently notified in writing to ERA, with the competent authority and/or responsible public agency / entity proposing measures on how such similar instances could be addressed in future repeat situations. The ERA will react as considered appropriate.

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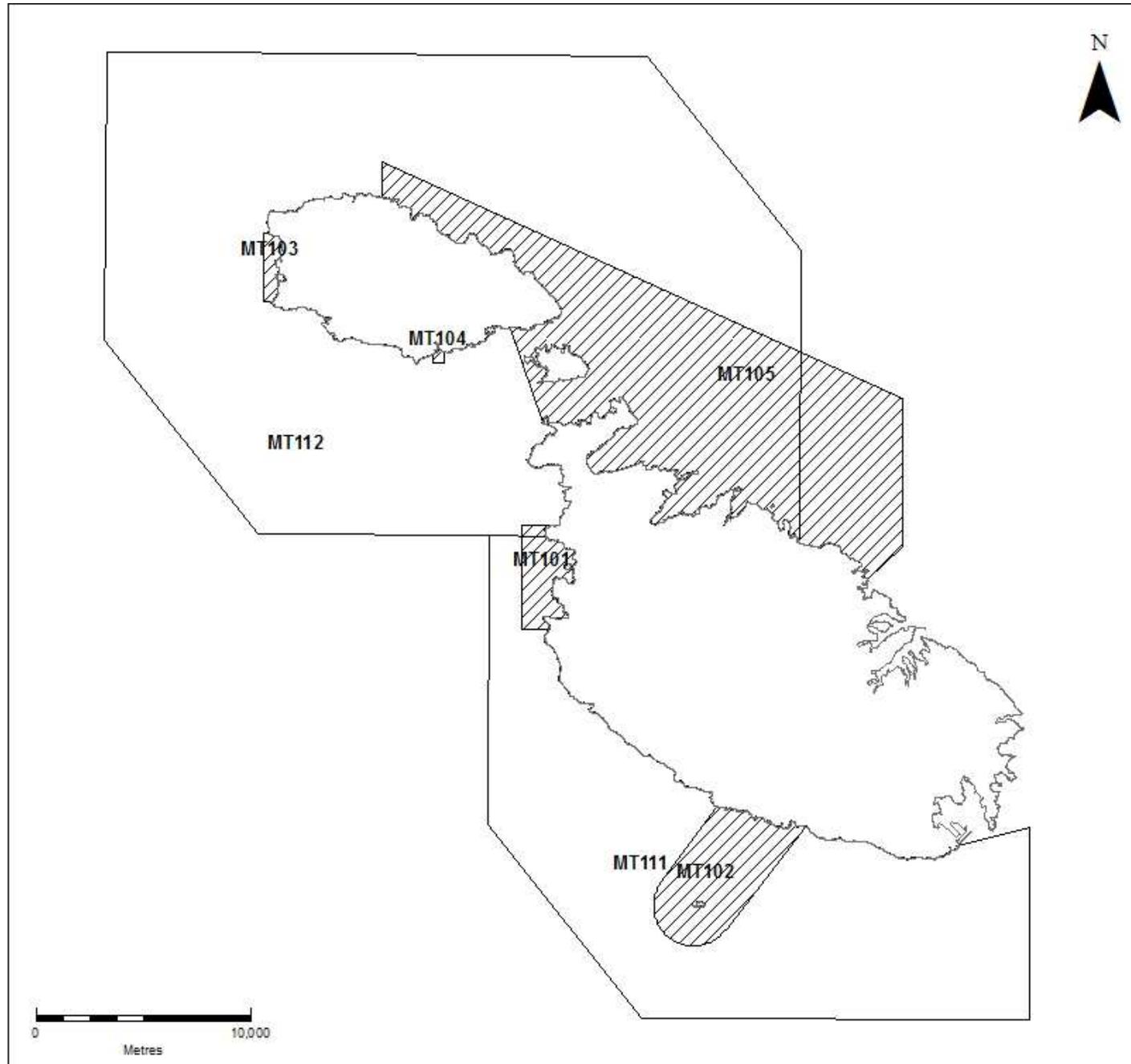
Annex I

	Beach Name	Locality / Local Council
1	Ir-Ramla ta' Santa Marija	Kemmuna
2	San Niklaw	Kemmuna
3	Blue Lagoon / Bejn il-Kmiemen	Kemmuna
4	Il-Ballut ta' Marsaxlokk	Marsaxlokk
5	Anchor Bay / Il-Prajjet	Il-Mellieħa
6	Għadira Bay / L-Għadira	Il-Mellieħa
7	Mistra Bay / Il-Qala tal-Mistra	Il-Mellieħa / San Pawl il-Baħar
8	Paradise Bay / Ir-Ramla taċ-Ċirkewwa	Il-Mellieħa
9	White Tower Bay / Ir-Ramla tat-Torri	Il-Mellieħa
10	Ġnejna Bay / Il-Bajja tal-Ġnejna	L-Imġarr
11	Għajn Tuffieħa Bay / Ir-Ramla ta' Għajn Tuffieħa	L-Imġarr
12	Golden Bay / Ir-Ramla tal-Mixquqa	L-Imġarr
13	Pembroke	Pembroke
14	Xemxija Bay / Ir-Ramla tal-Pwales	San Pawl il-Baħar
15	Għar Lapsi	Is-Siġġiewi
16	Dahlet Qorrot	In-Nadur, Għawdex
17	Dwejra Inland Sea	San Lawrenz, Għawdex
18	Ramla Bay / Ir-Ramla l-Ħamra	Ix-Xagħra, Għawdex

Annex II

	Beach Name	Locality / Local Council
1	Ir-Ramla tal-Imġiebaħ	Il-Mellieħa
2	Dahlet ix-Xilep	Il-Mellieħa
3	Fomm ir-Riħ	L-Imġarr
4	Dahlet ix-Xmajjar	Il-Mellieħa
5	San Blas / Il-Bajja ta' San Blas	In-Nadur, Għawdex
6	Dahlet il-Fekruna	San Pawl il-Baħar
7	Ix-Xatt l-Aħmar	Għajnsielem, Għawdex
8	Il-Qarraba	L-Imġarr
9	Kemmunett	Kemmuna
10	Pergla (part of Għajn Barrani)	Ix-Xagħra, Għawdex

Annex III



Environment & Resources Authority
Hexagon House, Spencer Hill, Marsa, MRS 1441, Malta
T | +356 2292 3500 W | era.org.mt

Operating Procedures on Beach Cleaning - Annex III

Key

- Coastal Special Protected Areas
- Coastal Sites of Community Importance

Sites:

- MT101 Żona fil-Baħar bejn Rdum Majjiesa u Ras ir-Raħeb
- MT102 Żona Il-Baħar fl-inħawi ta' Għar Lapsi u Filfla
- MT103 Żona Il-Baħar fl-inħawi tad-Dwejra
- MT104 Żona Il-Baħar fl-inħawi ta' Mgarr ix-Xini
- MT105 Żona Il-Baħar fil-Grigal ta' Malta
- MT111 Żona Il-Baħar tal-Lbiċ
- MT112 Żona Il-Baħar ta' Madwar Ghawdex

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