

Reference: EA/00013/14 (PA/04687/10) - Scuttling of M/T Hephaestus off south coast of Qala

Subject: Comments received by ERA during the 30-day public consultation period for Terms of Reference

1) Government Entities

- Environmental Health Directorate (dated 7 February 2022)

With reference to your email dated 14 January 2022, regarding subject in caption and following review of the Project Description Statement, kindly be informed that we would like to have the following issues related to public health included in the terms of reference for this proposal:

This project should not take place during the Official Bathing during the bathing season; hence works should be carried out from the fourth week of October till the fourth of April. The applicant is to discuss with the Environmental Health Directorate if the project is to take place during the official bathing season.

1. Clearly identify the impact and mitigation measures on the seawater and the official bathing sites: Zewwieqa Bay **D20** and Hondoq Ir-Rummien Bay **D19**. Also identify the method, monitoring and any mitigation measures for the proposal that will affect the bathing/sea water. An Environmental Monitoring Plan following scuttling of the vessel should be adopted.

2. Clearly identification of the measures that will be taken to prepare the vessel prior to scuttling following international standards and requirements. This should include but not limit the following:

- stripping
- cleaning and removal of fuels, oil, lubricants, and any other anthropogenic material that can have an impact on the area of influence.

3. The impact and mitigations measures from the disposal of generated waste from this project

4. Adverse impacts caused by heavy machinery used on sea at the area of influence for this project. Necessary monitoring and mitigation measures are to be clearly stated and adhered to. Included the method used for the refuelling of said machinery.

5. Adverse impacts caused by unsafe, inadequate storage and improper handling of raw materials on site and from potential accidental spillage of hazardous fluids, fuel and lubricants. Necessary monitoring and mitigation measures are to be clearly stated and adhered to.

6. The overall cumulative impacts of the development on the general public.

7. Details of measures proposed to be taken to prevent nuisances at all stages of the project on the Area of Influence.

8. The overall social and cumulative impacts of the operation on the general public especially the negative effects that might have on bathers and coastal users although such works are **not to be carried out during the official bathing season as indicated already above.**

9. Any monitoring, data collection and sample results for this project are to be forwarded to the Environmental Health Directorate for sea water throughout the implementation of the project. Also monitoring and sample result carried out once the project is finished is highly recommend and these are also to be forward to the Environmental Health Directorate. It is important that all samples are analysed by an accredited laboratory. The parameters to be tested are to include microbiological analysis of sea water for Escherichia Coliforms (E. Coli), Intestinal Enterococci and Salmonella after the termination of the project and should be included in the monitoring programme.

The EIA should also include a detailed description of the measures envisaged to prevent, minimise and where possible offset any significant temporary or permanent adverse health effects and nuisances on the Area of Influence and the general public. This should include details regarding monitoring programmes that may be proposed. The EIA should also identify, describe and discuss in detail the possible health effects of any residual impacts that cannot be mitigated.

- Superintendence of Cultural Heritage (dated 9 February 022)

Ref. Cultural Heritage Act 2019 (CAP 445)

EA00013/14 - Proposed scuttling of the M/T Hephaestus at a site off the south coast of Qala, Gozo to create a new diving attraction

1.0 Preamble

This project entails the proposed scuttling of M/T Hephaestus off the coast of Qala, Gozo, approximately 450 metres from the nearest landfall at Tal-Melħ and 580 metres from Il-Ġebbla tal-Ħalfa.

There are two areas which are of major concern to the Superintendence for this particular project, namely the coastal area around the underwater site, and the underwater area where the scuttling is being proposed.

The coastal landscape in Qala is relatively pristine and undeveloped, and has been recognised as an Area of High Landscape Sensitivity, as per Map 13.1-B of the Gozo & Comino Local Plan. St. Anthony's Fort, scheduled by the Planning Authority at Grade 1, is located at an elevated point approximately 180 metres from Tal-Melħ. Furthermore, a quarry, associated with the construction of St. Anthony's Fort and also scheduled at Grade 1, is located to the south of the Fort, along the coastline between Ras il-Qala and Tal-Melħ, extending up to the edge of the coast 30 metres from Tal-Melħ.

While noting that the PDS states that the new dive site will be solely accessed by boat, the Superintendence expresses concern that the establishment of this new diving site may generate increased activity on-land, therefore potentially having a direct impact on the scheduled Fort and quarry.

Furthermore, amphorae and other archaeological findings have been recovered from Qala point, indicating that the area has a degree of archaeological potential. The existence of any archaeological features in the area is not currently known, but the proposed scuttled wreck may change wave/current patterns and potentially disturb any remains that are currently buried beneath the seabed.

Considering the features located on-land, the features already recovered from the seabed, and the potential for further archaeological discoveries, the Superintendence strongly recommends an Environmental Impact Assessment is carried out. The following are the Terms of Reference for this Environmental Impact Assessment.

2.0 Scope and Definitions of the EIA

For the purposes of this document, cultural heritage is defined by Article 2 of the Cultural Heritage Act (2019). This includes movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological and geological importance.

2.1 The study area shall include:

- a. The total footprint of the proposed project;
- b. A metre radius around the footprint;
- c. A 200 metre span from the tip of the coast inwards along the area of development.

2.2 In the context of this particular application, cultural heritage considerations include any underwater features such as wrecks, archaeological objects and scatters, and other features, as well as other archaeological features that can be found on land, such as rock-cut features. The known on-land features for consideration are the following:

- St. Anthony's Fort, scheduled by the Planning Authority at Grade 1;
- Quarry associated with the construction of St. Anthony's Fort, scheduled by the Planning Authority at Grade 1.

The above cultural heritage definitions and considerations are not to be considered as exhaustive. The EIA must consider all other forms of cultural heritage, both known and unknown.

2.3 The Environmental Impact assessment will:

- Describe the Cultural Heritage assets within the study area;
- Analyse the cultural heritage features within the context of the underwater landscape and coastal landscape;
- Assess the physical, spatial and visual impacts of the proposed development on the cultural heritage assets; and
- Propose corrective measures for the protection of the cultural resources.

3.0 Methodology

In quantifying the cultural heritage assets within the study area, and assessing the impacts of the proposed development, the EIA will undertake:

- Desktop and archival research;
- Fieldwork and research, including an underwater survey using sub-bottom profiler and magnetometer – the purpose of this survey shall be to detect the presence and/ or absence of wrecks/ objects buried in the underwater sediment – and an archaeological land survey of the features and artefacts along the coast. A map of the archaeological/ cultural heritage remains is to be submitted in the EIA. All fieldwork has to be authorised by the Superintendence of Cultural Heritage as defined below under point 4;
- Consultations with any relevant bodies, including the Superintendence of Cultural Heritage, Heritage Malta, the University of Malta, NGOs and Local Councils;
- Compilation of an inventory of the cultural heritage assets identified within the study area. The features of cultural heritage are to be described and plotted with grid references, on Data Capture Sheets, the design of which should be approved in advance by the Superintendence of Cultural Heritage. The Data Capture Sheets will be presented as an appendix to the EIA. The analysis of the features will be included in the main report; and
- A cultural heritage Risk Assessment Map examining the various impacts of the proposed project is to be included in the EIA.

4.0 Authorisation by the Superintendence of Cultural Heritage

As per Cultural Heritage Act 2019, any form of investigation or prospection required for the identification of cultural heritage (including excavation, topographic survey and remote sensing) may only be undertaken by the Superintendence of Cultural Heritage or with its written approval.

Any raw data gathered as part of the above mentioned research is to be forwarded to the Superintendence within six months of completion of assessment for the purposes of data collection and research.

2) NGOs

- BirdLife Malta (dated 21 January 2022)

After having reviewed the Project Description Statement for the aforementioned development, as well as the EIA Screening Report, BirdLife Malta would like to contribute to the public consultation with regards to the ToRs for the EIA.

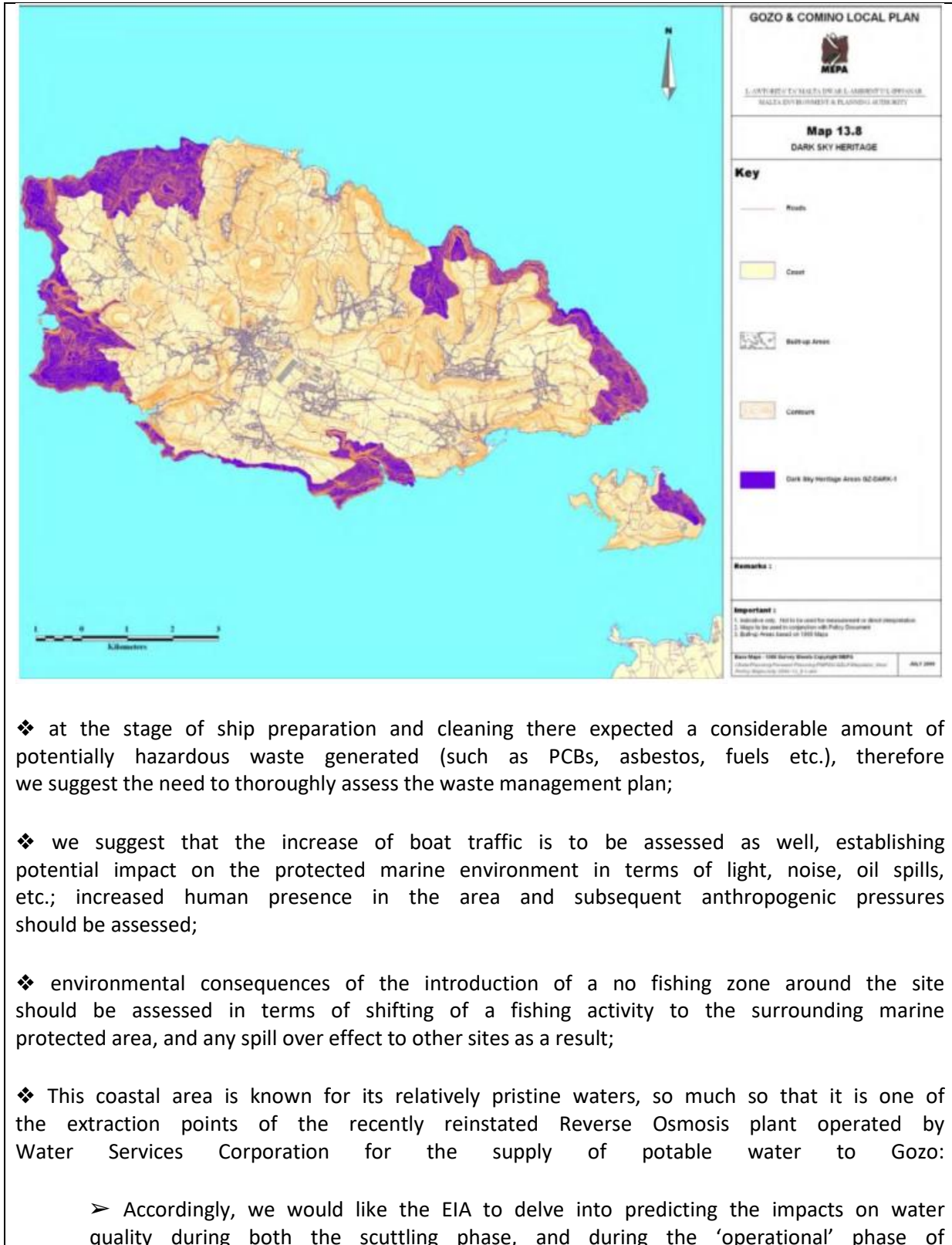
The vessel proposed for scuttling is a former oil tanker, over 61m long and about 8m wide with a total footprint constituting for 500m². The site for scuttling is located offshore within the Natura 2000 sites:
- Special Area of Conservation *Żona fil-Baħar bejn il-Ponta ta' San Dimitri (Għawdex) u IlQaliet*, and
- marine Special Protection Area *Żona fil-Baħar ta' madwar Għawdex*.

It falls within the area which widely hosts protected *Posidonia oceanica* meadows, therefore the applicant had commissioned a survey to conduct the mapping of benthic communities during which several patches of “bare” sand in between the Neptune grass agglomerations were found, one of which is proposed as a location for the scuttling. At the same time, the PDS admits

that “boundaries between different benthic assemblage types are not necessarily as sharp as depicted on the map, since biotic assemblages and habitats often grade gradually into each other to form ecotones between adjacent assemblages that may extend over several metres”. Additionally, as stated in the EIA Screening report, the area is an example of pristine natural environment so far not heavily influenced by anthropogenic activity, therefore any development must be carefully assessed as to potential adverse impact on the area, especially given that by nature the development in question is likely to lead to the increased human presence within the site area.

Therefore, for the Terms of Reference we suggest considering the following:

- ❖ possible impact of scuttling activity on adjacent *Posidonia oceanica* assemblages (direct damage as well as impact due to potential worsening of water quality noting that the vessel proposed for scuttling is a 60-m former oil tanker and considering the scenario when the cleaning was incomplete);
- ❖ possible impact from loss of habitats as a result of scuttling and deployment of the vessel, as well as laying of concrete sinkers should also be studied, given special attention to analysing the scenario when the scuttling/vessel deployment is inaccurate; the PDS states that “anchoring at this site will not be allowed and instead mooring buoys will be deployed for use by dive boats”, hence the impact from mooring buoys on benthic communities should be analysed, especially noting the abundance of *Posidonia oceanica* on the site;
- ❖ possible increase in light (and noise) pollution levels from boats in case of diving in dark hours should be assessed, taking into account the presence of seabird colonies (namely, Yelkouan Shearwater and Scopoli’s Shearwater colonies located at the area of Santa Marija Bay in Comino and Ta’Cenc cliffs in Gozo) and designated Dark Sky Heritage Areas in Gozo;



the area which would see boat traffic mooring to the area for diving and other related increased human activities.

3) Members of the Public (Both emails dated 18 January 2022)

1	<p>As a local Scuba Diver, I would like to make a number of remarks in respect to this consultation.</p> <p>1. Wrecks in similar sites such as the P29, P31 and Tug Boat Rozi (Kemmuna and Cirkewwa) have not resulted in a severe degradation of posidonia meadows and/or fish life in the area. From regular observations by Scuba Divers diving these sites, the seabed itself has not been affected in a major way save for a handful of meters from the wreck footprint itself, even though these are located towards prevalent wind and wave directions. The proposed site will have a lesser exposure to prevalent waves and wind from the North-West, and hence the effect could be even more minimal.</p> <p>2. Should the wreck be scuttled, fixed moorings need to be located at multiple points within the zone to:</p> <p>a. Delineate a no-entry zone within the area between the moorings, to ensure that other boat traffic within the zone does not result in a danger to Scuba Divers and/or Free Divers, as well as to clearly indicate the area to be a non-fishing zone, so the artificial reef can work to improve marine life in the area, rather than serve to increasing targeting of the specific area. Since the relative area would be small.</p> <p>b. This would in no way push fishing activity to be more intense into other zones. A buffer / no fishing/navigation zone covering a circle of 300m diameter around the midpoint of the proposed wreck would only result in an area of about 0.07 Square kilometers being restricted from fishing or navigation, or less than 0.0003% of Malta's area of Internal waters of approximately 199 km². Furthermore, the proposed size would be much less in size than other sites dedicated to Aquaculture, such as the fish farm next to St. Paul's Islands which occupies an area of roughly 0.09 Square kilometers, this not being one of the largest areas dedicated for such activity.</p> <p>3. The site itself would provide a very welcome option for Scuba Divers in Gozo and Malta who currently only have artificial reef options at Xatt l-Ahmar in the case of strong NW winds, or otherwise have to use the Marsaskala or Manoel Island wrecks. Wied iz-Zurrieq wreck is not an ideal option either in such instances in view of potential risks in case of emergency. Its proximity to land enabling safe navigation would further enhance the local touristic product providing a realistic option for scuba diving in inclement weather, based on boat departures from Hondoq ir-Rummien / Mgarr, or Marfa in Malta.</p> <p>4. Further appreciation of marine life is required to shift ideas on consumption and exploitation of our waters, and reduce the overfishing already in place around the islands and encourage more sustainable options and activities for fishing vessels to shift to provide services for more sustainable enjoyment of near shore marine life, where a fish "can be sold multiple times", rather than destructive exploitation in which a fish is sold once.</p>
2	<p>Management of artificial wrecks</p> <p>It has been a good 15 years (November 1999) since the first artificial wreck, was created by the</p>

scuttling at ix-Xatt l-Ahmar in Gozo the ex-MV Xlendi of the Gozo Channel Company, and another 8 years (August 2006) since the scuttling of the ex-MV Karwela and ex-MV Cominoland also of the Gozo Channel at the same site.

These artificial wrecks are proving to be an added attraction to divers in Gozo which is considered to be one of the prime diving locations in Europe. Apart from being popular with divers these wrecks are assumed to attract an exiting number of fish and other marine creatures. Therefore these artificial reefs can also bee used for scientific research.

Nearly all scientific studies documented indicate an increase in marine life populations at these sites, although little is known about the actual change in composition of ecosystes, and how the balance of the communities within the ecosystems shifts. Also it is still in question whether artificial reefs increase the overall population of marine species or merely provide the refuge for marine life in the area to concentrate.

Unfortunately so far, and as far as I know, the scientific potential of these artificial reefs has not been exploited. When these wrecks were created it was assumed that a certain management plan for these reefs was supposed to be proposed and implemented later on. Are these reefs being scientifically monitored? They are now quite established and one assumes that if they are studied they can contribute to more conclusive studies and also to the international symposiums and workshops that are held word wide on this topic.

I suggest that a scientific study about these wrecks and future wrecks proposed and a general plan for the management of these wrecks. Some times there are conflicting interests of recreational diving, other underwater activities and marine conservation. Something need to be done to reconcile these divering interests.

I suggest that these special diving sites should be monitored scientifically to observe and record any change in marine communities and ecosystems at the sites, as well as sea water quality. By this continuous monitoring can the effect of these artificial reefs be measured on the local flora and fuana.

This monitoring can also provide information or can be aprt of the master plan about the Gozo. The study can then form the basis for decisions to manage the coastal zone.