

## MEPA's comments on the SEA scoping report on the cross border cooperation programme Italy Malta 2014 – 2020

August 2013

MEPA's comments on the SEA Scoping Report for the Italy – Malta Operational Programme (2014 – 2020) are provided below. It is recommended that these comments are taken into consideration in the drafting of the Operational Programme and preparation of the SEA Environmental Report.

Document section	Title	Comments
2	Legislative framework	Directive 2011/92/EU16 has been replaced by Directive 2011/92/EU (codified) on the assessment of the effects of certain public and private projects on the environment. This Directive is referred to as the Environmental Impact Assessment (EIA) Directive. The text in this section should be revised accordingly.
2.1.3	Reference legislation for SEA (Malta)	Section 2.1.3 should be amended since Legal Notice 418 of 2005 was repealed and replaced by Legal Notice 497 of 2010. It is important to note that the new SEA Regulations do not require preparation of and consultation on a Plan / Programme Description Statement (PDS).
2.5	Authorities involved	Reference to MEPA should be amended in view of Government's commitment to separate the environmental and planning functions of MEPA into two new authorities. Therefore, this section should include reference to MEPA's successor responsible for environmental protection.
2.5.1.1	Authorities with specific environmental competences (Malta)	This section should be amended in line with Government's new portfolio. A complete list is available from <a href="http://www.gov.mt">www.gov.mt</a> . In particular, the Ministry for Sustainable Development, the Environment and Climate Change (MSDEC) covers a vast portfolio related to sustainable development and the environment, including interrelated topics such as agriculture, fisheries and aquaculture. Further information is available from <a href="http://www.msdec.gov.mt">www.msdec.gov.mt</a> .
2.5.2.3	Malta – interested public	<ol style="list-style-type: none"> <li>1. The list of Environmental NGOs may need updating.</li> <li>2. Local Councils need to be included in the list.</li> <li>3. Other organisations may be identified at a later stage, depending on the location and nature of the projects covered by the programme.</li> </ol>
5.2.1	SWOT – Environmental improvement, protection and management	Other endogenous factors which are not listed under this section include: <ul style="list-style-type: none"> <li>• <b>Strengths:</b> Both islands have geographically-contained natural resources (e.g. water aquifers, soil systems, geology) not suffering from transboundary pollution.</li> <li>• <b>Weaknesses:</b> natural resources not mapped in</li> </ul>

		<p>detail.</p> <ul style="list-style-type: none"> <li>• <b>Opportunities:</b> island-contained natural resources have an inherent potential to be addressed by better monitoring systems and enhanced remediation capabilities when compared with larger areas in mainland Europe.</li> <li>• <b>Threats:</b> increasing organic matter decline, biodiversity losses, salinisation of soil systems.</li> </ul>
6.3	Objectives for environmental sustainability (Malta)	<p>Apart from the Sustainable Development Strategy for the Maltese Islands, MEPA recommends that the following national policies, objectives and reports are taken into consideration:</p> <ol style="list-style-type: none"> <li>1. the National Environment Policy (2012);</li> <li>2. the State of the Environment Reports;</li> <li>3. Strategic Objectives of the Strategic Plan for the Environment and Development (SPED), public consultation draft (2012);</li> <li>4. the National Climate Change Adaptation Strategy (2012);</li> <li>5. the National Strategy for Policy and Abatement Measures Relating to the Reduction of Greenhouse Gas Emissions (2009);</li> <li>6. National Biodiversity Strategy and Action Plan (2012);</li> <li>7. Water Catchment Management Plan (2011);</li> <li>8. Waste Management Strategy (2009);</li> <li>9. Issues Paper – Towards Sustainable Waste Management (2013);</li> <li>10. Noise Action Plan (2013) and strategic noise maps;</li> <li>11. Air Quality Plan for the Maltese Islands (2010).</li> </ol> <p>Most of these documents are available from MEPA's website <a href="http://www.mepa.org.mt">www.mepa.org.mt</a>.</p> <p>Various environmental information (e.g. Natura 2000, important natural areas, protected cultural heritage (scheduling), air quality, noise, etc.) is also available from MEPA's website <a href="http://www.mepa.org.mt/topics">http://www.mepa.org.mt/topics</a>.</p> <p>Other relevant national policy documents include the Code of Good Agricultural Practices (CoGAP), the Rural Development Plan and the Nitrates Action Plan.</p>
6.3	Table	<p>This Table requires updating in order to take account of the plans and policies listed above. For instance, the section on air quality (ENV2) needs to be updated as follows:</p> <ul style="list-style-type: none"> <li>• <b>Targets</b> - the main air quality issues which are relevant to Malta are PM10, NO2 and ozone.</li> <li>• <b>Policy Driver</b> – this section should make reference to Directive 2008/50/EC on ambient air quality and cleaner air for Europe.</li> </ul>
6.4	Environmental objectives	<p><b>Fauna, flora, biodiversity and landscape</b></p> <p>(i) Landscape should be a separate environmental aspect since this covers natural, semi-natural, marine, cultural and urban landscapes.</p> <p>(ii) The 2<sup>nd</sup> environmental objective should be amended</p>

	<p>as follows: “To enhance rural biodiversity by preserving <b>environmentally friendly</b> human activities which contribute to bio-cultural diversity, typical of rural areas, along with nature”.</p> <p>(iii) To make reference to urban biodiversity.</p> <p>(iv) We recommend that the text of the first objective should be revised as follows:  “<u>To contribute efforts towards reversing trends of terrestrial and aquatic biodiversity loss to a decrease in the pace of land and sea biodiversity loss</u>-, by <i>inter alia</i> <u>maintaining and improving, where required,</u> the conservation status of species and habitats of <u>EU</u> community interest.”</p> <p><b>Land</b></p> <p>(i) It is important to note that hydro-geological and seismic risks are not limited to land, since these also affect coastal and marine waters and activities.</p> <p>(ii) We recommend that a new theme is created to address “soil” and consider that the issue of desertification should be placed under this new theme.</p> <p>(iii) Land should be amended to “Land use”.</p> <p><b>Soil</b></p> <p>(i) In addition to desertification, the new theme on “soil” should also address objectives related to soil sealing, soil conservation, loss and contamination of soils, soil quality and soil erosion.</p> <p><b>Water</b></p> <p>(i) Reference should be made to the main deliverables and targets of the Water Framework Directive, Marine Strategy Framework Directive, Nitrates Directive and other water-related matters.</p> <p><b>Air and climatic factors</b></p> <p>(i) This section should include objectives regarding increasing resilience to climate change, mitigation against the effects of climate change, reducing the impacts of activities on climate change and addressing interrelated objectives (e.g. managing flood risks, conservation of water, etc.).</p> <p><b>Energy</b></p> <p>(i) This section should also encompass energy-efficiency targets/objectives.</p> <p><b>Noise</b></p> <p>(i) A new theme on “noise” should be included. Heavy road traffic is the main source of ambient noise in the Maltese Islands.</p> <p><b>Material assets</b></p> <p>(i) A new theme on “material assets” should be included. This could address issues related to the</p>
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		protection of environmental infrastructure (e.g. waste and water management facilities); protection of rural land from urban development; sustainable use of mineral resources; re-use of brownfield land; etc.
8	Environment report – drafting methodology	Footnote No. 4 should include Malta’s equivalent legislation, i.e. Regulation 19 of the Flora, Fauna and Natural Habitats Regulations, 2006 (Legal Notice 311 of 2006, as amended).
8.1	Proposal for environment structure / contents report	The proposed structure should also include a section dealing with the alternatives considered in the preparation of the programme and the reason/s why the proposal is the preferred alternative.
8.2.2	Detail level	For Malta, the sources could also include the National Statistics Office and the Ministry for Sustainable Development, the Environment and Climate Change (MSDEC). MSDEC is also responsible for agriculture, rural development and aquaculture.