

MEPA's comments on the SEA scoping report on Malta's Operational Programme I 2014 - 2020

20th March 2014

MEPA notes that the new Operational Programme (OP) 1 for the period 2014 to 2020 also includes investment priorities related to the environment. The preparation of an environmental assessment of the new OP1 in line with the Strategic Environmental Assessment Regulations of 2010¹ is welcomed and we look forward to be consulted on the SEA Environmental Report.

Our comments on the SEA Scoping Report are provided below. It is recommended that these comments are taken into consideration in the drafting of the new OP1 and preparation of the SEA Environmental Report.

1. General comments

- 1.1 The Environmental Report is an important step in the SEA process to ensure that all significant environmental impacts are addressed.
- 1.2 Any future proposals emerging from or are connected to the implementation of the OP1 2014 - 2020 will require separate environmental assessment once more detailed information about the specific projects and alternatives are available. This may include an Environmental Impact Assessment (EIA) and/or an Appropriate Assessment in line with the requirements of the EIA Regulations of 2007 and the Flora, Fauna and Natural Habitats Protection Regulations of 2006, respectively.

2. Detailed comments

- 2.1 In addition to the SEA Scoping Report, MEPA considers that the Environmental Report should also address the following issues:

Table 1 - environmental baseline

- 2.2 The section on soil should also address soil sealing and soil contamination.
- 2.3 Townscape should be included under cultural heritage.
- 2.4 Water management infrastructure (e.g. RO plants, galleries, boreholes, etc.) should be addressed under material assets.

Table 2 - SEA environmental objectives & indicators for assessing impacts

- 2.5 An assessment of the impacts on biodiversity which is only based on the number of sites permitted in protected areas is too limited. The assessment needs to take into consideration other important aspects of biodiversity, flora and fauna including: important bird areas, rafting zones, migratory routes, etc; valleys and watercourses; other important habitats which are not officially protected as yet; green space in urban areas; environmental media essential to

¹ Legal Notice 497 of 2010

ecosystems (e.g. water, soil); etc. Expert judgment should be used where no information is available.

- 2.6 The assessment of impacts on population and human health should also include impacts on air quality.
- 2.7 The assessment of impacts on water should also take into consideration the objectives and requirements of the Marine Strategy Framework Directive.
- 2.8 The section on climatic factors and climate change should also determine whether the proposals in OP1 would contribute to energy efficiency, including that in buildings, and whether these support the use of sustainable modes of travel (e.g. modal shift).
- 2.9 The assessment of impacts on soil should also include soil sealing and whether such projects are more likely to entail the reuse of brownfield land, as opposed to take-up of undeveloped land.
- 2.10 The assessment of impacts on material assets should also include impacts on strategic water management infrastructure.
- 2.11 The assessment of impacts on cultural heritage should also include impacts on the setting of cultural heritage, townscape and the character of UCAs.
- 2.12 The assessment of impacts on landscape should also address the potential impacts of the proposals in OP1 on landscape sensitive areas.
- 2.13 A new section on land-use should be included, mainly to deal with the reuse of brownfield land and whether the proposals in OP1 are likely to take-up undeveloped rural land for development.
- 2.14 Other issues which need to be taken into account include the potential transboundary impacts (if any) of particular proposals, such as energy projects.

Likely significant effects and constraints

- 2.15 Apart from the National Environment Policy, Sustainable Development Strategy and the State of the Environment Report, 2005 (and subsequent updates), the strategic assessment also needs to take into consideration the objectives of applicable environmental regulations and environmental plans (e.g. Air Quality Plan, Noise Action Plan, National Biodiversity Strategy and Action Plan, Water Catchment Management Plan, etc.).

3. Appendix 1

- 3.1 The analysis of related plans, programmes, and legislation in Appendix 1 needs to take into account the following:
 - the Global Biodiversity Strategic Plan under the Convention of Biological Diversity and the Aichi Targets;
 - the EU Biodiversity Strategy to 2020 (note: the 2008 Action Plan is superseded);
 - the adopted National Biodiversity Strategy and Action Plan 2012 – 2020 (2012) (the quoted version is superseded);
 - emerging EU-level environmental legislation such as:

- the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union; and
- the Prevention and Management of the Introduction and Spread on Invasive Alien Species;
- the Air Quality Plan (2010);
- the Noise Action Plan (2013); and
- the Waste Management Plan for the Maltese Islands 2014 – 2020 (2014).