

ERA Ref.: EA/00028/19

Description Proposal: It is proposed to demolish existing Hotel and Construct a new Class 3B Hotel having 405 Rooms, 2 Class 4D Restaurant, 1 Class 4C Bars & ancillary facilities including an indoor pool, gym, parking area and conference facilities.

Location: Ramla Bay Resort, Triq ir-Ramla tal-Bir, Marfa, Mellieha

Subject: Table with recommendations and ancillary reasoned justifications provided by the public, government entities, E-NGOs and relevant local councils, during 30-day public consultation on Terms of Reference, on any matters that they wish to see included in the EIA terms of reference.

Consultation period: 18 September 2019 – 18 October 2019

No. :	From	Comments
1	Civil Protection Department (email dated 18/09/2019)	Applicant is to provide the fire safety report.
2	Member of the public (email dated 18/09/2019)	<p>I am estimating 3,954 EUR per square meter excluding taxes of property market value, this can be used as bank collateral as well presumably when confirmed by professionals.</p> <p>Community access is desirable for premises with large footprint and with a potential commercial availability in the future this is of consumeristic interest i.e. if you invite nobody to visit, how will people be motivated to spend?</p> <p>Environmental issues vary, they delve into issues such as seaweed and fish semen which is useful for the mass reproduction of fish for consumption, this will create reasonable stocks for food supplies and other marvels of natural wonder, as I had some ideas as well, with potential to be invested or investable by associations who never seem to write back to me requiring my paid commercial consultancy, again giving rise to the culture of <i>working for free</i>, which puts me in discomfort as I am trying to feel motivated to spend money with your firm one of these days.</p> <p>Instead, of taking care of the environment youths are expected to prefer noise pollution and buy https://www.viagogo.co.uk/Concert-Tickets/Club-and-dance/John-Digweed-Tickets?AffiliateID=49&PCID=PSGBBINCONJOHNA325B30088F&AdID=83975247977323&gclid=b879e4c5987819e90a36b947962e30b0%2cb879e4c5987819e90a36b947962e30b0&ps_p=1%2c1&ps_ag=1343603454626236%2c1343603454626236&ps_tg=kwd-83975357385081%3aloc-115%2ckwd-83975357385081%3aloc-</p>

		<p>115&ps=%2c&ps_c=355200539&ps_ad=83975247977323&ps_n=o&ps_d=c i.e. <i>Digweed instead of seaweed</i>, and, naturally this will mean in terms of market economies that they will emigrate to the country of origin where they will hope to make enough money to come back and buy the property at commercial prices, for ownership and for letting it out.</p> <p>Currently facilities are available as well e.g. http://www.hsbc.co.uk the last time I went to the bank she said she would talk to me, and, I told her I would visit her.</p> <p>Waste recycling is interesting it is a factor of consumption of consumables per household, and, some of it is recyclable.</p> <p>Construction work done in phases will end up having a more abundant choice to tourists foreign and Maltese therefore business terms and conditions can be drafted by designers, civil architects and other business engineers who are busy dealing with consumer level issues typically the problem of debt.</p> <p>This does lead me to feel disappointed at the results of some of my students when I taught accounting, I must have done a sloppy job, and, I am working on a new artificial intelligence machine that will automatically inject knowledge in students' brains, this is science fiction but Elon Musk (reputed software engineer) says it is realistic.</p> <p>Thank you for being so attracted to foreigners we love you just the same.</p>
3	Member of the public (email dated 19/09/2019)	<p>Attn PA, ERA</p> <p>Reference is made to public consultation in question.</p> <p>I believe that the Planning Authority and/or ERA should ensure that a social impact assessment is carried out on the development proposal in question.</p> <p>In this regard, kindly refer to my feedback to PA regarding social impact assessment public consultation: https://mikes-beat.blogspot.com/2019/05/feedback-re-social-impact-assessment.html</p>
4	Malta Resources Authority (email dated 20/09/2019)	<p>We would like to know:</p> <ol style="list-style-type: none"> a. The source of water for the Reverse Osmosis Plants; <p>We are also recommending the provision of the following information:</p> <ol style="list-style-type: none"> b. The calculations that confirm that the discharge from the RO plants (and by implication the intake of seawater) will not change considering the increase in number of rooms; c. Economic justification for not treating and re-using grey waters; and d. Clarification why the BMS is limited to AC and does not include water systems.

		<p>Furthermore, if the proposed development includes excavation works that reach partially or totally within the saturated zone, then the developer should submit an application in writing to the MRA including the details specified in regulation 5(1) of the Borehole drilling and excavation works within the saturated zone regulations (SL423.32).</p> <p>This assessment is based primarily on the documentation that was published on the weblink provided as on the date of the assessment. The Authority made its assessment on a good faith basis and reserves the right to review its position and, or to take action against the authors of the documentation and, or the applicant if information relevant to its assessment (particularly the prior use of the site where the development is proposed) is 'buried' or concealed (including through the submission of documentation that is not text searchable).</p> <p>This, and any other response in writing by the MRA to the application submitted for consultation or to any other documentation, should not in any way be deemed as approving or endorsing the application in any form or of condoning any matter that falls beyond the MRA's immediate remit as established under the Malta Resources Authority Act and as in force on the date of the relevant response. In particular, you are reminded that with the coming into force of the Act No. XXV of 2015 establishing the Regulator for Energy and Water Services, the Water Policy Framework Regulations and the Protection of Groundwater against Pollution and Deterioration Regulations have been excluded from the remit of Malta Resources Authority and as such the MRA has no authority to take a position on matters regulated by these regulations or indeed any other matter that does not fall within its remit. While this response may be published, any response by the MRA may not be publicly used or mentioned as a general or partial approval by the MRA of the matter referred to for consultation.</p>
5	<p>Environmental Health Directorate (email dated 02/10/2019)</p>	<p>With reference to your e-mail dated 18th September 2019 regarding subject in caption and following review of the Project Description Statement, please be informed that we would like to have the following issues related to public health included in the terms of reference for this proposed development:</p> <ol style="list-style-type: none"> 1. Air pollution impacts assessment <ul style="list-style-type: none"> • For demolishing, excavation and construction • Emissions from heavy vehicles • Transports, storage and handling of construction materials • Operational traffic • And their effects on the surrounding. <p>Necessary monitoring and mitigating measures must be clearly stated.</p> <ol style="list-style-type: none"> 2. Noise and vibration impacts including construction activities, operational traffic and from other operational activities. Required monitoring and mitigating measures must be clearly stated 3. Traffic Impact Assessment and mitigation measures. 4. Light pollution impact and mitigation measures.

5. A Waste Management Plan shall be implanted which should include the impacts from waste generated both during the construction (demolishing, excavated and construction material) and operation phase. Hence the importance of a detailed Construction and Waste Management Plan, which should be enforced by the site project manager. Details of monitoring and feedback mechanisms must be clearly stated and adhered to.
6. Necessary permits for the construction of any new cesspit must be obtained. Said cesspit must be registered with the Superintendent for Public Health and any other relevant authorities.
7. 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.
8. The overall cumulative impacts of the development on the general public.
9. Details of measures proposed to be taken to prevent nuisances at all stages of the project on the Area of Influence.
10. The provisions of L.N. 5 of 2006 regarding Legionella Control are to be taken into consideration in view of potable water within the whole project especially for hospitality facilities, and public facilities. Included the heating water system.
11. Pools are to be registered with the Environmental Health Directorate as per L.N. 135 of 2008, Amendment to swimming pool regulations.
12. Indicated discharge point from swimming pools that will be present on site.
13. A hydrology assessment should be made available. Such assessment should provide details for the supply, distribution and storage of potable water. If any new reverse osmosis is installed, details of extraction water and discharge of saline water from the reverse osmosis plant system must be included. Furthermore, it must incorporate details of collection, storage, overflow and use of rainwater. Ground water and surface water in terms of water quality including run-off management.
14. Identify all necessary precautions and preventive measures are to be taken both during the construction and operation phase so as to prevent any adverse impacts which may result in deterioration of the bathing water quality of coastal area especially of the official bathing site during the official bathing season which is between the third week of May to third week of October. During the operation phase, there should be no discharges into the official bathing site such as from reverse osmosis plants, from sewerage treatment plants and from any cooling water.
15. Identify the source of ventilation of the underground parking and level of noise that it would generate. It must also cover the noise level that may have effect on the nearest private residence. WHO specifics, that the threshold level for noise exposure which may have an effect on the human health range is between 32-42dB.
16. Pest control management on site and the surroundings.

		<p>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.</p> <p>Applicants are also requested to carry out specific discussions with the various units within the Environmental Health Directorate once the detailed plans for the public areas, catering establishments, food outlets and other facilities (such as swimming pools, water features, etc.) are prepared in view of specific regulations under the Food Safety Act and the Public Health Act.</p>
6	Mellieha Local Council (email dated 07/10/2019)	<p>Reference is made to your e-mail below concerning the above subject, upon which the Mellieħa Local Council intends to highlight the following aspects in order to be dealt with in the EIA, namely:</p> <ol style="list-style-type: none"> 1. The proposed footprint will only be increased by 1.487%, while the floor space gained would increase by 30.105% as compared to the existing area. This is attained through the construction of an eight storey block above ground floor level. In view of this, the EIA should seriously take into account the resulting visual impact; 2. Traffic impact resulting from a 31% (120 rooms) increase will certainly affect traffic flows and parking demand. EIA should go into mitigation measures dealing with traffic management to deal with resulting traffic related demands; 3. An ecological and heritage assessment is called for due to the presence of the assets referred to in the PDS; 4. The PDS refers to excavation of disturbed land just outside the existing hotel entrance leading from Triq ir-Ramla tal-Bir. No reference is made as to whether this is public land or otherwise, and whether non hotel patrons can avail of such facilities; 5. Considering the proposed excavation of site, the EIA should deal with issues related to climate change, namely: <ol style="list-style-type: none"> (a) Available projections of sea level increases up to the end of this century that emerge from reports commissioned by the United Nations International Panel on Climate Change; and (b) Mitigaion measures dealing with the effects of climate change; 6. Mitigation measures with respect to carbon emissions through the use of renewable energy such as wind and solar power; and 7. Sewage and seawater treatment on site for sanitation purposes.
7	BirdLife Malta (email dated 18/10/2019)	<p>As part of the ongoing public consultation of PA 0293/19 at the Ramla Bay Resort, in Marfa, Mellieħa, we have reviewed the provided documents and would like to highlight the following points to be considered for drafting the EIA Terms of Reference.</p> <p>General comments</p> <ul style="list-style-type: none"> • The proposed development is located adjacent to two marine protected areas. Direct impacts especially on the habitats and fauna need to be assessed in terms of these sites: <ul style="list-style-type: none"> ○ Special Area of Conservation (SAC) Zona fil-Baħar fil-Grigal ta' Malta (MT0000105) ○ Special Protected Area (SPA) Żona fil-Baħar madwar Għawdex (MT0000112) • Given the close proximity to these sites, a separate Appropriate Assessment for phase two of the development further to the EIA is required providing in-depth mitigation measures for environmental impacts to the sites; • According to the PDS, the footprint of the proposed development will increase from 6,398sqm to 6,584sqm. Furthermore, the built-up area will increase from 48,689sqm to 63,347sqm. Given that this is a significant increase in the development's footprint, the development should

be downscaled in order to minimise environmental impacts, including ground sealing and loss of biodiversity. Otherwise, the EIA needs to propose suitable mitigation measures to address the increase;

- A detailed woodland and tree survey needs to be undertaken so that the EIA takes potential damage and uprooting of trees into account;
- Table 3 indicates designated areas for car parking spaces whereas judging from the pictures provided, the current area used for car parking is located on Garrigue habitat. Environmental degradation of sensitive habitats due to the use of vehicles in the area needs to be addressed in the EIA;
- Air pollution during construction and operational phase of the proposed development needs to be addressed in the EIA. The PDS states that “any effect on air quality is expected to be minimal due to the area being open and exposed”. This justification is inadequate and appropriate measures need to be applied to mitigate for negative impacts on air quality;
- Given that negative environmental impacts on seabird colonies that are present in the area – especially in the above-mentioned marine protected areas - was not addressed in any environmental impact studies undertaken for this development so far, we see an urgent need to address particularly light pollution in the EIA and AA for phase 2 of the proposed development.

Light pollution and seabirds

The environmental impacts of light pollution are pervasive and far-reaching. Negative effects can range from various sub-lethal effects, such as changes in biochemistry or behaviour, to the direct cause of mortality – these effects are particularly strongly within the marine environment.

The Maltese Islands support globally significant populations of seabirds. Up to 10% of the global breeding population of Yelkouan shearwater *Puffinus yelkouan*, an IUCN red-listed species, return to the Maltese Islands each year. Scopoli’s shearwater *Calonectris diomedea* and European Storm-petrel *Hydrobates pelagicus* also breed in globally significant numbers.

Breeding behaviour and site importance

Shearwaters and Storm-petrels are long-lived seabirds that take up to five years to reach sexual maturity. Their breeding habitat is carefully selected according to various parameters, including darkness. They lay a single egg each year, a reflection of a large investment of resources. Incubation and chick rearing occurs over the course of several months and should the nest fail at any stage, they will not be able to lay a second egg as the cost to adult condition is too high. Due to their life-histories, any increase in the natural mortality rate of young birds and the degradation of breeding habitat can have serious consequences on their populations.

Their largest colony in the Maltese Islands is located within the protected area; Special Area of Conservation (SAC) and Special Protected Area (SPA) Ramla Tat-Torri / Rdum Tal-Madonna Area (MT000009).

This colony is located approximately 2.3km from the proposed development, well within the area of influence if light pollution is to be considered.

Recommendations for PA 02943/19

Seabirds must feature prominently in any EIA undertaken for this development given any light or noise disturbance will likely affect seabird colonies. Yelkouan shearwater arrive at their colonies at around mid-October, egg laying takes place in early February and the critical period of chicks fledging starts at mid-June finishing at around mid-July. Scopoli’s shearwater’s arrival at their colonies happens at the end of February, fledging of their chicks begins in mid-October for about one month. Especially during the fledging period of Shearwaters, light and noise pollution needs to be drastically

avoided, meaning that from mid-June to mid-July as well as from mid-October to mid-November development works creating these impacts should not take place.

The proposed development is located close to the largest breeding colony of Yelkouan Shearwater in the Maltese Islands and so any obtrusive light, including skyglow, affecting Special Area of Conservation (SAC) and Special Protected Area (SPA) Ramla Tat-Torri / Rđum Tal-Madonna Area (MT000009) is unacceptable.

Furthermore, the site has also been identified as a major stranding hotspot for fledging seabirds and must therefore be considered a priority area for mitigating light pollution.

Outdoor lighting scheme

BirdLife Malta propose that all/any outdoor lighting to be installed is kept to the absolute minimum level that still provides the minimum level of illuminance required for safe-use of the area. The following guidance documents describe European and International standards / best-practice on outdoor lighting.

- EN12464-2:2014 “Light and lighting – Lighting of work places – Part 2: Outdoor work places”
- Commission Internationale de l’Eclairage (CIE) “Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations”, 2nd Edition (CIE 150:2017).

This particularly pertinent to luminaires installed with direct line of sight to the sea. Vanity lighting or decorative lighting should be kept to an absolute minimum.

All outdoor luminaires must meet these specifications:

- Full cut-off ULOR 0%
- Downward facing (any angle of uptilt is unacceptable)
- CCT <3000K OR Spectral G-index >2.0 (minimize blue wavelengths in emitted spectra)
- Dimmable
- Run according to a lighting schedule.

Every effort must be made to restrict light to the bounds of the site. Any light spill onto protected areas is unacceptable.

Balcony lighting should be controlled by hotel guests and not left switched-on for extended periods of night. Documentation on why it is important to limit light pollution should be provided to guests.

The critical fledging times of year; June-July (Yelkouan shearwater) and October – November (Scopoli’s shearwater) demand extra consideration to use of outdoor lighting. During these periods all outdoor lighting should be dimmed as far as possible or switched-off entirely.

		Conclusion
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- The EIA needs to include a lighting scheme, including the above-mentioned mitigation measures
- Noise and light pollution needs to be avoided especially during periods of the year sensitive to breeding and fledging periods of seabirds
- Air quality assessment needs to be included in the EIA