PA 8757/17: Construction of the Malta-Italy gas pipeline EU Project of Common Interest, including a terminal station at Delimara Power Station, an onshore HDD route through Delimara Peninsula and the laying of an offshore 22" diameter pipeline up to the median line between Delimara, Malta and Gela, Sicily.

Comments received by ERA during the EIA scoping stage
(from 31st March 2018 to 3rd April 2018)

A. Ministry for the Environment, sustainable Development and Climate Change – Agriculture Directorate (Email dated 1st February 2018)

Comments
With reference to the email below, the Agricultural Directorate is pointing out that for soil movement, it is very important that the necessary permits are in place as per Chapter 236 of the Laws of Malta.

B. Ministry for Health - Environmental Health Directorate (Email dated 2nd February 2018)

Comments
With reference to your e-mail dated 29th January regarding subject indicated 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: 1. Air pollution impacts assessment • For dredging, demolition, excavation and construction • Emissions from heavy vehicles • Transports, storage and handling of dust laden materials • Particulates generated by project • And their effects on the surrounding area included marine environment. • Necessary monitoring and mitigating measures must be clearly stated. 2. Noise and vibration impacts including those associated with dredging, excavation, demolition and/or construction of the proposed works. Required monitoring and mitigating measures must be clearly stated. 3. Effects on water quality and mitigation measures. The effects of sediments and water quality discharge during the construction and operational stages must be included, especially with regards to the proposed release of 38,600m^3 seawater that contains a small amount of corrosion inhibitors, in view of the potential effect on public health. 4. Risk assessment on waste management shall be implemented which includes the impacts from waste generated both during the construction (excavated and dredged material) and operation phase. Hence the importance of detailed Construction and Waste Management Plans which should be enforced by the site project manager and which should also address waste management both during the construction and operational phases of this project. Details of monitoring and feedback mechanisms must be clearly stated and adhered to.

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

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

7. A hydrology assessment should be made available. It must included details of collection, storage, overflow and use of rainwater. Details of any air cooling system that will discharge into sea water if any.

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.

C. BirdLife Malta (Email dated 1st March 2018)

Comments
BirdLife Malta has reviewed the Project Description Statement (PDS) for the proposed development "Construction of the Malta-Italy gas pipeline EU Project of Common Interest, including a terminal station at DPS, an onshore HDD route through Delimara Peninsula and the laying of an offshore 22". Due to its nature and location, the proposed development qualifies for a full Environmental Impact Assessment (EIA) and an Appropriate Assessment (AA). BirdLife Malta suggests addressing the following points in these environmental studies: • Regarding the route selection: certain types of areas should be avoided to be considered as proposed routes for gas pipelines[1], including (1) Protected areas (e.g., UN World Heritage sites; UN Biosphere Reserves; Ramsar sites), (2) areas meeting IUCN's categories I to VI, and marine categories I-V (e.g., fishing or fish breeding reserves), proposed or recognized protected area, areas maintaining conditions vital for protected areas (e.g., watersheds, buffer zones), and (3) Areas critical for rare, vulnerable, migratory or endangered species (listed on the IUCN Red List) as well as (4) conditions vital for protected areas (e.g., watersheds, buffer zones), ➔ The project is proposed to cross through a marine Natura 2000 site (Il Bahat tal-Lvant MT0000108) which should be avoided given the sensitivity of the area among other factors due to sea birds and Posidonia meadows. In the case that the pipeline will cross through any of the above-mentioned areas, light and noise pollution need to be addressed in the EIA and a separate Appropriate Assessment needs to be carried out. Operations during breeding periods of seabirds should be avoided. BirdLife Malta furthermore recommends to install monitoring stations for observation of the behaviour of fish, marine mammals and birds and to establish a specific fund designed dedicated to obtain data and Information on and to increase the existing knowledge of the marine environment in the area impacted by the proposed development,

- ➔ Onshore, the proposed development furthermore overlaps with a Site of Ecological Importance (SEI) designated among other criteria due to its costal garrigue. Any impact needs to be addressed and mitigated appropriately in the EIA.
- Major concerns to the environment (especially sea mammals, fish and birds as well as other protected species) resulting from the proposed development can impact in the following manner[2]:
    - Physical damage to the seabed (including increase in water turbidity, release of nutrients and hazardous substances and impacts on bottom currents)
    - Discovery of dumped munitions and barrels which need to be removed (including leakage, poisoning in the area)
    - Munitions clearance of dumped munitions which can cause severe sediment disturbance in the process of removal
- ➔ A difference exists between the installations of gas pipelines onto the seabed or buried into the sediments of the seabed. Soft benthic communities will recover in a shorter period (within two years) and hard substrate of seabed where the re-colonialization process can take up to ten years. This number increases with depth of the installation as well as drop of temperature. The EIA needs to identify the approaches of developing best possible planning and environmentally friendly construction and management procedures as well as environmental monitoring programmes throughout the period of the entire project to minimize potential impacts during construction of the pipelines and address the above concerns holistically and fully,
- An environmental and social impact assessment (ESA) should be considered for this project, (1) to prevent impacts, (2) to minimize the impacts that cannot be entirely prevented, (3) to mitigate the residual minimal impacts on both social and environmental levels. Furthermore, (4) residual minimized impacts should be fully compensated so that the impacted people and environment are better off with the project.
- ➔ If these points will not be addressed through a separate study, the EIA should include an analysis of the above,
- Alternatives to the proposed pipeline, such as the already existing marine tanker need to be identified to justify the proposed development,
- Oil Spill Prevention and Management: The EIA needs to ensure that oil spill response plans are in place before completion of the pipeline up to several years after operation of the pipeline has started,
- Legislation relevant to the project includes the UN Convention on the Law of the Sea, the UNECE Convention on Environmental Impact Assessment in Transboundary Context (ESPOO), the EU Directive on environmental impact assessment (EIA) as well as national legislation. Especially the Espoo Convention (Italy (19 Jan 1995) ratified the convention whereas Malta (20 Oct 2010) accessed the treaty) needs to be addressed appropriately at all stages of the project, whereas:
    - Contracting Parties are obliged to notify and consult each other on all major projects that might have adverse environmental impact across borders
    - Individual Parties have to integrate environmental assessments into the plans and programmes at the earliest stages

➔ The EIA as well as further consultation processes need to be carried out in a transboundary manner where the public is given the chance to contribute equally to minimize stakeholder conflicts,

- Cumulative assessments should be carried out as part of the EIA to ascertain if there is another project – existing or planned -- that may influence the proposed pipeline,
- Decommissioning, rehabilitation and restoration plans need to be addressed in the EIA.

[1] https://cmsdata.iucn.org/downloads/book_on_pipeline_best_practice.pdf
[2] https://www.bonusportal.org/files/1144/Leppanen_Nord_Stream_Pipeline.pdf

D. Continental Shelf Department (Email dated 3rd April 2018)

Comments
I would appreciate if you could consider including the following TOR's for the EIA: (i) The effect of possible (albeit remote) gas releases from the pipeline during its operational phase on the marine, coastal or land environment. (ii) The effect of inspection and maintenance of the pipeline on the marine, coastal or land environment. (iii) The impacts and mitigation measures associated with the drilling of the Malta onshore pipeline route using horizontal directional drilling. This shall include the handing of drill cuttings, drilling muds and chemicals.