

Annex I

Environmental Impact Assessment

Schedule III

(Screening according to S.L. 549.46)

ERA Reference no.: EA 00069/18
PA Reference no.: PA/05665/18
Project Title: To extend hard stone quarry G12 for the extraction of rock to a depth of 5m above M.S.L.
Location: Quarry G12, Ta' Klement, Qala, Gozo
Screening date: February 2019

1. Outline of Proposal

- 1.1 PA 05665/18 is a development application for the extension of an existing hardstone quarry (G12) to extract circa 570,000m³ of Lower Coralline Limestone. The quarry is currently covered by two permits, PA 07412/97, the original application for the opening of the quarry, and PA 06894/98, for an extension of the same quarry. The area of the quarry covered by the original permit, PA 07412/97, has been exhausted and currently houses the crushing plant and ancillary facilities relating to quarry operations, including stockpiling. According to the PDS, the extension undertaken through, PA 06894/98, has also almost been exhausted.
- 1.2 It should also be noted that the original application (PA 07412/97) was also subject to an EIA.

2. Site Context

- 2.1 The proposed new extension has a site area of approximately 20,500m² and lies within the area known as Ta' Klement, in Qala, Gozo; the currently permitted quarry has a site area of circa 40,000 m². The surrounding area is characterised by terraced slopes, rubble walls, exposed rock, arable land and mineral extraction.
- 2.2 The site also lies;
- Within two proposed Areas of Ecological Importance (Level 2 and 3) as designated by the Gozo and Comino Local Plan (GZ-RLCN-1);
 - Within a proposed Geological Park as designated by the Gozo and Comino Local Plan (GZ-Qala-2);
- 2.3 The coastline borders the following marine Natura 2000 sites, designated under the Flora, Fauna and Natural Habitats Protection Regulations (S. L. 549.44):
- Adjacent to the "Zona fil-Baħar fil-Grigal ta' Malta", a Marine Special Protection Area of International Importance (MT105) (G.N. 851/10); and
 - Adjacent to the "Il-Baħar Madwar Għawdex", a Marine Special Protection Area (SPA) (MT112) (G.N. 1379/16).

3. Site History

3.1 Planning Applications submitted on site:

- **PA 05665/18:** Current Application
- **PA 05458/17:** To extend hard stone quarry (**Withdrawn**)
- **PA 03534/13:** Renewal of permission PA 6894/98 (**Approved**)
- **PA 03995/10:** Full development permission to extract hard stone rock from area adjacent to approved quarry in order to lower site level and construct machinery stores (**Withdrawn**)
- **PA 04811/10:** Renewal of permission PA 3105/05 – hard stone quarry - to extract and crush coralline rock (**Approved**)
- **PA 03105/05:** Renewal - Hard Stone Quarry - To extract and crush coralline rock (**Approved**)
- **PA 01265/03:** Renewal - Hard Stone Quarry - HG12 -To extract and crush coralline rock (**Approved**)
- **PA 05329/99:** Renewal - Hard Stone Quarry - To extract and crush coralline rock (**Approved**)
- **PA 06894/98:** To extend hard stone quarry (**Approved**)
- **PA 07412/97:** Hardstone quarry (**Approved** – An EIA was carried out for this application)

3.2 Enforcements issued on site:

- **EC 00574/10:** - Transportation, dumping and levelling of inert material and soil on land without planning permission (**Pending at Enforcement Officer**)
- **EC 00606/10:** - Deposit of stock piling aggregate outside approved boundaries (**Enforcement Action Closed** - Owner/Occupier removed the illegal development)
- **EC 00942/06:** Breach of condition in permit and dumping of waste (**Enforcement Action Closed** - Owner/Occupier removed the illegal development)
- **EC 00231/02:** Dumping without permit (**Enforcement Action Closed** - Owner/Occupier removed the illegal development)

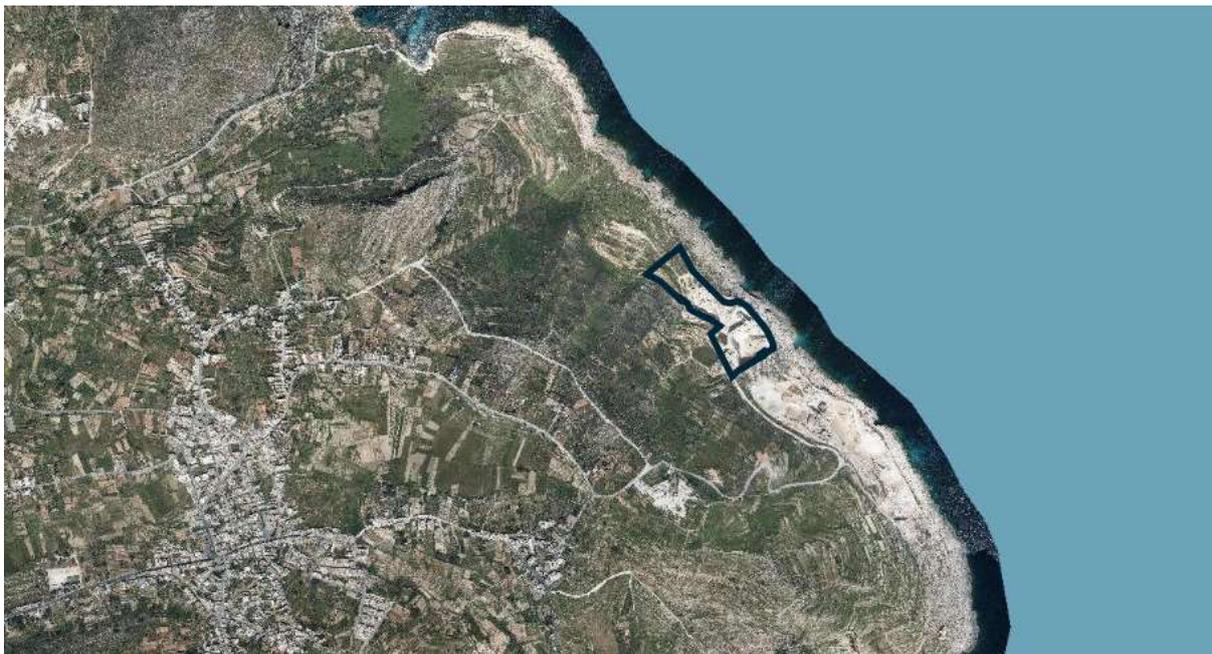


Figure 1: Location of the site earmarked for the proposal (**Source:** PA Geoserver)



Figure 2: Close-up of the site and its immediate surroundings (Source: PA Geoserver)

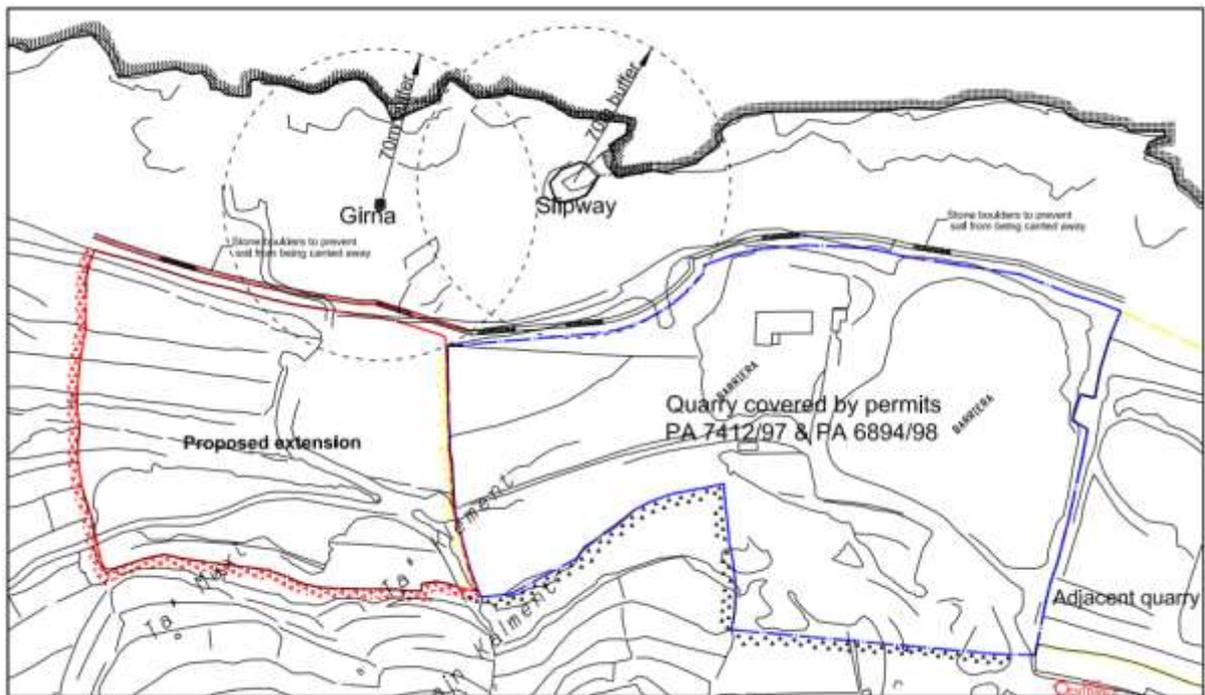


Figure 3: Block Plan (Source: PA/05665/18/Doc.1d)



Figure 4: Site Photos (Source: PA/05665/18/Doc.1e)



Figure 5: Site Photos (Source: Site Visit)

4. Overall Assessment

4.1 The following documents were used for the assessment:

- i. EIA for PA 07142/97 dated August 1998;
- ii. ERA consultation reply PA/05665/18/Doc.32a;
- iii. Project Description Statement (PDS), referred to ERA by the applicant on 29th October 2018; and
- iv. Restoration Method Statement (RMS), referred to ERA by the applicant on 18th January 2019.

4.2 **The following are potential impacts envisaged on the surrounding environment:**

4.2.1 The site is located in a rural area along the coast closer to Wied is-Simar, which is of considerable ecological and geological importance, and is identified as a geological and industrial heritage park (GZ-Qala-2) by the Gozo and Comino Local plan; the same local plan policy also prohibits extensions of the active quarries into this area. The proposed quarry extension will result in the loss of approximately 20,500m² of agricultural/rural land, make significant changes to the topography through soil levelling, and form a more extensive scar in the landscape, intensifying the other quarry-related scars already present.

4.2.2 The project also includes the full restoration of the quarry void back to its pristine state following completion of the quarrying activity. Such restoration is already required for the currently permitted quarry extent and should not be used as justification for the proposed extension.

4.2.3 Furthermore, should the application be approved, the Restoration Method Statement (RMS) should be updated. The RMS submitted on 18th January 2018 covers the restoration of the extension proposed by the current application, while the RMS submitted at PA/3534/13/Doc.28c covers the original extent of the quarry and its extension approved by PA 06984/98. ERA notes that requests for amendments to the original RMS, made at PA/3534/13/Doc.64, were never addressed, and the newly submitted RMS contains the same shortcomings. Both RMSs should include:

- sections indicating the projected site levels of infill material immediately after infilling and after settlement of the infill material in relation with the levels of the surrounding area;
- a description of the method(s) to be used for the re-establishment and/or re-instatement of access points, paths and routes, including the methods adopted for construction and compaction of ground, and the type of materials used, etc, including details of proposed gates as necessary;
- sections showing the top layer of the restored quarry and land cover, in particular the distribution and extent of soils, boulders (or other features), trees/shrubs, and the type of wild species of flora and fauna used for restoration;
- measures that will be taken to avoid damage to or alteration of the adjacent areas during the restoration process;
- detail of soft landscaping, including scientific names of species that will be used and planting layout, that will be implemented following the restoration of the quarry; and
- the projected timeframes for the final restoration.

4.2.4 Dust generation is expected from quarrying and infilling activities. Although the site is already affected by similar quarry activities, it is unclear whether the increase in dust will have a significant impact on the surrounding environment. Any impacts could potentially be mitigated through the implementation of the Environmental Construction Site Regulations (S.L. 552.09), but it is unclear whether these have been/will be followed considering the number of enforcements on site over the years.

- 4.2.5 There is some risk of negative impacts on the mean sea level aquifer and coastal waters due to the quarry's proximity to the coast. The permit (PA 06894/98) for the existing quarry outline a number of mitigation measures for such risks, namely:
- a. Quarrying should be restricted to +5m above mean sea level;
 - b. Waste waters (non-industrial) generated from the site shall be correctly treated and disposed of by bowsers in authorised points in the public sewer;
 - c. Fuels and lubes shall be stored in secure areas where any accidental spillage will not seep into the ground. Storage tanks shall be located as near as possible to the access road; and
 - d. In the event of a pollution incident, the operator shall inform the authorities immediately to avert permanent environmental damage.

However, it should also be noted that there are a number of Enforcements issued, under the applicant's name, on the land and sea around the site (as can be seen in Figure 2). Which clearly showed the overspill of quarrying activity beyond approved boundaries). All of these relate to some form of illegal dumping of quarrying material and one (**EC 00574/10**) is still pending. Thus, it can be said that the above mitigation measures have not been properly adhered to as evidenced by the numerous piecemeal interventions which were carried out without due consideration to the natural environment, and may continue to be contravened should the proposed extension be approved.

5. ERA Conclusion

- 5.1 The above screening has identified the following main issues of concern:
- i. The extension of an existing quarry into a sensitive coastal area, which should be prohibited as per Local Plan policy; and
 - ii. The environmental impacts resulting from the illegal development which has taken place along the years.
- 5.2 Furthermore, ERA's comments (PA/05665/18/Doc.32a) are being reiterated. Approval of this proposal would also set a precedent for similar proposals in the area, which cumulatively would result in further adverse impacts on the overall natural state of the area and the natural landscape. In view of the above, ERA continues to consider the proposal as being objectionable from an environmental point of view.
- 5.3 Without prejudice to the above, should the proposal be considered favourably by the Planning Authority despite ERA's recommendation, the applicant is to be informed that;
- The proposal would qualify for an update to the existing Environmental Permit (EP 038/09/C) and thus would need to contact ERA's Environmental Permitting Unit (nature.permitting@era.org.mt) to discuss the requirements; and
 - Additional environmental-related conditions would be necessary.

6. Screening in terms of the Environmental Impact Assessment Regulations, (S.L. 549.46)

- 6.1 The proposed development falls within the scope of Schedule IA, Section 9.0.2.1 (*Quarries, open-cast mines or underground mines, or projects for the extraction of minerals, ores or peat, as well as extensions thereto or ancillary surface or subsurface installations, not covered by Category I*) of the EIA Regulations, 2017 (S.L. 549.46).
- 6.2 Without prejudice to ERA's final position on this application, the PDS has been reviewed and it has been determined that the proposed development would qualify for an EIA as per EIA Regulations 2017 (S.L. 549.46).

6.3 However, although the proposal qualifies for further EIA studies, this requirement is secondary to ERA's overriding objection to the development, which conflicts with the surrounding rural and coastal environment. This cannot be adequately addressed through EIA studies, but rather needs to be addressed directly through the mainstream development consent mechanism. Thus, an *ad hoc* EIA for this proposal per se would still leave this strategic-level environmental concern unresolved.

7. Screening in terms of the Flora, Fauna and Natural Habitats Protection Regulations, (S.L. 549.44)

7.1 In view of the location of the proposal adjacent a Natura 2000 site, the proposal has been screened in terms of Regulation 19 of S.L. 549.44, since the site lies adjacent to the "Zona fil-Baħar fil-Grigal ta' Malta", a Marine Special Area of International Importance (MT105) (G.N. 851/10), and adjacent to the "Il-Baħar Madwar Għawdex" Special Protected Area (SPA) (MT112) (G.N. 1379/16).

7.2 However, the proposal as submitted is not expected to have any significant impacts on the integrity of the habitats, species, and the Natura 2000 sites as a whole. Thus, no further assessment as per Regulation 19 of S.L. 549.44 is considered necessary.

Screening Disclaimer

The above screening results, the ensuing conclusions and recommendations are without prejudice to any required changes or updates should the development proposal be eventually modified or should the information/assumptions provided turn out to be incorrect. Any deviations of the proposal from this submission would need to be re-assessed and the merits of this screening would need to be re-opened.