



Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:
NP0080/20

Approved documents
NP0080/20/1B/1C

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549), hereby authorises:

Prof. Aaron Micallef obo Department of Geosciences (hereinafter “the Permit Holder”), Of / Whose Registered Office (or principal place of business) is at

University of Malta
Msida MSD2080

to carry out a Marine Survey at

North Eastern Marine Protected Area of the Maltese Islands

The validity of this permit is **up to 30th June 2020**. An application for renewal of this permit is to be submitted at least **one (1) month** prior to expiry of this permit.

Signed	Date
<p style="text-align: center;">Anthony Aquilina Unit Manager (Permitting) F/ Director Environment and Resources</p>	<p style="text-align: center;">Permit Granted: 10/03/ 2020</p>

Authorised to sign on behalf of the Competent Authority

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Conditions

Introductory Note

The permit is granted in accordance with the provisions of the Environment Protection Act and Regulation 18(2) of the Flora, Fauna and Natural Habitats Protection Regulations, 2006 (S.L. 549.44), hereinafter referred to as the Regulations, for the purpose of the activities that shall be carried out within the Marine Protected Area (MPA) of Żona fil-Baħar bejn il-Ponta ta' San Dimitri (Għawdex) u Il-Qaliet (MT0000105); Żona fil-Baħar madwar Għawdex (MT0000112); Żona fil-Baħar fil-Lvant (MT0000108).

The activity shall, subject to the conditions of this Permit, be managed, controlled and carried out as described in the NP Application, approved documents, and/or as otherwise previously agreed in writing by the Authority.

Status Log

Detail	Date
<i>Application NP0080/20</i>	12/02/2020
<i>Permit Issued</i>	10/03/2020

Pre-Commencement of activities/ work

1. The permit holder shall advise of the dates of works at least two (2) days prior to the commencement on ced.nature@era.org.mt. In the case of change of date, the permit holder is to inform ERA of such a change at least two (2) days in advance. In the case of short-term cancellation of the activity (especially outside office hours), the Authority should be contacted on 9921 0404.

Permitted Activities

2. The Permit Holder is authorised to carry out the activities and the associated activities specified in Table 1

Activity	Description of specified activity	Limits of specified activity
Marine Survey	Marine Survey as per approved document NP0080/20/1B	(i) Marine Survey to take place between the dates of 11/05/2020 and 15/05/2020.

Site

3. The activities authorised under condition 2 shall be affected in the locations as marked on the approved site plan NP0080/20/1C.

Conditions of Activity/Work

4. Activities are to be held according to the approved Project Description Statement NP0080/20/1B.
5. The permit holder shall ensure that disturbance of any specimen of any species should be kept to a minimum. It is the responsibility of the permit holder to ensure that no harm is caused to the environment either intentionally or accidentally. Attention must also be

afforded to the whole environment in view of the protection status of the area, and to other important natural areas.

6. Care must be taken to minimize and prevent any risk of injury and disturbance to marine fauna during the survey. For this purpose, the permit holder should access the ACCOBAMS guidelines for seismic surveys through http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP4_Res.4.17.pdf.

Should any cetaceans be observed in the vicinity, the use of the ROV and the water sampler should be immediately stopped.

7. Should any injured protected species such as cetaceans and turtles be encountered while performing the survey, ERA and Nature Trust are to be informed on ced.nature@era.org.mt and info@naturetrustmalta.org respectively, or in the case of out of office hours ERA can be contacted on 9921 0404 and Nature Trust on 99999505.
8. The permit holder is to ensure that any instruments are deployed only on sand and shall avoid any other habitats or species in order to prevent any damage to sensitive habitats.
9. The vessel is not permitted to anchor except in the event of an emergency. In that eventuality no anchoring shall take place on *Posidonia oceanica* meadows but only on bare sand.
10. Rubbish disposal facilities shall be provided by the organisers and any waste generated during the activity is to be collected immediately and disposed of accordingly in accordance with the Waste Management (Activity Registration) Regulations 2007 (S.L. 549.45) and the Waste Regulations, 2011, (S.L. 549.63), including where necessary through the Consignment Permit procedure.
11. No lighting is to be directed outwards of the vessel between sunset and sunrise, except that essential for navigational safety.
12. The activity is to take place between sunrise and sunset.

General Conditions

13. The 'Permit Holder', is responsible to ensure that all reasonable precautions are taken so that the activity conforms to the conditions in this Permit and the procedures outlined within the Permit application.
14. The activities covered by this permit are restricted to the permit holder, employees and/or volunteers and contracted parties commissioned for such activities/works under his supervision and direction, who shall all be made aware of this permit and the contents within.
15. The Permit holder is not exempt from any other legislation or regulations, codes of practice, conditions or requirements imposed by any other competent authorities, including the obtaining of permits, licenses, or clearances to undertake works authorised by this permit, including from site owners.
16. The following activities are strictly prohibited:

- a. the deliberate picking, collection, taking, cutting, uprooting, harming, destroying or damaging deliberately destroying, keeping, transporting, selling, buying exchanging, offering for sale or for exchange, importing or exporting in any way of any specimen of wild flora;
 - b. the deliberate hunting, killing, capturing, taking, harming, disturbance particularly during periods of breeding, rearing, hibernation and migration, destruction and deterioration of breeding sites or resting places, pursuing, taking or attempting to take, deliberately killing or attempting to kill, deliberately destroying, keeping, transporting, selling, buying exchanging, offering for sale or for exchange, importing or exporting any specimen of any specimen of wild fauna;
 - c. cutting or damaging of reeds, tree branches etc;
 - d. planting of vegetation, shrubs and/or trees or the introduction of any flora or fauna into the site or its environs;
 - e. introduction, removal, significant movement and re-engineering, and/or collection of sand, shingle, stone, soil and/or sediment;
 - f. excavation works and any physical modification of the vegetation cover, the ground and landform of the site and its surroundings;
 - g. generation of excessive noise, including extremely loud music or the use of noisy generators, or light pollution through the use of floodlights;
 - h. disposal, discharge or spillage of oil, fuel, paint or other pollutants, or of solid waste, ash or combustibles;
 - i. lighting of fires.
17. ERA may request updates and/or further information on the activity in question as deemed necessary
18. The conditions imposed shall be adhered to throughout all the activities. Failure to do so may result in enforcement action and cessation of any related works or activities.
19. The Authority may add, amend, suspend or revoke this permit or part of this permit in cases of fraud, where public safety or significant environmental damage or risk is concerned, where there is an error on the face of the record or where there is a breach of one or more permit conditions after a written warning is given by the Authority or in any eventuality that gives the Authority enough reason to suspend or revoke this permit.
20. The Permit Holder may apply for a variation of the permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
- a. Written notice of the details of the proposed change, including an assessment of its possible effects or risks to the environment from the approved activity;
 - b. Any relevant supporting information;
 - c. Any relevant supporting assessments and drawings, and;
 - d. The proposed implementation date.

Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

21. In accordance with Regulation 46(4) of S.L. 549.44, a brief report with photos of the activities held, including any publications as a result of the activity, is to be provided to ERA by the Permit Holder within one month of the expiry of the permit, and is to be submitted to nature.permitting@era.org.mt. Information that should be treated as confidential as outlined in Regulation 48(4) of S.L. 549.44 shall be specified.

A template for the report is available at <http://era.org.mt/en/Documents/Activity%20Report%20template.doc>.

22. Any accidental handling, capture or collective of specimens or part thereof, whether dead or alive, of species listed within Schedule V and VI, and endemic species not listed in Schedule X of the Regulations shall be reported on nature.permitting@era.org.mt within seven (7) days of sampling/ identification of the specimen. Additional information on authorisations, keeping of such specimens or samples may be requested from the permit holder.
23. The Authority may add, amend, delete or substitute any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This is without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
24. The Authority may suspend or revoke this environmental permit in line with the provisions of CAP 549.
25. The Permit Holder shall notify the following matters to the Authority in writing at least 10 working days prior to their occurrence:
 - a. Any change in the Permit Holder's trading name, registered name or registered office address;
 - b. Any change to particulars of the Permit Holder's corporate identity.
26. Upon the joint application of a Permit Holder and a proposed transferee, the Authority may transfer the nature permit to the proposed transferee. The transfer of the permit will not relieve any of the Permit Holders from their environmental obligations and liabilities.
27. In accordance with Regulation 47 of S.L. 549.44, details of the Permit Holder together with the details of conditions imposed in this Permit shall be maintained by the Authority in a register available for public inspection or maintained in electronic form.
28. ERA may inspect and monitor the activity at the expense of the Permit holder at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate to ensure the safeguarding of the natural assets. ERA may also appoint other on-site monitors at the expense of the Permit Holder to act as an on-site liaison between the Permit Holder and ERA if the case arises.
29. The Authority's representatives may inspect and photograph any part of the site/ activity and ask for any closed or locked areas to be opened and may demand to be provided with any proof, documentation, plans, receipts or any other records.
30. This Permit including any Variation Notices or amendments to it shall be made available for any inspection by ERA officials at all times, or any legally recognised compliance and enforcement officials, when requested.
31. Whenever there is a conflict between the conditions of this permit and approved documents, the conditions of the permit shall prevail.
32. ERA shall not be held liable for any accidents or injuries which may occur during the activities being permitted through this Permit. It is the responsibility of the Permit Holder to ensure that all safety measures are taken.
33. This permit is without prejudice to any liability of the permit holder under the Act and to any punitive measures the Authority may wish to take with respect to works already carried out without permit.

34. The validity of this permit is **for a year from the granting date** of this permit. The Permit Holder may apply for a renewal to this permit expressing his/her intention at least four (4) weeks prior to the expiry of this permit. Request for renewals shall only be considered upon confirmation of compliance with permit conditions and fulfilment of documentation as requested by this permit.
35. Any aggrieved person may appeal from this decision before the Environment and Review Tribunal within 30 days in terms of Article 63 of the Environment Protection Act.

**ATTACHMENT 2
PROJECT DESCRIPTION**

1. AIM OF PROJECT

The aim of the project is to acquire water column samples to investigate a freshwater seepage offshore Malta.

2. JUSTIFICATION OF PROJECT

This survey forms part of a larger scientific project called SMART (www.smart.geomar.de), which aims to develop a best practice guide to examine if and how offshore groundwater may be used sustainably to relieve water scarcity for coastal communities around the world.

This survey will allow us to identify and map the distribution of any freshwater seepage offshore NE Malta, and to explain its origin.

3. BRIEF PROJECT OUTLINE

The project will entail the collection of water column samples using samplers mounted on a Remotely Operated Vehicle and Niskin bottles.

4. DATE AND DURATION OF THE PROJECT

The estimated duration of the survey is three days between the 11th and 15th May 2020.

5. GEOGRAPHIC AREA OF ACTIVITY

Offshore eastern Malta (see Attachment 1).

6. PERSONS INVOLVED

1 master, 1 crew, 2 scientists

7. ACCESS TO SITE

The study area will be accessed and surveyed using the Mare Rosa vessel, which will be berthed at Marfa.

8. DESCRIPTION OF THE METHOD

Types of samples and measurements:	Methods to be used:	Instruments to be used:
Water column samples	Remotely Operated Vehicle	Seaeye Falcon
Water column samples	Niskin bottle sampling	5 litre Niskin water sampler

9. SAFETY EQUIPMENT

The vessel is equipped with all safety equipment required to carry out a marine survey.

Plot

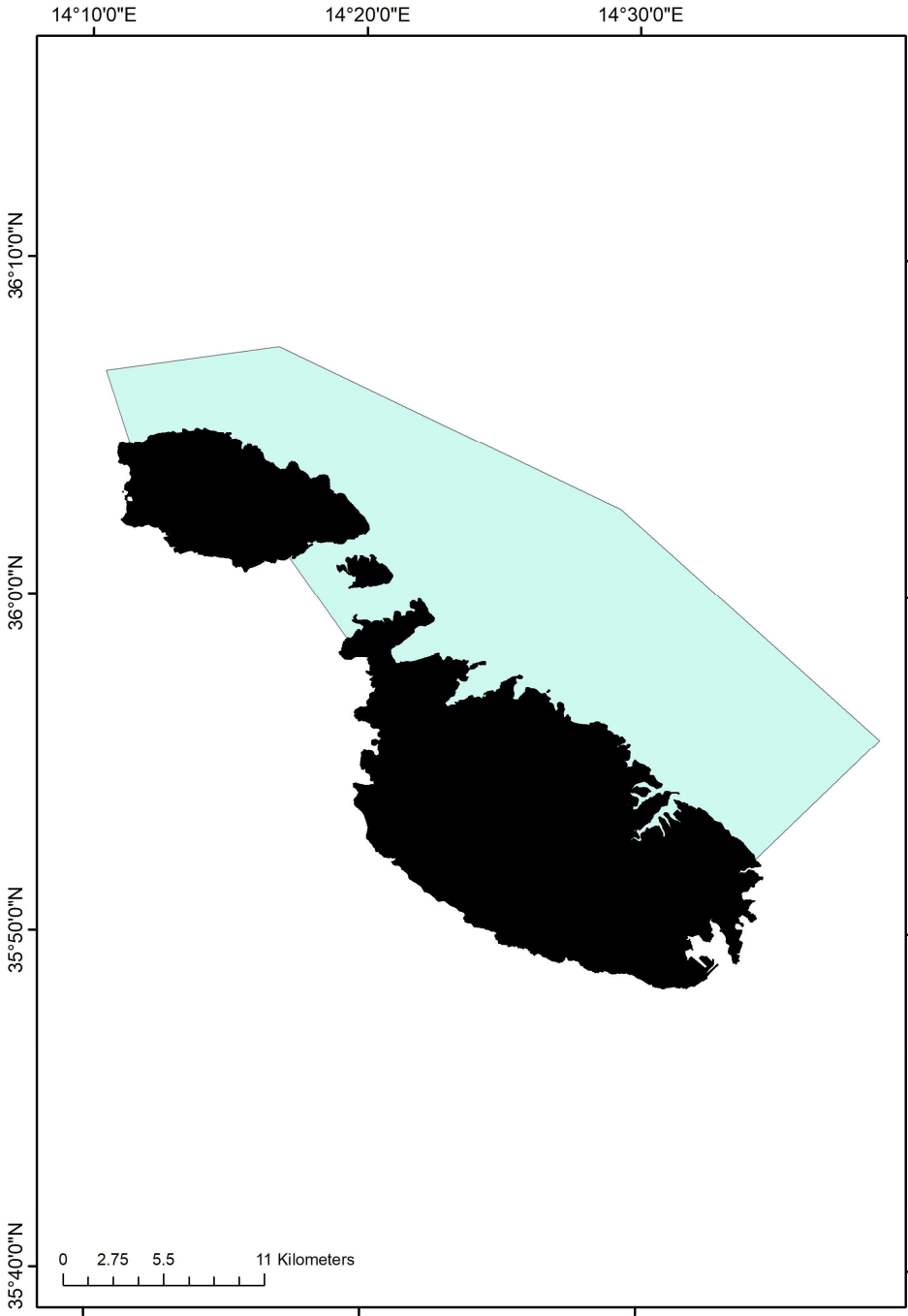


Figure 1: Study area for water column sampling.