

## ERA comments on the Strategic Environmental Assessment (SEA) Scoping Report for Malta's Third River Basin Management Plan (3<sup>rd</sup> RBMP)

25<sup>th</sup> September 2024

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- 1.1 ERA welcomes the consultation on the initial SEA scoping report for the 3<sup>rd</sup> RBMP and looks forward to being consulted on the draft plan and its Environment Report.
- 1.2 The draft measures (PaMs) of the 3<sup>rd</sup> RBMP should be provided for review together with the Environment Report.

### Table 1: The Relevant Environmental Themes, Criteria and Indicators

- 1.3 In addition to the proposals in Table 1, it is recommended that the following are also taken into consideration in the Environment Report, as follows:
- Water quality theme: The assessment in the Environment Report should be extended to also cover MSFD objectives and parameters as relevant.
  - Landscape theme: The assessment should also consider impacts on land, including land take-up and land degradation.
  - Marine, Coastal... Biodiversity theme: The impact assessment on water and terrestrial biodiversity should also include impacts on the seabed, as well as impacts on flora and fauna and their habitats, whether protected or otherwise.
  - Agriculture & Soil theme: It is recommended that the department responsible for agriculture is also consulted vis-à-vis data sources on soil erosion.
  - It is suggested that the Planning Authority is also consulted on data sources for the following themes: hydromorphology (flood risk); landscape and land; and land- and sea-uses.

### Section 5.1.2: SEA Alternatives

- 1.4 The scoping report highlights that the measures of the 3<sup>rd</sup> RBMP were weighted according to the five Key Factors in Table 2 (see below) as part of the RBMP process. These Key Factors are not the same environmental factors that need studying in the SEA as per Schedule I of S.L. 549.61 (Strategic Environmental Assessment Regulations).

KEY FACTOR	WEIGHTING
Key Factor 1: Significant Water Management Issues	2
Key Factor 2: Cost Effectiveness	3
Key Factor 3: Resource Benefits	1
Key Factor 4: Climate Change	1
Key Factor 5: Likelihood that effects will materialise	3
Total Weighting	10

Source: Table 2, Initial scoping report for the 3<sup>rd</sup> RBMP

- 1.5 Key Factor 5 “was deemed the most appropriate classification with regards to the SEA assessment process”, but no further information was provided about the used criteria and the assigned scoring/weighting. More specifically, for the assessment of alternatives, the scoping report proposes that only the following will be studied:
- Do-nothing scenario: No implementation of the RBMP measures.
  - Medium case scenario: Implementation of measures assigned a Key Factor 5 score of 2 & 3 only.
  - Best case scenario: Implementation of measures assigned a Key Factor 5 score of 0, 1, 2 & 3.
- 1.6 The SEA study should not be influenced by the above-mentioned weighting and scoring, as this is not based on the assessment of impacts in line with S.L. 549.61<sup>1</sup>. It is recommended that the Environment Report should assess all proposed measures in the 3rd RBMP, including in the assessment of alternatives, irrespective of the weighting and scoring in Table 2. This should include a qualitative assessment of environmental impacts. The environmental justification behind the selection of a particular alternative is to be clearly explained in the Environment Report.

Section 5.1.3: Stakeholders

- 1.7 ERA is to be included in the list of designated authorities to be consulted, as per Regulation 7(3) of S.L. 549.61 (Strategic Environmental Assessment Regulations).

Section 5.2.2: Methodology

- 1.8 The Environment Report should consider the relationship between the 3<sup>rd</sup> RBMP and other relevant environmental plans and programmes. ERA’s relevant environmental plans and programmes are available from the following links:
- <https://era.org.mt/legislation-policy/>; and
  - <https://era.org.mt/era-topic-categories/my-environment/>
- 1.9 Suitable pre-emptive and mitigatory measures are to be considered after the assessment of environmental impacts. The Environment Report needs to describe how the foreseen impacts will be avoided or reduced through the proposed measures and whether any residual impacts will remain. The SEA is to evaluate whether the policy measures are expected to be effective or whether the residual impact would remain significant.

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<sup>1</sup> Strategic Environmental Assessment Regulations.