Comments on the 1st draft of the Environmental Impact Statement

PA/04906/10 (GF 117/10)
To demolish existing touristic complex, clear site, cut/fill, and construct tourist complex as per development brief for area, at Ħal-Ferħ, Golden Bay, Mellieħa

02 November 2011

MEPA Comments | General

Reference	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
General Comment (1)	The EIA Coordinator is to confirm whether the plans/design details of the proposed development submitted in the EIS are in line with the latest plans/submissions provided to MEPA by the project architect.	This EIA Coordinator confirms that the drawings presented in the first draft of the EIS are the same as the ones which have been presented to the MEPA for processing.	Noted.	
General Comment (2)	MEPA has also reviewed PA 123/02 *Amendments to the approved camp site layout and regularizing part of the site as developed-same land uses are being retained and removal of caravan site,* partly located within the site in question. In particular, MEPA has noted that the car park area should not be asphalted but constructed of permeable material (such as compacted scree or equipped with a gutter system to collect and channel runoff) to prevent excessive runoff generation out of the site. The plans of the proposals should reflect such requirements.	The page in the MEPA e-Applications portal in which details about application PA/00123/02 are presented, states that the processing of the application has not started yet. There is no documentation in above-mentioned page regarding the position of the MEPA with respect to the surfacing of the car park area. However, the 'Plan Layout' drawing (no: ISC-1630 Rev 31) pertaining to application PA/0123/02 contains a label referring to the proposed car park which states: "Carpark surface with scarified material to allow water percolation" Had application PA/00123/02 been processed, the *National Commission for Persons with Disability* (KNPD) would have objected to the proposed surfacing under section 5.3.5 of the *Design Guidelines: Access for All* (2000 edition), which states that surface of a car park "… should be smooth and even and free from loose stones." The surfacing guidelines in the current *Access for All: Design Guidelines* (2005) state that > The material used for outdoor areas and pavements should be such that they provide a smooth and level surface. Asphalt (drainage asphalt on pavement provides effective drainage) is a suitable material. Prefabricated concrete products such as paving slabs and paving blocks are also suitable. Hewn stone or other materials with many gaps are unsuitable as paving materials. Gravel and loose material is also considered unsuitable indicates that the application was not processed. (section 2.1.2 on page 25) The parking guidelines in the same document state: > Designated parking spaces should be located on firm and level ground… (section 2.3.3 on page 30) In addition to the above, the use of loose (i.e. scarified) material for the surfacing car parks, which in Malta would be hardstone gravel (i.e. *żrar tal-qawwi*), is bound to result in, 1. the generation of substantial amounts of dust during the dry seasons, 2. muddy and difficult-to-walk-on surfaces and puddles during and following rainy days, continued in next row	(1) Within the submitted response, the arguments are noted. (2) The EIA Coordinator may wish to check with physical planning file as regards to the status of the application PA 123/02. The coordinator may wish to note that in these plans, and bring this to the attention of the architect, that part of the site recommended for a car park is recommended for structures as part of the camp site. In this respect, MEPA recommends a holistic meeting between architects, EIA Coordinator and MEPA officers on both cases to discuss the matter holistically and agree on a mutual way forward.	A meeting as indicated by the reviewer is being set up. **MEPA Comments 02/11/11** Noted.

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		3. the absence of road markings which make it difficult for the car parks to be managed/used efficiently' 4. uneven surfaces, and 5. shabby-looking car parks resulting from the above-mentioned uneven surfacing and dark stains on light-coloured surfaces resulting from oil leakages from parked cars. It should be noted that the existing ground conditions in the Scouts' Site will require the construction of a relatively strong pavement structure. For road engineers, the term 'pavement structure' does not refer to a 'sidewalk' or 'footway' (as a layperson may assume), but to the actual structure that supports and incorporates the surface meant to carry vehicular or foot traffic (i.e. the pavement). The type of pavement structure constructed in Malta would be composed of different layers (referred to as 'courses') called 'the sub-base',' base course', 'intermediate course', 'surface course'. Where considered necessary, a 'friction course' may be added. The stability, safety, and durability of pavements (i.e. the surfaces of roads and car parks) required the integration of efficient drainage and structural systems. This is standard practice in the design and construction by Transport Malta of roads in Malta. There is no reason for anyone to suppose that the proposed Scouts' Car Park and the upgrading of the road network within the Ħal Ferħ area and the construction of the new roundabout at Triq Għajn Tuffieħa j/w Triq San Pawl il-Baħar (as submitted in the TIS and approved by Transport Malta), will be exceptions. One should note that the design of suitably drained pavements does not necessarily mean the use of loose material for surfacing, as is declared in the above-mentioned drawing ISC-1630 Rev 31. As is correctly noted by the Reviewer, a good drainage system could involve the installation of 'gutter systems'. In the case of the Scouts' Car Park, such as system could be connected with the drainage system that Transport Malta will make use of in the construction of the above-mentioned road network and junction modifications submitted in the TIS (and approved by the same Transport Malta). continued in next row	Statement from EIA Coordinator is being agreed to as gravel should be avoided, even for environmental reasons. Apart from the issues raised by consultant, unconsolidated gravel (and associated stone dust) also introduces overspill-related impacts. A better alternative would be grass blocks or similar. Agreed Proposal is being agreed to	The grass bock would still result in a shabby looking car park as a result of staining by leaked oil. The attention of the reviewer is also drawn to the possibility of problems that may be caused by larger spillages/leakages of oils on porous surfaces. It appears that the better option would be the integration of the runoff managment systems of the car park and the road to be integrated. Furthermore, the grass block would be inconvenient for certain types of shoes in cases when users of the car park attend special events requiring them to wear formal suites, dresses, and so on **MEPA Comments 02/11/11** Noted.

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		continued from previous row This being said, one could take into consideration the fact that in cases of pavement structures for relatively low-volume use, such as car parks, it is possible for porous/permeable systems to designed/constructed, in which the surfacing is not loose. This would involve, among other things, the construction of porous asphalt surfaces. Such surfaces would be acceptable to the KNPD and do not generate dust. If constructed to the appropriate standards, they will be even and will not lead to the formation of puddles during rainy periods. Asphalt surfaces would also make possible the painting of road markings. Finally, the dark colours of such surfaces would camouflage stains caused by leaking oils. The issues discussed above would have to be discussed in detail with Transport Malta, which shall be responsible for the detailed design and construction of the upgraded road network and the new roundabout at Triq Għajn Tuffieħa j/w Triq San Pawl il-Baħar. Ultimately, the Scouts' Car Park is a de facto extension of the Għajn Tuffieħa area road network and the two should, in the view of this EIA Coordinator, be integrated seamlessly. To date however, only the geometric features of the Għajn Tuffieħa transport infrastructure have been thought about in depth, in the TIS, and approved by Transport Malta. In other words, Transport Malta is at this stage satisfied that the geometric features proposed and evaluated in the TIS conform the corresponding capacity and safety standards as established in the *Design Manual for Roads and Bridges* (2003), to which road projects in Malta should adhere under the *New Roads and Roadworks Regulations* (Legal Notice 29 of 2010) and the *Traffic (Visibility) Ordinance* (Cap 67). The detailed designs of the structural and drainage systems have not been prepared yet. As happens in most development projects, the Project Manager plans to have the detailed designs pertaining to this project prepared after the issue of the applied-for development permission in order for the design engineers to be in a position to produce detailed designs for a concept which is approved by the MEPA. continued in next row		

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		continued from previous row In other words, it is not possible at this stage to establish the type of structural and drainage system would be adopted in the Scouts' Car Park, as this would have to be done when the detailed drawings for the Scouts' Car Park and new road infrastructure are produced. **Nota Bene** The DVDs containing the First Draft of the EIS under review in this document, which were submitted to the MEPA and consultees, also contained the two drafts of the TIS that were submitted to Transport Malta. The drawings of the road network as proposed and as evaluated in the TIS are included in Appendix Five of the first draft of the TIS. Now that the TIS has been approved by Transport Malta, the Perit has been in a position to integrate the geometric features of the proposed network in his drawings, copies of which are to be submitted to the MEPA as updates by Tuesday 27 September 2011. Copies of the said drawings are included in the following annexes to this document: Annex One: Proposed Road Network Upgrade Annex Two: Updated Master Plan Drawings		
A General Comment (3) **Gypsum waste**	Non-hazardous gypsum-based materials should be disposed of only in landfills for non-hazardous waste in cells where no biodegradable waste is accepted in accordance with section 2.2.3 laid down in Council Decision 2003/33/EC.	Noted	Noted. No further comments.	
General Comment (4) **Impacts on landscape and visual amenity**	The EIS indicated that the following viewpoints have high impact significance due to possible impacts on sensitive receptors: VP 1, VP 3, VP GB-C, VP GB-MR-A, VP GB-MR-B, VP MNKT-A. In light of the above, and given that 6 out of the 14 viewpoints assessed indicated high impact significance, namely related to short distance views, the EIA Coordinator should provide details as to whether such impact can be adequately mitigated. If there is any scope for mitigation, what are the measures being proposed to reduce such impacts?	In cases where the quality of architectural design High significance does not necessarily mean that an impact of high significance is adverse. A look at the soft landscaping proposals in the Volume Two (of the Coordinated Assessment Report) Section 2 drawings would have indicated that the street-façade of the building is meant by both the architectural designer and the landscape architect to serve as a backdrop for relatively dense groupings of trees of different heights and species. Secondly, it is stated in para 3.2.3.18 on page 233 (in Volume One of the Coordinated Assessment Report) that the photomontages do not provide a good representation of the landscaping scheme. Continued in next row	Noted.	

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		Continued from previous row This conclusion was reached after a comparison was made between the above-mentioned Volume Two Section 2 drawings and the montages. This EIA Coordinator was later informed that the montages were prepared in this manner because the Development Planning Directorate requested that the montages reveal as much as possible of the building in order for its architectural merits to be assessed more accurately. Thirdly, the comments made in Section 3.2.3 (on page 229 et seq) (in Volume One of the Coordinated Assessment Report) indicate clearly that the mitigation measures should be the denser soft landscaping. As is noted above however, there is a mis-match between the proposed landscaping scheme and its representation in the photomontages. For this reason, the mentioned 'mitigation' measures are already in place. In other words, there is nothing to add top what is already stated. **New landscaping scheme** It should at this stage be noted that in Volume One of the Coordinated Assessment Report (specifically on pages 51 to 58) reference is made to the fact that a number of species listed in the landscape architect's drawings are not listed in Appendices 3 and 6 of the Appendix 3 and 6 of the Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands. The landscape architect was therefore asked to amend his proposals. The new proposals are presented in the drawings in Annex Three to this document. The landscape architect also submitted a maintenance plan which provides a framework for the management of the landscaped areas in the proposed development. This plan includes a planting schedule, which identifies both the proposed species and the number of trees/shrubs per species. This plan is presented in Annexes Four A and Four B to this document.	Change to landscaping noted to follow quoted Guidelines. However, has the issue of external landscaping of the wall been addressed through revised through photomontages? – this requires needs further clarification.	The landscaping scheme submitted with Volume Four of the Coordinated Assessment is based on Appendices 3 and 6 of the Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands. There was never an issue regarding the landscaping of the wall, as both the first landscaping scheme and the second one (that is the one submitted with Volume Four of the Coordinated Assessment Report involve the clustering of trees of different heights and species with the external wall of the proposed hotel serving as a backdrop. As is stated in Volume One of the Coordinated Assessment Report, the photomontages in Volume Two (Section 6) of the Coordinated Assessment Report did not present a full depiction of the effect of the proposed landscaping scheme because, because, as this EIA Coordinator is informed by the Project Manager, Perit Pace was asked not to conceal the hotel building in his renders in order to enable the proper assessment of the architectural design of the hotel by officials of the Development Planning Directorate. **MEPA Comments 02/11/11** Noted.

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General Comment (5) **Noise**	One of MEPA's concern vis-à-vis the proposed development is that this will lead to increased noise levels and thus negatively affect the noise climate of the area. What mitigation measures are being proposed to mitigate noise impacts?	It is evident throughout the EIS that noise is going to be the least contentious of issues that are connected with the proposed development. The following are some arguments supporting this statement: 1. The proposed Scouts' Car Park is designed to provide parking facilities for 330 cars when the current official and unofficial car parks have a potential capacity of more than 800. The proposed Scouts' Car Park will therefore be providing circa 40% of the current supply. This means a reduction in peak-season traffic flows of circa 60%, which should be expected to result in a reduction in traffic-generated noise. 2. The removal of Triq in-Naħħalija from the network and the shifting of the traffic passing through this road to a widened Triq il-Manikata will also result in noise reduction given that the Triq il-Manikata side of the Ħal Ferħ hotel shall be densely landscaped, and parts of the eastern side of the road are also densely planted. The Reviewer is referred to the landscape architect's drawings in Volume Two (of the Coordinated Assessment Report) Section 2 and replacements in Annex Three to this document (see the section entitled *New landscaping scheme* on page 6). 3. On the basis of comparisons made with the Mellieħa Holiday Centre (Danish Village), the TIS assumes that the hotel will generate circa 80 trips during the high-season park hour (in mid-August). It is a well-known fact that tourists do not generate substantial amounts of traffic in Malta. This is why in 2001 the then Planning Authority reduced the number of spaces for tourists' cars that have to be allocated in hotel car parks under the 1993 *Interim Car Parking Standards*. The reader is referred to Circulars to Architects PA3/93 and PA2/01. 4. The complex is designed in a manner that entices guests to spend as much time as possible within the hotel grounds. This indicates that the 80 cars-per-peak-hour assumption may be on the high side. Continued in next row	Noted. Noted.	

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		Continued from previous row 5. The building services engineers (Camilleri & Cuschieri) reiterate that most of the main items of plant and equipment would be located at basement level. Main plant include the following: • Main Boilers • Standby generators • Pool filtration equipment • RO plant • Sewage treatment plant • Pump rooms In view of the fact that this plant shall be located below ground, it is submitted that there shall be no noise impact from this plant 6. The air-conditioning systems shall be of the VRF inverter type, which inherently have very low noise signatures. It is envisaged that these shall be located in acoustically treated enclosures on the perimeter of the building. These enclosures shall in general be located in areas where the development is recessed inwards from the roads and which shall be screened from roads by trees and other vegetation. 7. All loading and unloading of supplies and of wastes shall also be taking place in a chamber at basement level. Indeed, the basement level shall be 5m high in order for sufficient headroom to be provided for large vehicles. Noise which is normally associated with loading and unloading will be contained within the basement. 8. As for construction noise, the Sites shall not be different to other construction sites. If appropriate precautions, are taken noise generation should not be above that of any other construction site in Malta (irrespective of location). One should note that the Applicant will be investing more than €70 million in the proposed 5-star Ħal Ferħ hotel and happens to be the owner/operator of the neighbouring Radisson Blu hotel (which is also a 5-star facility). Can one seriously expect the Applicant to risk investing substantial funds in a venture which will repel high-spending tourists from the two facilities under his ownership? Continued in next row		

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		Continued from previous row It is well known in Malta that the main source of noise in the Għajn Tuffieħa area is the behaviour of participants in late-night beach parties, barbeques, and so on. The guests at the proposed Ħal Ferħ hotel are not expected and will not be encouraged to participate in such parties. Noise minimisation in the Għajn Tuffieħa area is a priority for the Applicant because, like the Radission Blu, the proposed Ħal Ferħ hotel will be marketed as a facility where one can relax in a tranquil environment. Ultimately it will be up to the authorities to ensure that visitors to the Għajn Tuffieħa area are discouraged from being noisy.		
General Comment (6) – Operational Permit	It is to be noted that prior to the issue of the development permit; operator is to apply for an Environmental Permit Application.	Point noted and the Applicant is informed.	No further comments.	
General Comment (7) Cultural Heritage	Comments with respect to the cultural heritage aspect of the site are as follows:			
	1) Salvage In Para. 1.4.3.7, the report states that metals (including steel, aluminium and copper) will be removed prior to demolition and sold/exported for scrap. The heritage report submitted by the applicant through the planning process states that all architectural elements and fixtures (including cast iron pipe work, apertures, handrails, drainage fittings, chimneys, cooking stoves, fire places, lighting fixtures and fittings) will be salvaged for reuse in the restoration of other sites. This is a highly commendable exercise especially if one takes into consideration that the upper camp will be restored and this material may be used during its restoration. In this respect, applicant is to state which elements are to be scrapped. Moreover, applicant must ensure that items of cultural heritage value as listed in the heritage report are to be salvaged and reused.	Marlene Borg has been commissioned by the Applicant to carry out a detailed survey through which will identify the artefacts that can be salvaged. This survey is currently under way.	Noted.	Marlene Borg has completed the survey. The results will be submitted to the MEPA within a few days. **MEPA Comments 02/11/11** Noted.

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	2) Ashlar Blocks The EIS also illustrates the presence of some ashlar blocks (TFH 11/19) that will be demolished due to road widening/creation of pavement. However, these blocks have not been clearly assessed and no cultural heritage value has been assigned. In this respect, the EIS is to ascertain its value. Once the value is established, one can assess the impacts of the development on this feature.	When Marlene Borg carried out their survey they noted that the ashlar blocks in question were overgrown with prickly pear so no pottery scatters could be noticed that would enable a more detailed assessment of these blocks. A proper assessment would need an archaeological excavation which was not the scope of their report. If one compares the map in Figure 2-28 (on page 181) in Volume One of the Coordinated Assessment Report and the road layout drawings in Appendix Five of the TIS and in Annex One to this document, one would not that this feature will not be affected by the proposed development.	With respect to the ashlar blocks, MEPA notes that there is a discrepancy in the location of this feature if one compares the location of the ashlar blocks as illustrated in Annex 1 of Vol. 4 of Coordinated Assessment Report Comments and Responses, and the location illustrated in the Data Capture Sheet TFH11/019 (by ASC). In this respect, one cannot ascertain with a high degree of certainty whether this feature will be impacted or not. Moreover, this feature, as rightly indicated by the EIA Coordinator has not been adequately assessed and thus impacts can still be considered to be of an uncertain nature, and therefore needs to be addressed further in the EIS.	This EIA Coordinator has rechecked the location in the Catalogue and confirms that the new road layout will not be impacting on the blocks at all, because the part of the upgraded Triq il-Manikata south of the Chapel area will have to be shifted westwards in order to ensure the attainment of a 30+m inner radius for the curve linking Triq il-Manikata to the proposed roundabout. In the event that the proposed road layout is implemented, the distance between the ashlar blocks and the road will circa 6m, which is substantially more than the current distance. **MEPA Comments 02/11/11** Noted.
	3) Sewage Treatment Plant (STP) The proposal also includes the construction of a sewage treatment plant behind the Chapel at the lower camp. The Chapel is the only structure within the lower camp area that will be retained. Moreover, the chapel is being proposed for scheduling. This development (STP) may pose the risk of structural damage to the cultural heritage asset. One should explore alternative siting.	The location of the STP was not selected arbitrarily. Indeed, the most cost-effective location would have been closer to the residential area of the complex, but this was not possible. The building services engineers note that the STP will be placed below ground in the area which is currently occupied by a paddock (refer to drawing no: 10.035.086D in Annex Five). The roof used will be used for mixed activities as is shown in the Landscape Mater Plan Chapel and Stables drawing (no: 0400-P0959-Rev02) in Annex Three to this document. In other words, no visual impacts whatsoever will result from the location STP. Though one cannot disregard the risk of structural damage to the Chapel, the structural engineering knowhow available for this project should be more than sufficient to ensure that no such damage is caused during the construction works	Noted. The statement by the EIA Coordinator referring to structure damage is not considered as being sufficiently reassuring. Pre-emptive/mitigatory measures in this regard need to be identified more clearly.	The Reviewer is correct in stating that pre-emptive measures need to be well planned and designed. The calculations, specification writing, and drawings required for the execution of such measures would form part of the detailed contract and construction documents for the whole project, which are normally prepared after permissions are issued. As such calculations, specifications, and drawings are expensive to produce, developers, Periti, and Inġiniera prepare them after the issue of development permissions in order to make sure that they are based on the approved concept. This EIA Coordinator suggests that the EPD highlight the structural-stability issue in their report in order for the Development Planning Directorate to flag this issue up in their submission to the Board of the MEPA in order for the Board to establish that this issue is listed as a reserved matter in the event that they approve the development application in question. In other words, the corresponding construction drawings and method statement would have to be approved by the MEPA before being delivered to the contractor. **MEPA Comments 02/11/11** Noted.
	4) Monitoring Due to the possibility of the presence of unknown archaeological features, should the proposal be considered favourably, all works are to be monitored. The SCH are to monitor all the works.	Point noted and the Applicant is informed.	Noted.	

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General Comment (8) Reinstatement of water course (Paras. 1.2.2.61, 1.3.2.77, 1.3.2.78, 1.3.2.79 and Sheet D refer)	1. In view of the fact that the Hal Ferħ Development Brief makes specific reference to the 'reinstatement of the small watercourse that used to traverse the site from the south-east to the north-west, where it drained into the sea at Golden Bay, but has been interrupted by the developments on site', and given the applicant's commitment to restore this, further details are required vis-à-vis the methodology that shall be utilized to carry out such reinstatement.	The building services engineers have submitted the following statement regarding the reinstatement of the watercourse **Existing storm water measures** Water descending from the Mġarr side of the Għajn Tuffieħa area is free to cross Triq Għajn Tuffieħa and fall into the fields located to the east of the Ħal Ferħ Site. The water flowing down the valley and through the fields passes through a coarse screen and is collected in a chamber located the Chapel/Stables area (of the Ħal Ferħ Site). This screen is currently blocked as may be seen from the image below:	It seems that the question is not being answered completely. The answer provided by the EIA Coordinator mainly addresses stormwater management, whereas the "reinstatement of the watercourse" also refers to the landform (i.e. the watercourse as a surface physical feature).	Section 5.25 (on pages 22 and 23) of the Development Brief states: It is essential to achieve a satisfactory solution to the channelling of surface water through the site to prevent localised flooding. At the two points where the previously existing watercourse crosses the roads abutting the site, water would need to be channelled through underground ducts. Moreover, it would be desirable to channel the water through the site above ground, using the former watercourse route as indicated on Map 4. The parts of the site separated by the new channel may need to be connected by small bridges. The watercourse could be integrated as a special feature into the overall site layout and landscaping scheme. One desirable option would be the creation of a channel with a permeable bed and permeable but stabilised banks, lined with trees (using species that grow further downstream). In the Brief, the creation in the proposed Ħal Ferħ hotel, of a surface water course which reminds the observer of the presence of a natural water course before the construction of the Lower Camp is referred to as a 'desirable' feature in the landscaping scheme of the development, rather than a must. This EIA Coordinator tends to agree with use of an indicative-but-not-binding statement by the author of the Brief, as such a statement provided the landscape architect with a strategic direction regarding the approach to landscape design without stifling his creativity. Indeed, the landscape architect has responded by designing a lush natural-looking layout using a combination of clusters of trees and shrubs and a range water features. The real solution to the run-off management system however needs more than a romantic landscaping scheme; underground engineering interventions are required in order to ensure that the current hydrological balance in the area is retained. **MEPA Comments 02/11/11** Noted.

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		The water then flows through an underground canal, beneath Triq il-Manikata and beneath the Ħal Ferħ Site into an interception chamber on the West side of the Site. On the way, there is a small grating to collect water from within the Site itself (see drawing no 10.035.110 in Annex Five). The interception chamber has an inlet from the collection chamber, an outlet into Triq in-Naħħalija and an outlet into a reservoir in the Site. The water can be diverted either straight out into Triq in-Naħħalija or into the reservoir by means of a steel plate which can be lowered or raised inside the collection chamber. When the reservoir is full, the runoff overflows into Triq in-Naħħalija. The engineers note that the amount of water that was actually collected in the reservoir was not substantial and that the quality of this water could not be guaranteed since the operators of the site had no control of the water upstream from their property. It has for long been well-known, and is now confirmed in the *Draft Water Catchment Management Plan for the Maltese Islands - Final Draft*, that the quality of the waters at Wied tal-Pwales and Wied ta' Għajn Tuffieħa are highly contaminated with nitrates. This problem is going to be addressed under the same plan and through the *Nitrates Action Programme* of the Department of Agriculture. Part of the water flowing on the surface downhill from the Mġarr side of the Għajn Tuffieħa area traverses the Site from East to West along the diagonal internal road and exits into the West road from a number of openings in the boundary wall. Continued in next row		

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		Continued from previous row The engineers note that the runoff from the Mġarr side and the water from Wied tal-Pwales that is not intercepted as indicated above finds its way to the Golden Sands beach (Ir-Ramla tal-Mixquqa) through the road network with some large puddles being left on the north-east side of the Ħal Ferħ Site, i.e. the area which is currently used as an unofficial car park. **Proposed new system** The engineers propose the following: The existing interception chamber by the Chapel/Stables area (of the Ħal Ferħ Site) should be retained and rehabilitated as follows: • enlarge the surface area of the screen in order to minimise blockages; • construct a new silt trap in order to contain any heavy material and small stones. This shall prevent the culvert from blocking and reduce the frequency intervals of cleaning of the culvert. From this point onwards a new culvert/series-of-pipes would be installed, essentially following the same route of the existing culvert in order for the runoff to discharged into Triq in-Naħħalija in the same location where outflows from the Ħal Ferħ Site currently occur. Any additional water flowing from the Mġarr side would also collected into this culvert via a number of gratings complete with silt traps. This is envisaged to reduce the water flowing down Triq il-Manikata and entering the Site and flooding in the northern part of the proposed Ħal Ferħ hotel. The engineers also propose the construction of a shallow open channel by the side of the road defining the northern boundary of the Ħal Ferħ Site, which would control any surface water coming down from the Manikata area. Water would be diverted into this open channel by the camber in the road (see drawing no 10.035.111 in Annex Five). Most of the rain falling on the Site shall be collected and used to augment the second class water being produced by the STP. Continued in next row		

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		Continued from previous row **Summary** 1. The volume of water which is currently collected by the interception chamber located by the Chapel/Stables area and diverted to Triq in-Naħħalija shall remain unchanged. 2. The location of the above-mentioned interception chamber shall remain unchanged. 3. The location of the exit point in Triq in-Naħħalija shall remain virtually unchanged. 4. The volume of water traversing the property shall remain unchanged. It shall merely be passed through a new culvert/system-of-pipes. 5. The resultant volume of water in Triq in-Naħħalija shall remain unchanged 6. The volume of water flowing from the Manikata area shall remain unchanged. 7. There shall be no intervention on the water flowing through the culvert and hence its composition shall remain unchanged.		
	2. It is noted that re-directing storm water into the Golden Sands beach via the valley may potentially impact the sand dunes and beach morphodynamics. Prior to further consideration of this part of the proposal, a detailed assessment of the impacts on the sand dunes which comprise the protected Annex I habitat (Habitat type 2110 (Embryonic shifting dunes) and on the beach morphodynamics should be carried out and referred to MEPA for further assessment.	As is noted above, the present state of affairs with respect to runoff management shall remain unchanged.	The EIS Coordinator is asked to clearly conclude whether the hydrological conditions of the sand dunes and the beach at Ir-Ramla tal-Mixquqa and the characteristics of the watercourse reaching the sand dunes and beach (including discharges and withdrawals, catchment areas and drainage patters, run-off including volume rate of flow and route taken by run-off) are expected to change from the current situation as a result of the proposed new system. Should the hydrological dynamics of the sand dunes and beach be expected to change, a detailed assessment of the impacts on the sand dunes which comprise the protected Annex I habitat (Habitat type 2110 (Embryonic shifting dunes) and on the beach morphodynamics may be required.	No – the engineers are committed to the design of a system which will retain the status quo with respect to the volume of runoff that reaches Triq in-Naħħalija and eventually flows into the sea. **MEPA Comments 02/11/11** Noted.

Reference	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
General Comment (9) **Shifting of existing road**	Further details are required with respect to the proposed road changes, namely with respect to Triq il-Manikata and Triq in-Naħħalija, given that this may have consequential implications and secondary impacts on the surrounding environment. A detailed description of the methodology to be used for the removal of the road is required.	The proposed changes to the road network were proposed in the TIS, which was prepared after the submission of application PA/04906/10. These proposals refer to the section 5.18 (on page 21) and Map 7 of the *Hal Ferh Development Brief* (Brief) As Transport Malta have approved the geometric features and pedestrian-friendly facilities of the modified road network as proposed in the TIS, the Perit could have these proposals drawn into his drawings and submitted to the MEPA for their consideration. The drawings are to be submitted to the MEPA on 26 September 2011. Copies of these drawings are included in Annex One and Annex Two to this document (see *Nota Bene* on page 5). From the outset this EIA Coordinator (who is also responsible for the TIS), the Applicant, and Transport Malta agreed that the TIS could only consider the westward widening of Triq il-Manikata. In other words, the road widening was to encroach on the Ħal Ferħ Site (with the costs being borne by the Applicant) and the tract of abandoned agricultural land to the south of the Ħal Ferħ Site (Appendix Five of the TIS and the drawing in Annex One to this document). This meant that arable land within Wied tal-Pwales which is located to the east of the Site would remain virtually untouched. Triq in-Naħħalija will be pedestrianised and landscaped. This EIA Coordinator is informed that this road would still be used to provide vehicular access to the farmers cultivating the fields to the west of Triq in-Naħħalija and to link the GAIA Foundation Elysium with Triq Għajn Tuffieħa. Continued in next row	Noted.	

Reference	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
		Continued from previous row Prima facie one could argue that this modification, should be of high significance and beneficial with respect to the environmental objectives of the Brief because it will extend substantially the area of land between the shoreline and the SAC and the closest road running more-or-less parallel to the shore. Furthermore, this change would render the Għajn Tuffieħa area more pedestrian friendly and more or less in line with the expectations of the local population, mainly farmers and Manikata residents. A more detailed assessment is however not possible because the landscaping of the area which is currently occupied by Triq in-Naħħalija is outside the remit of the Applicant. To date there are no other proposals for the upgrading of the 'other' parts of the Għajn Tuffieħa area within the framework of the Brief. For this reason, there are no drawings and other relevant information which can be used for a detailed evaluation. The new road network and the pedestrian facilities should have an impact of substantial significance in the Għajn Tuffieħa area which would, if designed to a high standard expected by Transport Malta (through the DMRB), be beneficial with respect to both the natural environment and the quality of the Għajn Tuffieħa area as a resort/recreational location	Therefore, why is it being included among the (positive) consequences of the proposed development?	The EIA Consultant's statement should have been qualified by another [statement] to the effect that the planned further interventions in the Għajn Tuffieħa area (i.e. the interventions which are over and above the Applicant's remit) will have to be of a very high landscape design and environmental quality. In the view of this EIA Coordinator, the suggestion in the Brief regarding the removal of Triq in-Naħħalija from the official road network, has opened the way for the design and implementation of a high-quality landscaping scheme for the parts of the Għajn Tuffieħa area which do not fall under the Applicant's responsibility. This possibility is considered by the EIA Coordinator a development, which has the potential to have a highly significant potential impact. **MEPA Comments 02/11/11** Noted.
General Comment (10) **Existing infrastructure on site**	Further details with respect to the infrastructure currently present on site are required. If there is any infrastructure present on site, how will this be relocated? More details are needed.	The project will not involve any modifications to the existing services infrastructures. The only changes that are expected will be the re-location of the Enemalta substation and connections between the Site and the networks. These changes are shown in drawing no 10.035.109 in Annex Five.	Noted.	

Detailed Comments

No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
1	**41**	**1.2.1.2**	What is the total number of beds planned for the hotel development?	The statement in the text is clear. The hotel has 188 suites. As happens in several hotels, a number of suites are designed to be subdivided into two suites when they are not fully occupied – e.g. a 2-bedroom suite can be subdivided into two single-bedroom units when one of the bedrooms is unoccupied. In situations where all the suites which have the potential to be subdivided are actually subdivided, there would be 228 available guest units. For the purpose of the TIS and the waste management analysis it was essential for the EIA Coordinator to refer to the larger figure. In other word the 80 car trips that the proposed Ħal Ferħ hotel is expected to generate during the peak-season peak-hour was worked out on the assumption that all available 228 units are occupied (see response to General Comment 5 para 3 on page 7.	Noted.	
2	**51**	**1.2.1.6**	i.. The landscaping species shall be strictly those listed in Appendix 3 and 6 of the MEPA "*Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands*". The majority of the proposed species are not within the list provided in these guidelines. This was already discussed during earlier discussions with the EPD on the case. This is particularly important due to the site's context adjacent to a Special Area of Conservation (SAC). In fact, screening for AA was excluded on the premise that the landscaping is to strict follow the said guidelines. Furthermore, it is to be noted that in such cases it would also be important to use of local stock provision for the said trees, shrubs and plants;	This EIA Coordinator agrees with the position of the Reviewer and has requested a change in the plans of the landscape architect. These plans are submitted in Annex Three together with a maintenance plan, also prepared by the landscape architect (Annex Four).	Noted.	
			ii. The species proposed for the carpark within the Scouts' area are in general acceptable, subject to these follow the "*Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands*" as per the main Ħal Ferħ site. From the discussions held between EPD and the applicant/architect referred to previously, it was understood that trees which will be uprooted from the existing Ħal Ferħ complex, should the proposal be considered favourably, will be replanted in the car park area. The proposed landscaping does not however reflect this position;	Please refer to Annex Three drawings and the drawings in Volume Two (of the Coordinated Assessment Report) Section 4. This EIA Coordinator is informed that the drawing included in this section which was prepared by the firm Randolph Camilleri Surveys Limited was formulated in collaboration with Department of Agriculture personnel with whom it was agreed that the trees identified individually in the said drawing would be transplantable. The landscape architect was asked to include as many of these trees as possible in his current schemes.	Change to landscaping noted to follow quoted Guidelines. However, has the issue of external landscaping of the wall been addressed through revised through photomontages? – this needs to be clarified.	The reviewer if referred to the response submitted in respect to General Comment 4 (on page 6). **MEPA Comments 02/11/11** Noted.

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No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
			iii. The proposed exterior landscaping layout should be improved along particular stretches. The visibility of the exterior wall, which is particularly high, should be insofar as possible broken up using landscaping (also with the use of lianas/ creepers such as in table below) and different types of construction material and rendering. *Clematis cirrhosa* — Kiesha / Bajda — Evergreen traveller's joy / Virgin's bower — Maquis — E *Hedera helix* — Liedna — Ivy — Maquis / woodland — E *Lonicera implexa* — Qarn il-mogħża — Evergreen honeysuckle — Maquis / garrigue — E *Rosa gallica* — Warda taż-żejt — Provence rose — Maquis — WD *Rosa sempervirens* — Girlanda tal-wied — Evergreen rose — Maquis — E *Rubia peregrina* — Robbia salvaġġa — Wild Madder — Maquis — E *Smilax aspera* — Zalza pajżana / Pajżana — Mediterranean sarsaparilla — Maquis / garrigue — E *Tamus comunis* — --- — Black bryony — Maquis / garrigue — E *Vitis vinifera ssp. sylvestris* — Dielja salvaġġa — Wild grape vine — Maquis / garrigue — WD	The Reviewer is referred to the response to General Comment 4 on page 5 et seq.	Change to landscaping noted to follow quoted Guidelines. However, has the issue of external landscaping of the wall been addressed through revised through photomontages? – this needs to be clarified.	The reviewer if referred to the response submitted in respect to General Comment 4 (on page 6). **MEPA Comments 02/11/11** Noted.
3	**56, 57 and 256**	**1.2.1.8, 1.2.1.12 and 4.1.8**	Landscaping should strictly follow the provisions outlined in the Authority's document entitled, "*Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands*". Only species in Appendices 3 and 6 of the aforementioned Guidelines may be used outside development zones. The proposed landscaping scheme of the Ħal Ferħ hotel grounds and the car park area should be revised accordingly.	Same as above.	Change to landscaping noted to follow quoted Guidelines. However, has the issue of external landscaping of the wall been addressed through revised through photomontages? – this needs to be clarified.	The reviewer if referred to the response submitted in respect to General Comment 4 (on page 6). **MEPA Comments 02/11/11** Noted.
4	**71**	**1.2.2.60**	Reference needs to be amended/provided.	The final sentence should read "The existing vegetation is shown in Figure 1-2 (on page 32) and in Section 4 of Volume Two."	Noted.	

Detailed Comments

No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
5	**81, 84 and 256**	**1.3.2.14, 1.3.2.36 and 4.1.11.**	It is not clear whether direct or indirect discharge of cooling water and/or brine into the marine environment will be involved in the chilling system (Section 1.3.2.14) and reverse osmosis plant (section 1.3.2.36). Clarification to this regard is requested for further assessment.	The building services engineers note that all air conditioning plant shall be of the air cooled type which shall not require any cooling water and hence this shall not affect the marine environment in any way. As regards the RO plant, discussions are being held with MRA and an approval to drill a pilot hole to investigate the geology of the site has been obtained. Once the pilot hole shall be drilled and results analysed, the methodology of drawing and discharging the water can be confirmed. Any decisions taken shall be as approved by the MRA In general it should be noted that MRA are being consulted throughout such that any decision taken shall conform to the relevant legislation. The test borehole is to be bored in October under the supervision of MRA.	(1) With reference to the RO plant, any proposals for direct or indirect discharge of brine or any other effluent into the marine environment should be subject to assessment by MEPA for approval. (2) It is understood that old maps (e.g. 1957 Survey Sheets) indicate a natural spring within the steep-sided valley under the Apple's Eye restaurant, thus indicating that the perched aquifer is an important material consideration in this regard. Has this aspect been factored into the assessment?	1. As indicated previously a pilot hole is being done under the supervision of MRA and depending on the outcome of the test on this pilot hole, the strategy of drawing / discharging water shall be established. Once this is finalised it shall be submitted MEPA for their assessment. Currently works on the pilot hole are at advanced stage and it is envisaged that this should be completed by the end of the week so that testing can commence next week. 2. The existence and / or the extent of the perched aquifer in the areas designated for the bore hole(s) shall become apparent during the tests being carried out. The main objective of the bore hole shall be to draw / discharge water to the sea and hence (a) it shall be drilled deep enough (normally around 50 meters below sea level) in order to have a good flow of sea water as per the conditions imposed by MRA and (b) the well shall be lined throughout its length to ensure that there shall be short circuiting between the upper perched aquifer, if this exists, and the sea water in the location of the well. **MEPA Comments 02/11/11** It should be noted that the borehole should be lined so as to ensure that it is fully impermeable through the Upper Coralline Limestone and Blue Clay formations. The upper meters of the Globigerina Limestone should also be impermeable. These precautions are to ensure that no brine water is directly forced into the perched aquifer. Discharge of brine water may only take place in the Globigerina Limestone formation which should already be fully saturated with salt water. Conditions issued by MRA should be adhered to.
6	**81/290**	**Para 1.3.2.14**	i. The maximum temperature of the water discharged from the cooling water system shall be not more than 8oC above ambient temperature. ii. Operator is to indicate whether any biocides shall be added to the system. If so, operator is to indicate the type of chemical to be utilized.	The building services engineers note that this is consideration not applicable in respect to their proposals for this project since the air-conditioning system shall be of the air cooled and not water cooled type.	Noted.	

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No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
7	82/290	Para 1.3.2.22 1.3.2.23 1.3.2.24	LN 213 of 2001 is in the process of being fully repealed in 2013. As part of this process, the Water Policy Framework Regulations (LN 194 of 2004) has been recently amended by LN 24 of 2011 to incorporate an updated list of chemical substances of concern to the surface water environment (both marine and freshwaters).	Noted with thanks	Noted.	
8	82/290	Para 1.3.2.26	Trial tests to be performed should consider the list of substances included in Table 1 of Article 8 of LN 24 of 2011. Consideration should also be given to other substances not included in Table 1 (e.g. zinc, copper, chromium, tin). These trial tests should only analyze for particular substances of concern which may potentially be released from the infrastructure and be present in the resultant discharge to sea.	Minerals and trace elements discharged into the sea in general shall be the ones drawn up in the sea water itself as part of the water purification process. The methodology of any cleaning processes shall be such that all materials used shall be of the biodegradable type that shall respect the requirements of the relevant legal notice. The requisite for trial tests is noted and these shall be carried out once the plant is in operation As regards the composition of the storm water runoff, it should be noted that this shall be no different from the surface water runoff as exists today since it shall merely be diverted. It is also envisaged that an interception chamber/silt trap shall be constructed in order to try to retain larger debris from entering the waterway. The quality of the runoff should improve over the years when starts working on its commitments under the Nitrates Directive and the Water Framework Directive. Reference is made on page 7 of this document to *Nitrates Action Programme* and the *Draft Water Catchment Management Plan for the Maltese Islands - Final Draft*, the implementation of which constitutes an important aspect of the said commitments.	Noted.	
9	82/290	Para 1.3.2.26	In view that the brine from the RO shall be discharged to sea via the borehole, the operator is to ensure that the following emission limits are not exceeded in the discharge: pH: 6-10 COD: difference ≤ 125mg/L O_2 between inlet and outlet TSS: difference ≤ 35mg/L between inlet and outlet Chlorides: difference ≤ 1500mg/L between inlet and outlet Operator is to confirm whether the discharge point shall be directly on the shore or via a pipeline.	Para 1.3.2.26 refers to sea water cooling, not the RO plant. It is already stated that the air conditioning plant shall be air cooled. See the response to Detailed Comment 5 on page 20. It should be noted that the discharge of brine from the RO plant shall not be directly to the sea. As is stated in para 1.3.2.36 (on page 84) in Volume One of the Coordinated Assessment Report there will be no direct infrastructural links between the proposed Ħal Ferħ hotel and the sea. The thresholds indicated by the Reviewer will have to be respected. The Coordinated Assessment Report identifies the regulations and standards to which the overall system will have to conform to.	Noted.	

Detailed Comments

No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
10	**84/270**	**Para 1.3.2.43**	In the event that boilers and associated fuel tanks are considered, the following needs to be taken into consideration and shown on plan. i. Extracted fumes and gases, including exhaust from gas-fuelled kilns, and/or exhaust gases from oil or solid fuel boilers/generators shall vent through stacks extending at least 3 m above roof level or as otherwise specified in DC Policy and Design Guidance document issued by the Planning Directorate. The design and location of the exhaust system should take into account noise and visual intrusion. ii. All bulk oil storage tanks shall be provided with an adequately designed bund system with an impermeable base and walls. The capacity of the bund shall be a minimum of 110% of the largest tank within the bund or 25% of the total volume of all the tanks within the bund. Filling and off-take points shall be located within the bund.	1. Noted with thanks. In order to ensure that the flues shall discharge at a minimum 3m above the last FFL, within the main building structure, shafts shall be constructed as part of the lift cores leading to the roof. The flues shall be passed through these shafts and shall discharge at around 3500mm above FFL (as shown in drawing number 10.035.072 in Volume Two (of the Coordinated Assessment Report) Section 3. As indicated above the flues shall be incorporated into the design of the lift core and hence shall be unobtrusive. In general the flues shall be connected to small boilers and hence it is deemed that there shall be no noise intrusion. 2. Noted with thanks. The Coordinated Assessment Report identifies the regulations and standards concerning fuel storage which will have to be conformed to.	Noted.	
11	**85/290**	**Para 1.3.2.50 1.3.2.55 1.3.2.57 1.3.2.60**	Operator is to confirm where the sludges collected in the oil interceptor shall be disposed of. Any chlorine to be used in the STP is to be stored within a bunded area which has a capacity of 110% of the total capacity to be stored in the area or 25% of the volume of the largest tank to be stored. Operator shall be required to apply for a sewer discharge permit with the WSC in view of the discharge of effluent into the sewerage network. Operator always to seek clearance from WSC prior to planning any discharges to the sewer.	1. The car park is in the basement of the building and hence an oil interceptor through which surface water runoff is normally passed prior to collecting into a reservoir shall not be required. However in all cases all sludge would eventually be collected by an authorised contractor. 2. Re Bund for Chlorine: Noted with thanks and the building services engineers shall comply 3. Re discharge of effluent: Noted with thanks and the building services engineers shall comply	Noted.	
12	**86**	**1.3.2.59**	Sludge from the STP is to be treated prior to landfilling in accordance with Article 6(a) laid down in the Landfill Directive 1999/31/EC.	Noted with thanks. The Applicant has been informed of this requirement.	Noted.	
13		**Para 1.4.1.3**	Reference needs to be changed to LN 184 of 2011, The Waste Regulations, 2011.	Noted with thanks. Reference is made to LN184 of 2011 in the subsequent para 1.4.2.2 on page 103.	Noted.	
14		**Para 1.4.1.5**	Reference to LN 184 of 2011, The Waste Regulations, 2011 should be included.	Refer to response re the previous comment	Noted.	
15	**110**	**1.4.3.5**	The number of trees protected as per Schedule I and II of Trees and Woodlands (Protection) Regulations (Legal Notice 200 of 2011) and their location within the site is to be provided with a clear indication of any proposed uprooting for further assessment by MEPA prior to any intervention on existing vegetation.	The Reviewer is referred to the response to Detailed Comment 2ii on page 18	Noted.	

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No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
16	**159**	**2.3.1.1**	Paragraph is incomplete.	The word 'The' should have been deleted.	Noted.	
17	**159**	**2.3.2**	The relevance of the listed legislation/policies to the proposed development needs to be discussed in this section.	The legislation/policies are not simply listed but described and the descriptions give a clear indication of the relevance of the cited legal/regulatory/policy documents with respect to the resources that Dr Scerri is concerned with.	Noted.	
18	**161 & 168**	**2.3.3.1 & 2.3.5.4**	According to MEPA's records, the area of influence and the borehole locations for the geo-technical investigations have not been approved by MEPA prior to the carrying out of the said studies. In the future, the EIA Coordinator is encouraged to forward a method statement, in particular identify the area of influence for the relevant study and any other information that requires MEPA's approval, prior to the submission of the Environmental Statement.	Agreed. This EIA Coordinator apologises for the oversight.	Noted.	
19	**168**	**2.3.5.6**	The project involves the following excavation: i. Excavation of a 10m by 5m by 5m deep pit, and, ii. Excavation for strip foundation about 2m deep. Through the core excavations it is clear that given the thickness of the soil layer it is anticipated the material excavated will mostly be soil, whereas the volume of rock to be excavated will be minimal. All the soil from the site needs to be reused in accordance with the provisions of the Soil Preservation Act, 1973. The location for the storage or disposal of excavated soil needs to be clarified.	Will be done. The location of the destination of the excavated soil will have to be agreed with the Director of Agriculture as established in the Act. This information will have to be submitted in the Construction Management Plan (CMP) pertaining to the project.	Noted. This would need to be agreed to with both Director of Agriculture and MEPA EPD.	Noted The Project Manager has been informed **MEPA Comments 02/11/11** Noted.
20	**169**	**2.3.5.7**	It is not clear as to what is being identified as 'minimal'.	The effect of the Scouts' Car Park on the geology of the area is expected to be minimal, because no excavations are envisaged for this facility.	Noted.	

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No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
21	**172**	**2.3.8.5**	Run-off follows the established watercourse which runs from Wied ta' Għajn Tuffieħa across the Wied tal-Pwales valley and traverses the site along a narrow channel. This run off originating from agricultural (high nitrate levels) and road networks (oil spills) discharges into Ramla Tal-Mixquqa. Therefore the following issues may exist during construction: i. Construction material used on site may be suspended and transported to Golden Sands Beach; ii. Soil exposed during excavation will likely be lost if water is not properly conducted during the construction phase; iii. The suspended load carried by runoff water may have adverse effects on local biota since it may lead to eutrophication, amongst others. The EIS therefore needs to provide details of mitigation measures, such as water channelling during construction, to prevent entrainment of material from the construction site into the valley and marine environment.	The EIS discusses the environmental management of the construction sites in some detail in Chapter 1. The detailed information being requested should be submitted in the CMP, which will have to refer to the recommendations in the EIS.	Noted.	
22	**173**	**2.3.8.6**	"Surface run-off occurs during the rainy season only rarely in exceptional flash floods". This comment needs to be clarified as water run-off occurs regularly given the gradient of the valley and more importantly, the Blue Clay geology which is of low permeability. In addition, due to the narrow channel of the watercourse crossing the site, flood risk is very high. The narrow channel for the passage of run-off will lead to high flow velocities at the mouth of this channel. This will increase the load capacity of the run-off water.	As is noted earlier (refer to the response in connection with General Comment 8 on page 11, the watercourse shall be redesigned in order to ensure that the quantities of runoff that currently end up in the beach will remain unchanged.	Noted.	
23	**179 - 185**	**2.4.2**	The relevance of the listed legislation/policies to the proposed development needs to be discussed in this section.	The legislation/policies are not simply listed but described and the descriptions give a clear indication of the relevance of the cited legal/regulatory/policy documents with respect to the resources that Marlene Borg et al are concerned with.	Noted.	
24	**199**	**2.4.4.42**	EIA Coordinator is to confirm as to whether any of the rubble walls within the Area of Influence shall be affected by the proposed development.	None of the rubble walls will be affected	Noted.	

Detailed Comments

<table>
<tr><th>No.</th><th>Page</th><th>Para.</th><th>Comments</th><th>Responses of EIA Coordinator</th><th>MEPA Further Comments (25/10/2011)</th><th></th></tr>
<tr><td>25</td><td>203</td><td>2.5.1.4</td><td>What is the type of sound level meter has been used for the noise monitoring?</td><td>The information about the sound level meter indicates that it is a Type 1 meter. The corresponding certifications are attached in Annex SixA.</td><td>Noted.</td><td></td></tr>
<tr><td>26</td><td>204</td><td>2.5.1.5</td><td>The timings of the noise monitoring readings are required.</td><td>The readings were taken during the following times and dates (time is indicated in 25hrs). Duration was of 1 hour and the times indicated are the starting time
<table>
<tr><th>Date</th><th>Location 1</th><th>Location 2</th><th>Location 3</th></tr>
<tr><td>28/03/2011</td><td>12.46</td><td>15.28</td><td>14.04</td></tr>
<tr><td>29/03/2011</td><td>11.54</td><td>14.39</td><td>13.12</td></tr>
<tr><td>30/03/2011</td><td>12.48</td><td>15.28</td><td>14.11</td></tr>
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<tr><td>03/04/2011</td><td>08.26</td><td>10.40</td><td>09.35</td></tr>
<tr><td>04/04/2011</td><td>15.01</td><td>17.43</td><td>16.26</td></tr>
<tr><td>05/04/2011</td><td>10.51</td><td>13.28</td><td>12.12</td></tr>
<tr><td>06/04/2011</td><td>10.59</td><td>13.34</td><td>12.15</td></tr>
<tr><td>07/04/2011</td><td>10.22</td><td>12.57</td><td>11.40</td></tr>
<tr><td>08/04/2011</td><td>11.09</td><td>13.47</td><td>12.29</td></tr>
<tr><td>10/04/2011</td><td>08.20</td><td>10.33</td><td>10.32</td></tr>
</table>
The individual reports are provided in Annex SixB</td><td>Noted.</td><td></td></tr>
<tr><td>27</td><td>204 – 206</td><td>2.5.2</td><td>The relevance of the listed legislation/policies to the proposed development needs to be discussed in this section.</td><td>The cited legal/regulatory/policy/standards documents are not simply listed but their relevance is clearly indicated in the descriptions.
It is important for such documents to be cited as they provide the MEPA with the legal basis through which commitments identified in the EIS could be enforced effectively.</td><td>Noted.</td><td></td></tr>
</table>

Detailed Comments

No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
28	**212**	**2.6.2**	i. The EIS Coordinator is to confirm whether there are any other proposals related to the surroundings of the site, including the beach area and its amenities, which are being considered in connection with the proposed development. It is strongly recommended that such proposals are assessed at this stage to ensure a holistic assessment of the area. ii. The potential impact of overcrowding on the beach and sand dunes should be considered further in the EIS report.	The Applicant's proposal does not include additional facilities. This EIA Coordinator does not know whether the Government plans to issue more licences for commercial outlets of any type in the Għajn Tuffieħa area. This EIA Coordinator submits that the current number of outlets (including hawkers and so on) in the area is much more than sufficient. Both the EIS and the TIS make it clear that the proposed parking facilities will reduce the possibility of overcrowding. This EIA Coordinator submits that overcrowding would occur when more than 600 spaces are made available for car-parking in the Golden Sands. The proposed 330 spaces will therefore constitute a substantial improvement over the current state-of-affairs. The proposed changes have the potential to reduce rather than increase the pressure on the beach. Furthermore, more people will be obliged to make use of public transport for which the TIS proposals for the network upgrading provide for (see Annex One).	Noted. It is being understood that the development does not entail any interventions on the beach area.	Agreed. **MEPA Comments 02/11/11** Noted.
29	**229**	**3.2.3**	i. It is advised that the photomontage/viewpoint being discussed in this section is also featured in the text. Furthermore, no reference to the relevant volume with the photomontages/viewpoints is made in the text. ii. The evaluation of the significance of impacts on beach users needs to be clarified.	Noted Volume Two (of the Coordinated Assessment Report) Section 6. The impact of the proposed development on beach users is expected to be of little significance once the receptors are on the beach. Beach users will however observe the developments when they drive or are driven towards the car park and then walk to the beach. The impact on such receptors should be expected to be of high significance, especially to the ones who are familiar with the shabbiness which characterises the existing state of affairs in the Għajn Tuffieħa area.	Noted.	
30	**238**	**3.3.2.2**	Is there no scope for the excavated material from both the Hal Ferħ site and the car park site to be reused on site for the proposed development to mitigate such impacts? Should there be any reuse of the material - would this need the use of a crusher on site?	Yes and the Project Manager plans to make use of every cubic meter of material which can be reused on site. Reference here is made to the Tal Pitkal Member of the Upper Coralline Formation, which is a very useful raw material in the construction industry.	Noted.	

Detailed Comments

No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
31	**239**	**3.4**	The impact significance on archaeological sites and cultural/historical features has not been discussed in this section. Given the nature and context of the proposal, further details are required.	The impact assessment with respect to cultural heritage resources is very simple in this case. With the exception of the Chapel, all buildings in the Ħal Ferħ Site will be demolished. So the impact will be of high significance. One could argue that since the replacement development is expected to be an architectural work of a high standard the impact will be beneficial. Others may argue that the impact will be adverse because features of historic value will be lost. On the other hand, features located outside the Ħal Ferħ Site would remain untouched, and therefore unaffected by the proposed development during both the construction works and operations.	Noted.	
32	**241**	**3.5.2.5 & 3.5.2.7**	How were the values for the calculation LAeq 12hrs for a 8hr = 71dB achieved?	BS 5228-1:2009 was used as stated in the Sciortino Report	Noted.	
33	**242**	**3.5.2.10**	In view of demolition, construction and operation activities, the EIS states that noise levels are higher than the baseline studies: i. What type of mitigation measures will be adopted in case of complaints? ii. What type of mitigation measures will be adopted to reduce the projected noise levels?	No complaints are anticipated In case of complaints standard measures will be applied. Such measures include the timing of noise generating activities, additional silencers, and higher hoarding made of noise absorbent material.	Noted.	

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No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
34	**243**	**Table 3.20**	i. Are the 2010 figures are actual figures measured from site? ii. How is L_{dn} being defined in the EIS since it is being assumed that it is day and night? What constitutes the time of day and night? Was such value acquired from an online calculator? iii. Regarding the scenarios 1, 2 and 3, how were these calculated? iv. How was the percentage of annoyance calculated?	Yes, the 2010 figures were obtained through a traffic survey carried out in the third week of August of 2010. The details of this survey are documented in the TIS. Forecasts for Maltese TISs normally assume that network traffic flows increase at the rate of 2% per annum. TISs basically involve the making of such forecasts for network flows and the addition of the estimated traffic to be generated by the development in under consideration. The figures for the proposed Ħal Ferħ hotel were based on an extrapolation of traffic flows to and from the Danish Village in Mellieħa Bay during the above-mentioned survey. For the purpose of the TIS we created and tested scenarios for a normal increase in network traffic flows (always during the August peak hours) for the first and fifth years of operations (i.e. 2% per annum), and for abnormal increases (6.5% and 13% per annum) in order to make sure that the new junction at Triq San Pawl j/w Triq Għajn Tuffieħa will have sufficient spare capacity. These were the scenarios used for Sciortino's predictions for noise generation. However it is clear that in the case of the projects in question, the day-to-day network flows are going to decrease substantially, as a result of the substantial decrease in the availability of parking spaces which is entailed in the proposed development (see response to Detailed Comment 28 on page 26). In other words, the scenarios tested in the TIS and the EIS overstate the likely traffic and noise impacts, as none of them refer to a net decrease in traffic flows and therefore in traffic generated noise. Percentage of annoyance is calculated according to the *Highly Annoyed Concept*	Noted.	
35	**244**	**3.5.2.20**	The existing L_{dn} has values ranging from 52dB (A) to 54db (A), whilst the projected L_{dn} values vary from 65dB (A) to 66dB (A) thus the increase would be greater than 5 dB (A). This means that the significance of the impact would be high.	No because one has to look at the overall picture. The increases in Triq il-Manikata will be counterbalanced by the reductions in Triq in-Naħħalija.	Noted.	

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36	**244**	**3.5.2.21**	Reference is made to said paragraph. More details related to such statement are required.	The landscape architect's drawings would be the evidence (see Volume Two (of the Coordinated Assessment Report) Section 2 and Annex Three to this document). One may disagree with the choice of species (which have now been modified) in his drawings, but one cannot say that there's going to be a lack of trees in the area.	With reference to the EIA Coordinator's comment '*One may disagree with the choice of species',* are there any further issues being envisaged?	The EIA Coordinator's statement refers to the first draft of the landscaping scheme. Although a number of the proposed species were not acceptable in the first draft, the overall approach was intended to attain the aesthetic objectives stated by the Reviewer (and as is required under the Development Brief). In the second draft of the landscaping scheme (presented in Volume Four of the Coordinated Assessment Report), which was submitted with the responses to the original reviewers' comments, the said aesthetic objectives would be attained through the planting of Appendix 3 and 6 species only. Please refer to the response to General Comment 4 on page 6. **MEPA Comments 02/11/11** Noted.
37	**252**	**3.6.2.18**	References to the *draft* TORs should be avoided.	Noted	Noted.	
38	**254**	**3.9**	Are any waste-related impacts being envisaged both during construction and operation of the proposed development? If yes, these need to be included with the summary of impacts table.	Wastes will often have an adverse impact unless they are managed in the manners indicated in the EIS.	Noted, however are any significant residual impacts expected from this?	The principal residual impact, in the view of this EIA Coordinator would be the ones resulting from the sending of wastes which are not recycled or reused to landfills. **MEPA Comments 02/11/11** Noted.
39	**/**	**Sheet B**	Reference is made to impact related to 'site illumination'. In view of appropriate implementation of mitigation measures listed, clarification is sought with regards to the evaluation of the residual impacts in the case of avifauna as "*High in the case of avifauna".* It is recommended that, in view of the site context and its proximity to the Natura 2000 site, and also in coherence with principle of environmental sustainability of the proposed development, a Building Management Control System is considered in order to enable a more sustainable and environmental sensitive generation of illumination and noise/vibrations and energy use.	The Applicant is already committed preclude light pollution from the proposed Ħal Ferħ hotel. However, this EIA Coordinator does not have sufficient information regarding the plans of Transport Malta for the area. In the opinion of this EIA Coordinator, Transport Malta should seriously consider not installing conventional road lighting systems in the Għajn Tuffieħa area and rely more on cat's eyes and less intrusive street lighting systems (equipped with full cut-off luminaires).	(1) MEPA comment was referring to site illumination within the proposed site. It is being understood that a Building Management Control System is not being considered. Reference is made to impact related to 'site illumination'. In view of appropriate implementation of mitigation measures listed, clarification is sought with regards to the evaluation of the residual impacts in the case of avifauna as "High in the case of avifauna". (2) In view of the effect that this may have on the prediction of cumulative impacts, it is being suggested that the EIA Coordinator discusses this issue with Transport Malta and provides the necessary clarifications.	The Building Services engineers' proposals which are discussed in Section 1.3 in Volume One of the Coordinated Assessment Report refer to the installation of a BMS. The residual impacts would be insignificant, because of the use of full-cut off luminaires for external lighting, the low building height of the overall development, and the landscaping scheme. Discussions with Transport Malta are in progress, however, this EIA Coordinator submits that it should be the MEPA who 'impose' a dark-sky requirement on Transport Malta. **MEPA Comments 02/11/11** Noted.

Detailed Comments

No.	Page	Para.	Comments	Responses of EIA Coordinator	MEPA Further Comments (25/10/2011)	
40	**/**	**Sheet B**	Reference is made to the following text: Bearing in mind the topographical context, the lateral spillage of light from downward-facing lights within the quarry would be restricted by the quarry sides. No lighting should be positioned outside the quarry. Clarification is required given that no quarry is present in the area.	The word 'quarry' should be replaced by 'excavation'	Noted.	
41	**259**	**4.3.2**	It is recommended that all mitigation measures indicated in the EIS should be included comprehensively as conditions in the construction management plan and the full development permit, and monitored by a consultant approved by MEPA at the expense of the applicant, should the proposal be considered favourably.	Agreed	Noted.	
42	**259**	**4.3.3**	It is recommended that the Environmental Management Plan (EMP) addresses these recommendations, also in view of the fact that the significance of most impacts has been evaluated on the basis that an EMP would be implemented during the operational phase of the development, should the proposal be considered favourably.	Agreed	Can the EIA Coordinator provide any indication of the measures to be included in the EMP?	The EMP would cover the environmental aspects that would normally be found in such documents for hotels. It would form part of the management manual of the hotel and primarily establish the member of the hotel staff whole would act as the Environmental Officer, and the place of this Officer within the management hierarchy, and the members of the staff whole will be delegated specific responsibilities. The EMP would provide for the training of the team and their roles with respect to both day-to-day and contingency procedures. The environmental aspects that would be taken into consideration in the EMP would be air quality, noise and vibrations, water management, the management of hazardous substances, waste management, and bio-diversity (given the proportion of the hotel grounds which are allocated for soft landscaping and the location of the Ħal Ferħ Site). Finally, the EMP would be formulated in a manner that reflects the responsibilities of the management under the conditions of the environmental permit that will shortly be applied for. **MEPA Comments 02/11/11** Noted.

Environmental Health Directorate

Comments

Adverse impacts from Noise, Vibration and Dust:

All recommended mitigation measures and management of environmental impacts related to noise, vibration and dust pollution arising during the demolition, clearing of site, cutting/filling and construction of this development are to be implemented by Applicant to mitigate potential adverse impacts and nuisances on receptors in the surrounding area and on the general public in view that the development is located in a recreational/ tourist, rural area. Hence the importance of drawing up (in the EIS it is stated that in view that contractors have not yet been appointed, construction site Logistics have not yet been drawn up) and implementation of a Construction Management Plan to ensure adherence to proper site management practices. Adequate, safe and proper handling of raw materials on site should also be ensured.

Monitoring of works and good practice during all the duration of the demolition, excavation and construction phase should also be strictly implemented to avoid nuisances and adverse impacts on public health from the emission/discharge of air and water borne particulates into the surrounding area and the percolation of slurry (from vehicle washing facilities etc) onto the official bathing sites especially during the official bathing season.

Dust suppression measures especially (but not only) the minimisation of stockpiles of sand and aggregates on site and the regular spraying with water of such stockpiles should be given importance by monitoring and enforcement by the designated authority especially during dry windy days (summer). The geography of the area (wide valley ending in a public area (beaches) popular with Maltese and tourists) will favour the transport of dust onto these sensitive receptors.

In view that noise and vibration impacts are expected to be of high significance during the demolition and excavation phase, effective noise and vibration control measures are to be implemented especially during these two phases to protect on-site workers and nearby receptors and to avoid nuisances and complaints.

The proposal that working hours will be restricted together with other proposed noise abatement measures such as the integration of noise abatement mechanism within the machinery used on site should be implemented.

The proposal that the Reverse Osmosis equipment will be installed on a vibration isolated base plate and located in a section of the plant room which shall be appropriately acoustically treated, thereby attenuating all noise and vibration nuisances from such plant during the operation phase should also be implemented

Noise monitoring should be implemented if necessary and especially in case of complaints

Waste Management:

A Waste management strategy should be adopted and implemented during the demolition/ excavation/ construction and operational phases so that all generated waste streams will be contained, separated and disposed of safely through the appropriate facilities and according to the necessary permits/licences

With regards to removal and disposal of any hazardous waste, adherence to regulatory codes and procedures and due diligence is important in view of the health and safety of on-site workers and any adverse impacts on nearby sensitive receptors.

Generated wastes, cleaning chemicals, etc from the proposed sanitary facilities which will be available for on-site workers should be properly disposed of. Moreover all water for human consumption and personal use including that of any showers at said facilities is to be adequate, potable and from an approved source (preferably from the Water Utility Supply i.e. Water Services Corporation)

Conservation/Storage of water

Reservoir-Harvested rain water and any second class water which may be proposed to be collected/ stored in same should not to be used for human consumption and/or personal use

Water intended for human consumption including provision of water in kitchens and all food outlets should be potable, from an approved source and in accordance with the provisions of Water Intended for Human Consumption Regulations, 2009- L.N. 17 of 2009 as amended by L.N. 242 of 2009.

Applicant is to specify the intended use of grey water for cleaning purposes.

Impacts on aquatic environments from Run off

In view that adverse impacts may occur both during the construction works and operation of the development, all proposed mitigation measures regarding the protection of aquatic environment with respect to the cooling systems of air conditioning systems, the reverse osmosis plant, the storage of fuels, and the use of chemicals (e.g. in the case of the swimming pools) should be implemented. Should these be insufficient additional measures are to be considered and implemented.

Traffic management:

It is pertinent that construction traffic follows established specific routes and adequate measures (such as covering of all trucks leaving site with proper tarpaulin sheets) are taken to mitigate adverse dust impacts and nuisances from HGVs during transportation.

Other Issues:

No adverse impacts on the quality of the bathing water of the official bathing sites in the vicinity is to be caused from run-off water flowing along the proposed watercourse and during the demolition, excavation/construction and operation of proposed development especially during the official bathing season. Any works which may have a negative impact on said bathing water should be carried out ***only*** outside the official bathing season.

It is pertinent that discharges from Reverse Osmosis Plant be returned to the sea via another borehole as is being proposed and ***not*** directly onto the official bathing areas.

It is also pertinent that any possible effluents from proposed Sewage Treatment Plant should ***not*** be discharged onto official bathing areas.

Environmental Health Directorate

Comments
Piping for second class water is to be properly marked as second class water and preferably these should be colour coded.
Applicant is also requested to carry out specific discussions with the various units within the Environmental Health Directorate once the detailed plans regarding catering establishments, food outlets and other facilities (such as cooling systems, R.O. plants, solar energy, swimming pools, water features, etc.) are prepared in view of specific regulations under the Food Safety Act and the Public Health Act.
All proposed swimming pools are to conform to the requirements of Swimming Pools Regulations, 2005-L.N. 129 of 2005
Water intended for human consumption produced from any source other than that provided by the WSC water utility has to be registered with the Superintendent of Public Health as per to L.N. 357 of 2004: Registration of Private Water Supplies Intended for Human Consumption Regulations, 2004.
Storage Reservoir proposed to be used for the collection of Grey and Black Water is to be duly registered with the Superintendent of Public Health as a cesspit.
Any grease traps located ***inside*** food preparation outlets should be of the ***self-cleansing*** **type**. Other types of grease traps which are not self cleansing should be located outside such food outlets.
Applicant is to specify the intended use of cleaning with grey water
Kindly be informed that Legal Notice 17 of 2009- Water Intended for Human Consumption Regulations, 2009 has revoked Legal Notice 23 of 2004-Quality of Water Intended for Human Consumption Regulations, 2004.
The proposed underground car park and entrance ramp are to be adequately ventilated in accordance with relevant legislation
The necessary mitigation measures are to be taken by Applicant to prevent nuisances and adverse impacts at all stages of the development on the Area of Influence including the official bathing sites in the vicinity and to prevent, minimise and where possible offset any significant/adverse and unpredicted health effects and nuisances which may arise. The possible health effects of any residual impacts that cannot be mitigated should also be taken into consideration.
Complaints lodged by the public regarding any adverse impacts/nuisances should be immediately addressed by the applicant. All complaints lodged and actions taken are to be recorded and such records are to be readily available to the Competent Authorities when requested.

Superintendence of Cultural Heritage

Comments
Ref. Cultural Heritage Act 2002, (CAP 445) **Environmental Impact Statement i.c.w. PA 04906/10 – Hal Ferh, Golden Bay, Mellieha** Following your e-mail of the 13th July 2011, the Superintendence has examined the Environment Impact Statement as received in mid-July 2011. The Superintendence notes the data compiled on the cultural heritage assets within the area of influence of the project and in particular, within the area marked for development. The Superintendence is not necessarily in agreement with the cultural heritage value ascribed by the EIS to the structures within the footprint of the proposed development. The Superintendence has already declared itself regarding the value of such structures in e-mails sent to MEPA on the 24th September 2010 and on the 8th February 2011 (copy attached). This remains the position of the Superintendence and has been reiterated in a separate e-mail sent to MEPA, today 12th August 2011. In its mail of the 8th February 2011 the Superintendence had also drawn up conditions for the mitigation of impact and to ensure the appropriate treatment of the cultural heritage. The Superintendence reiterates its statement regarding these conditions. Thank you for your attention.
8th February 2011 **Ref. Cultural Heritage Act 2002, (CAP 445)** **PA 04906/10 – Development at Hal Ferh, Golden Bay, Mellieha** Please refer to your Letter of Consultation dated 17th January 2011, in connection with the application in caption. The Superintendence has expressed its concerns and position on this proposed development in its email of the 24th September2010 (vide copy attached). The Superintendence had not objected in principle to the proposed development at Hal Ferh, subject to the conditions stated in its e-mail and without prejudice to other conditions imposed by eventual MEPA permits. These conditions were: 1) MEPA and the SCH are to draw up heritage gain plan detailing heritage gain objectives, a documentation strategy, as well as conservation and management plans as necessary as preconditions to development permits; all documentation is to be deposited at the Superintendence of Cultural Heritage; 2) The Upper Camp and the area of the Chapel/Hall in the Lower Camp are to be conserved, made accessible and put to a compatible use to ensure their long-term preservation. These areas are to be scheduled in line with the provisions of the Cultural Heritage Act and the Development Planning Act; 3) The remaining part of the Lower Camp may be redeveloped on condition that a full documentation of the military structures is made prior to their demolition; this documentation is to be deposited at the Superintendence of Cultural Heritage prior to the beginning of construction works; 4) All works are to be monitored by approved archaeologists to ensure that any buried historical and archaeological assets in the area are duly reported and investigated, in line with existing legislation. Furthermore, the Superintendence is awaiting the Environmental Impact Assessment (EIA) that is being drawn up to inform and guide planning decisions regarding this application. The Superintendence had been consulted even prior to this exercise and had communicated its Terms of Reference for the EIA in its e-mail of the 9th December 2010 (vide copy attached). The Superintendence will comment further on the proposed development in the light of this document.