



Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:

Temporary Permit 3/22

Approved Documents:

Temporary Permit 3/22/1A/1B

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

Mr. Manuel Sapiano obo The Energy and Water Agency (hereinafter “the Permit Holder”,

Of / Whose Registered Office (or principal place of business) is at

**Pinto Business Centre,
Tirq il-Mithna,
Hal Qormi, Malta**

To carry out works to reinstate road through temporry structure

Wied il-Qlejgħa

to the extent authorised by and subject to the conditions of this Permit.

The validity of this permit is **for six (6) months** from the granted date below.

Signed

Date

Mr Alex Camilleri Deputy Director Environment and Resources f/Director Environment and Resources	Permit granted: / 09/ 2022
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Authorised to sign on behalf of the Competent Authority

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Conditions

1. This temporary permit is granted in accordance with the provisions of the Environment Protection Act and Regulation 18(2) and Regulation 46(8) of the Flora, Fauna and Natural Habitats Protection Regulations, 2006 (S.L. 549.44), hereinafter referred to as the Regulations, for the purpose of the activities that shall be carried out at Special Area of Conservation of Wied il-Fiddien u Wied il-Qlejgħa.

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

Permitted Activities

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

Table 1.			
Works		Description of specified works	Limits of specified works
Interventions protected site	in	Reinstatement of road	(i) Temporary reinstatement works

3. This temporary permit is being issued for the sole reason of temporary reinstatement of the access road through a temporary design solution. Once a final design solution and a way forward on works required is determined, the permit holder shall apply for an environmental permit,
4. Should the permit holder note that draining of the basin is required so as to carry out works, the permit holder shall seek the Authority's approval by providing the methodology of such interventions. No draining shall be undertaken unless a clearance is issued by the Authority. Should such a clearance be issued this will be regarded as part of this permit and could be subject to the provisions of these conditions.

Pre-Commencement of activities/ work

5. The Permit Holder shall advise of the dates of works at least one (1) day prior to commencement on ced.nature@era.org.mt.
6. The permit holder is to nominate for ERA approval, prior to commencement of works, a suitably qualified and experienced ecological monitor for monitoring of compliance with permit conditions and to ensure that works are carried out without adverse impact on the site environment. The monitor shall be engaged at the expense of the applicant, shall provide a monitoring plan for prior ERA approval, and shall be responsible for notifying ERA immediately of any breach of conditions.

The permit holder shall provide all the information and assistance to ensure that monitoring of works is carried out in a satisfactory manner. A monitoring report with photos shall be submitted by the monitor as part of the report of activities to ERA that is to be submitted in line with the conditions of this permit, not later than one month after to expiry of permit.

No works shall be carried out unless the monitor and monitoring plan are approved by ERA.

Site

7. The works authorised under condition 2 shall be effected on the site as marked on the approved site plan 1A.

Conditions of Activity/Work

8. The Permit Holder is to duly implement all necessary containment measures in order to prevent overflows of construction material (including dust, spalls, concrete or other material arising from the works) into the valley or the surrounding environment.

While laying the concrete, no material is to be allowed to overflow. Adequate containment including placing of forms or barriers for placing the soft concrete in place until it cures shall be in place.

All works shall be conducted in such a manner to ensure that no overflows onto land or into the sea at any point, including under adverse weather conditions including wind and surface runoff

9. Access to motor vehicles shall be restricted to asphalted roads. Off-roading is prohibited except for limited access to the valley bed directly below the works.

No form of mechanical means of transport or mechanized equipment and no form of driving, parking or manoeuvring of motor vehicles is permitted on vegetated areas within the protected site.

10. It is the responsibility of the permit holder to ensure that no harm is caused to the environment either intentionally or accidentally.

11. The basin shall be kept free of any construction material.

12. Any vehicles shall:

- a. Be in a good state of maintenance and in any case do not leak oils or other polluting fluids;
- b. Only make use of existing roads for access;
- c. Be stored overnight in such a manner to avoid any accidental environmental damage (including due to storms), and shall not be stored in the water basin;
- d. Be refuelled in such a manner to avoid spillages; and
- e. Not be washed on site.

All the equipment, vehicles and materials shall be removed immediately once works are completed.

Spill kits and drip trays are requested to be readily available on site.

General Conditions

13. In accordance with Regulation 46(4) of S.L. 549.44, a brief report with photos of the works, including any publications as a result of the activity, is to be provided to ERA by the Permit Holder within one month of the expiry of the permit. Information that should be treated as confidential as outlined in Regulation 48(4) of S.L. 549.44 shall be specified.

A template for the report is available at <https://era.org.mt/topic/nature-permit-reporting/>

14. The 'Permit Holder', is responsible to ensure that all reasonable precautions are taken so that the activity conforms to the conditions in this Permit and the procedures outlined within the Permit application. The conditions imposed shall be adhered to throughout all the activities. Failure to do so may result in enforcement action and cessation of any related works or activities.

15. The works covered by this permit are restricted to the Permit Holder, employees and/or volunteers and contracted parties commissioned for such works under his supervision and direction, who shall all be made aware of this Permit and the contents within.
16. ERA may request updates and/or further information on the activity in question as deemed necessary and may impose other additional rules or conditions, or may amend one or more of the listed rules or conditions, as it deems necessary for the proper conservation of a protected site or area, biodiversity and the environment in general, and to ensure public safety.
17. The Permit Holder shall notify the following matters to the Authority in writing upon their occurrence:
 - Any change in the Permit Holder's trading name, registered name or registered office address;
 - Any change to particulars of the Permit Holder's corporate identity.

In the event that the Permit Holder requests to transfer an environment permit to third parties, this may require approval from the Authority, and in such instance all rights, obligations and liabilities shall subsist onto the transferee.

18. The Authority may suspend or revoke this Environmental Permit in line with the provisions of CAP 549.
19. Details of the Permit Holder together with the details of conditions imposed in this Permit shall be maintained by the Authority in accordance with Regulation 47 of S.L. 549.44, in a register available for public inspection or maintained in electronic form.
20. The Authority may carry out regular pre-set or unannounced compliance or monitoring checks that vary in frequency according to the site's compliance with the permit conditions and safeguarding of natural assets. Any checks or audits carried out by the Authority may be made at the Permit Holder's financial expense at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate. ERA may also appoint other on-site monitors at the expense of the Permit Holder to act as an on-site liaison between the Permit Holder and ERA if the case arises.
21. The Authority's representatives may inspect and photograph any part of the site/ activity and ask for any closed or locked areas to be opened and may demand to be provided with any proof, documentation, plans, receipts or any other records.
22. This Permit including any Variation Notices or amendments to it shall be made available for any inspection by ERA officials at all times, or any legally recognised compliance and enforcement officials, when requested.
23. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the Permit shall prevail.
24. ERA shall not be held liable for any accidents, injuries or other circumstances which may occur during the activities being permitted through this Permit.
25. This permit is without prejudice to any liability of the Permit Holder under the Act and to any measures the Authority may wish to take with respect to any works already carried out without permit.

26. The validity of this permit is for a period of **six (6) months** from the granting date of this permit. The Permit Holder may apply for a renewal to this Permit at least **four (4) weeks** prior to the expiry of this permit. Request for renewals shall only be considered upon confirmation of compliance with Permit conditions and fulfilment of documentation as requested by this Permit.
27. This permit is granted saving third party rights and without prejudice to any other legislation or regulations or authorisations required from any other competent authorities or site owners.