

ERA Ref,: EA/00042/20

Description of Proposal: The proposed construction of a Material Recovery Facility (MRF) for the processing of grey bag and recovery of different streams of materials. The proposal includes ancillary office space, staff quarters and parking spaces.

Location: ECOHIVE Complex, Naxxar.

Subject: Table with recommendations and ancillary reasoned justifications provided by the public, government entities, E-NGOs and relevant local councils, during 30-day public consultation on Terms of Reference, on any matters that they wish to see included in the EIA terms of reference.

Consultation Period: 28/02/2023 - 30/03/2023

Ref No.	From	Comment
1.	BirdLife Malta (email dated 17/03/2023)	<p>After analysing the relevant documents published online in relation to the mentioned development, BirdLife Malta would like to contribute to the consultation process with the following feedback. Whilst appreciating and agreeing with ERA's conclusions of the screening process, we would like to emphasise:</p> <ul style="list-style-type: none"> • It is important to conduct a thorough assessment of the agricultural land loss, yet not solely within the boundary of the site, but also due to potential impacts on agro-ecosystems in the 100m buffer zone (including but not limited to the excavation and construction phase). • Although ERA included light pollution issues in the recommendations, it should be stressed further that the light pollution during both the construction and operation phases is to be assessed, particularly by evaluating the external lighting scheme. No additional light spill is acceptable on the coast and in the vicinity of Natura 2000 sites (MT0000007, MT0000008, MT0000105, MT0000112), given that the area of Maghtab is already heavily polluted by light, especially along Tul Il-Kosta. • The development shall include the construction of a greywater storage reservoir which in turn may have impact on underlying soil and underground water in case of leakage. Potential environmental impacts should be assessed in this context, and with additional attention given to the impacts on the surrounding agricultural land and how these should be mitigated. • Fire safety implemented on site should be given special focus and evaluation, especially in the context of an unfortunate example of the Sant' Antnin waste treatment plant in Marsascala some years ago. Fire safety at the newly proposed facility should be a priority also due to the nature of treated materials which products of burning can lead to serious contamination of the surrounding environment, including protected marine waters.

		<ul style="list-style-type: none"> • We suggest that a traffic impact statement should also be a part of the EIA, given the strategic function of Tul Il-Kosta (coast road) and its traffic load, as well as the fact that the facility will mostly accommodate heavy vehicles. • In terms of generated waste during the excavation (estimated 53,000m³ of material), the applicant is to make sure that most of excavated material is reused as much as possible. • The operation of a shooting range a few metres away from the proposed should be considered adequately. There should be clarity whether the range shall remain functional or would need to be relocated, in which case the respective impacts of its relocation need also to be considered.
2.	Environmental Health Directorate (email dated 20/03/2023)	<p>With reference to your e-mail dated 27th February 2023 regarding subject in caption and following review of the Project Description Statement, please be informed that we would like to have the following issues related to public health included in the terms of reference for this proposed development:</p> <ol style="list-style-type: none"> 1. Air pollution impacts assessment, including the necessary monitoring and mitigation measures are to be clearly stated: <ul style="list-style-type: none"> ○ For excavation, and construction ○ Emissions from heavy vehicles during construction and operation phase. ○ Emissions from the operational phase. ○ Construction and Operational traffic. ○ And their effects on the surrounding area. 2. Noise and vibration impacts including construction activities, operational traffic and from other operational activities. Required monitoring and mitigating measures must be clearly stated. 3. Traffic Impact Study and Assessment regarding the consequence of this project that area of influence. Mitigation measures are to be clearly stated. 4. Light pollution impact and mitigation measures. 5. A Waste Management Plan shall be implanted which should include the impacts from waste generated both during the construction (excavated and construction material) and operation phase. Hence the importance of a detailed Construction and Waste Management Plan, which should be enforced by the site project manager. Details of monitoring and feedback mechanisms must be clearly stated and adhered to. 6. Adverse impacts caused by unsafe, inadequate storage and improper handling of raw materials on site and from potential accidental spillage of hazardous fluids, fuel, and lubricants. 7. The overall cumulative impacts of the development on the public. 8. Details of measures proposed to be taken to prevent nuisances at all stages of the project on the Area of Influence. 9. A hydrology assessment should be made available. Such assessment must include: <ul style="list-style-type: none"> ○ Details for the supply, distribution, and storage of potable water.

		<ul style="list-style-type: none"> ○ Details of collection, storage, overflow, and use of rainwater. ○ Impacts and mitigation measures on ground water and surface water in terms of water quality including run-off management. ○ Details of the proposed construction of reservoir for grey water and its use. <p>10. Details on the proposed canteen.</p> <p>11. Details of proposed sanitary facilities for workers.</p> <p>12. Pest control management on site and the surroundings.</p> <p>The EIA should also include a detailed description of the measures envisaged to prevent, minimise and where possible offset any significant temporary or permanent adverse health effects and nuisances on the Area of Influence and the general public. This should include details regarding monitoring programmes that may be proposed. The EIA should also identify, describe and discuss in detail the possible health effects of any residual impacts that cannot be mitigated.</p>
3.	Malta Resources Authority (email dated 27/03/2023)	<p>The MRA has no comments in so far as the functions under its immediate remit.</p> <p>However, if the proposed development includes excavation works that reach partially or totally within the saturated zone, then the developer should submit an application in writing to the MRA including the details specified in regulation 5(1) of the Borehole drilling and excavation works within the saturated zone regulations (SL423.32).</p> <p>This assessment is based primarily on the information provided as on the date of the assessment. The Authority made its assessment on a good faith basis and reserves the right to review its position and, or to take action against the authors of the documentation and, or the applicant if information relevant to its assessment (particularly the prior use of the site where the development is proposed) is 'buried' or concealed (including through the submission of documentation that is not text searchable).</p> <p>This, and any other response in writing by the MRA to the application submitted for consultation or to any other documentation, should not in any way be deemed as approving or endorsing the application in any form or of condoning any matter that falls beyond the MRA's immediate remit as established under the Malta Resources Authority Act and as in force on the date of the relevant response. In particular, you are reminded that with the coming into force of the Act No. XXV of 2015 establishing the Regulator for Energy and Water Services, the Water Policy Framework Regulations and the Protection of Groundwater against Pollution and Deterioration Regulations have been excluded from the remit of Malta Resources Authority and as such the MRA has no authority to take a position on matters regulated by these regulations or indeed any other matter that does not fall within its remit. While this response may be published, any response by the MRA</p>

		may not be publicly used or mentioned as a general or partial approval by the MRA of the matter referred to for consultation.
4.	Superintendence of Cultural Heritage (email dated 29/03/2023)	<p>In response to your request, please find recommended Terms of Reference for a Cultural Heritage Assessment i.c.w. the Environmental Impact Assessment (EIA) related to the Construction of a Material Recovery Facility in Malta.</p> <p>1.0 Preamble</p> <p>The Superintendence notes that the site subject to the current EIA (EA/00042/20) was included within an area subject to an earlier Planning Application (PA 4863/22). This application was for the clearance of the site from topsoil, subsoil and loose material to study the terrain in preparation for the proposed development. An archaeological study was initiated as part of PA 4863/22 which initially included basic fieldwalking due to the heavily grown vegetation, hence results are not conclusive. Nevertheless, a possible Dolmen structure was discovered within this site. The Superintendence has provided a way forward for further study and will communicate further following the conclusion of the archaeological evaluation.</p> <p>The area proposed for development is found Outside the Development Zone of Naxxar within the Maghtab area. The site in question lies 264m from the buffer zone of the known Dolmens which have been granted a Glass A level of protection. The Ta' Hammut (Gov. no: 574_94) site is an archaeologically sensitive area owing to several discoveries, including megalithic structures, Neolithic pottery, and prehistoric passageways. Furthermore, an archaeological evaluation was carried out within a site (PA/3012/20) close to the current application, the results of which indicate the presence of an ancient agricultural landscape mainly characterised by vine/agricultural trenches. Some Classical period pottery was recovered but this was mostly mixed with more modern material. Therefore, the present evidence indicates a cultural landscape that has however been heavily compromised.</p> <p>The current project shall consist of the construction of a Material Recovery Facility. This complex includes, office space, staff quarters and parking facilities.</p> <p>2.0 Scope and Definitions of the EIA</p> <p>For the purposes of this document, cultural heritage is defined by Article 2 of the Cultural Heritage Act (2002). This includes movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological and geological importance.</p>

2.1 The study area shall include the proposed area of development as well as their immediate environs.

2.2 In the context of this application, cultural heritage considerations may include:

- Features of archaeological value and potential;
- Military or civil architecture covering all historic periods;
- Vernacular structures;
- Field systems and agricultural features such as irrigation systems.

The Superintendence draws the attention to the following features as indicated in the map below and identified in the legend overleaf.



Figure 1: Cultural Heritage Features in Close Proximity to the Development

Number	Property Name
1	Qalet Marku Tower
2	Church of the Assumption of the Madonna
3	Qalet Marku Battery (Remains)
4	Qalet Marku Redoubt remains
5	Bahar ic-Caghaq Redoubt
6	Madliena Entrenchment
7	Chapel of Saint John Evangelist
8	Chapel fo Saint Peter the Fisherman
9	Church of Mary of the Angels
10	NXR2014 - Archaeological Remains
11	SAL2015 (Coast Road) Archaeological Remains
12	SAL2015 (Coast Road) Archaeological Remains
13	QLT1928 - Dolmens
14	QLT1935 - Megalithic remains
15	MTB1935 - Megalithic passageway
16	Ancient Quarry
17	Tomb
18	Tomb
19	Tomb
20	Rock-cut feature

Figure 2: List Identifying Cultural Heritage Features in Close Proximity to the Development

The above cultural heritage definitions and considerations are not to be considered as exhaustive. The EIA must consider all other forms of cultural heritage, both known and unknown.

2.3 The Environmental Impact assessment will:

- Describe the Cultural Heritage assets within the study area;
- Analyse the cultural heritage features within the context of the cultural landscape;
- Assess the physical, spatial and visual impacts of the proposed development on the cultural heritage assets.
- Propose corrective measures for the protection of the cultural resources.
- Identify impact of development on the visual value of the environs.
- Assess the impact on the visual values of the environs.
- Propose appropriate mitigation to lessen impact on the visual value of the environs.

3.0 Methodology

In qualifying and quantifying the cultural heritage assets within the study area, and assessing the impacts of the proposed development, the EIA will undertake through a dedicated Cultural Heritage Impact Assessment:

- a) Desktop and archival research limited to the study area;
- b) Consultations with any relevant bodies, including the Superintendence of Cultural Heritage, Heritage Malta, the University of Malta, NGOs and Local Councils;
- c) Compilation of an inventory of the cultural heritage assets identified within the study area. The features of cultural heritage are to be described and plotted with grid references, on Data Capture Sheets, the design of which should be approved in advance by the Superintendence of Cultural Heritage. The Data Capture Sheets will be presented as an appendix to the EIS. The analysis of the features will be included in the main report;
- d) A cultural heritage Risk Assessment with map examining the various impacts of the proposed project.

The Author of the cultural heritage impact assessment is to contact SCH prior to the beginning of the compiling of this chapter so that the information gathered by SCH during recent fieldwork in the area may be integrated in the EIA. To contact SCH on monitoring.sch@gov.mt copying kevin.borda@gov.mt.

The Cultural Heritage Impact Assessment shall also include:

1. Description and assessment of the cultural heritage features in close proximity to the development; this chapter is to include information acquired during previous EIAs in the vicinity;

		<p>2. Assessment and correlation of visual impact studies to assess the impact of the proposal on the surrounding cultural landscape. These are to include photomontages from significant viewpoints.</p> <p>The Superintendence of Cultural Heritage may direct the author of the Cultural Heritage Impact Assessment to include the following methods prior to the commencement of the cultural heritage impact assessment:</p> <ol style="list-style-type: none">1. Systematic fieldwalking;2. Detailed investigation (non-intrusive and/or intrusive) of recently discovered potential megalithic remains <p>4.0 Authorisation by the Superintendence of Cultural Heritage</p> <p>As per Cultural Heritage Act 2002 (as amended) (CAP 445), any form of investigation or prospection required for the identification of cultural heritage (including excavation, field walking, topographic surveys, remote sensing and underwater surveys) may only be undertaken by the Superintendence of Cultural Heritage or with its written approval.</p>
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