AIS ENVIRONMENT

Finalised Scoping Report

for the SEA of Malta's Third River Basin Management Plan (3rd RBMP)

Report

Finalised Scoping Report

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1 INTRODUCTION

The Energy and Water Agency (EWA) has commissioned AIS Environment Ltd. to carry out a Strategic Environmental Assessment (SEA) for MALTA'S THIRD RIVER BASIN MANAGEMENT PLAN (3RD RBMP)

The 3rd RBMP in Malta was drafted by the Energy and Water Agency and Environment and Resources Authority to address the requirements of the EU Water Framework Directive 2000/60/EC (WFD).

Malta's 3rd River Basin Management Plan (RBMP) assesses the status of inland and coastal waters in the Maltese Islands and outlines measures needed to achieve good conditions in these water bodies. It includes a program addressing significant water management issues specific to Malta's water sector.

The development of the 3rd RBMP involved extensive stakeholder consultations, culminating in a public consultation period that closed on March 18, 2024. The 3rd RBMP document is now available for public access.

The policy document is being subjected to a SEA process in accordance with local legislation requirements S.L.549.61 (STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS). This process is being carried out to consider the environmental impacts of the policy measures and to enhance them in upcoming versions of the policy document.

This report presents the results of Deliverable 5: Finalised Scoping Report.

1.1 OBJECTIVES OF THE SCOPING REPORT

The aim of the scoping report is to provide a general background to the project and to outline the way forward for the Strategic Environmental Assessment of MALTA'S THIRD RIVER BASIN MANAGEMENT PLAN (3RD RBMP).

The report will first summarise the SEA process and the overall vision of the 3RD RBMP. It will then outline the methodology that will be used to complete the phases involved in the SEA. This report will act as a guide for the various stages that are required to complete a successful SEA of Malta's 3RD RBMP.

1.2 MALTA'S THIRD RIVER BASIN MANAGEMENT PLAN (3RD RBMP)

The River Basin Management Plan (RBMP) is prepared every six years in accordance with the EU WATER FRAMEWORK DIRECTIVE (WFD), which mandates an integrated approach to managing the water environment at the river basin district level. During the first two six-year cycles of the WFD implementation, Malta's Plan was referred to as the 'Water Catchment Management Plan' in line with the relevant national legislation

A river basin/water catchment district is an area of land where rainwater drains into a body of water, such as groundwater, inland surface water, or coastal waters. Due to its size, Malta has only one such district and one RBMP, covering its entire territory and the different water bodies.

The primary objective of the RBMP is to ensure the sustainable management of water resources and the protection of aquatic ecosystems associated with natural waters. This is achieved by defining a set of measures (Programme of Measures) that address the most significant challenges facing Malta's water resources.

The water bodies identified through the RBMP represent the waters covered by the WFD, including all inland waters (groundwater, watercourses, and permanent pools), transitional waters, and coastal waters up to one nautical mile. These water bodies serve as the basis for reporting and assessing compliance with the Directive's objectives.

Significant emphasis is placed on ensuring a participatory approach in the development of the RBMP, which involves the active involvement and consultation of stakeholders throughout the different phases of the process.

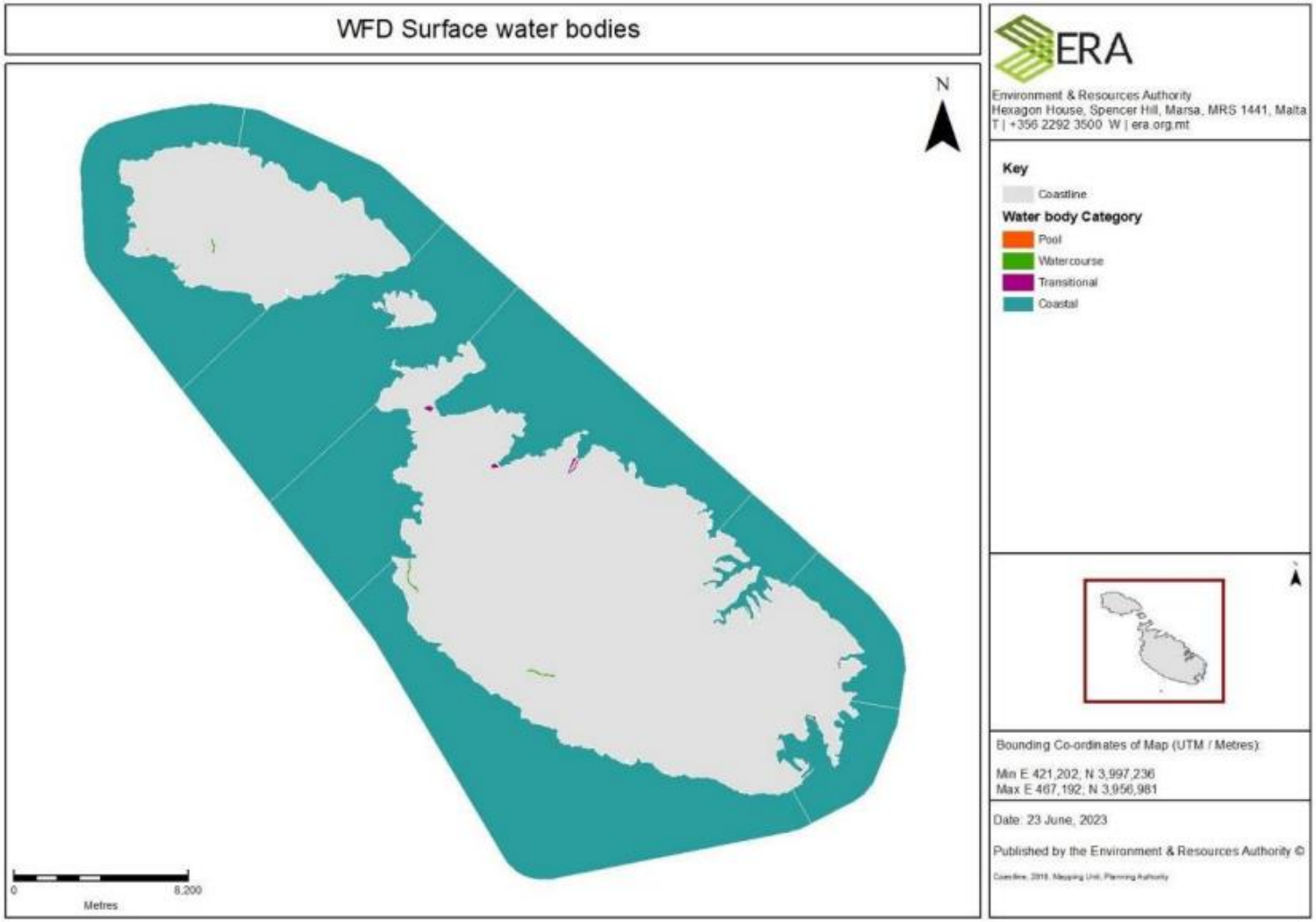

FIGURE 1: SURFACE WATER BODIES AS DEFINED IN THE 2ND RBMP (3RD RBMP REPORT, MARCH 2024)

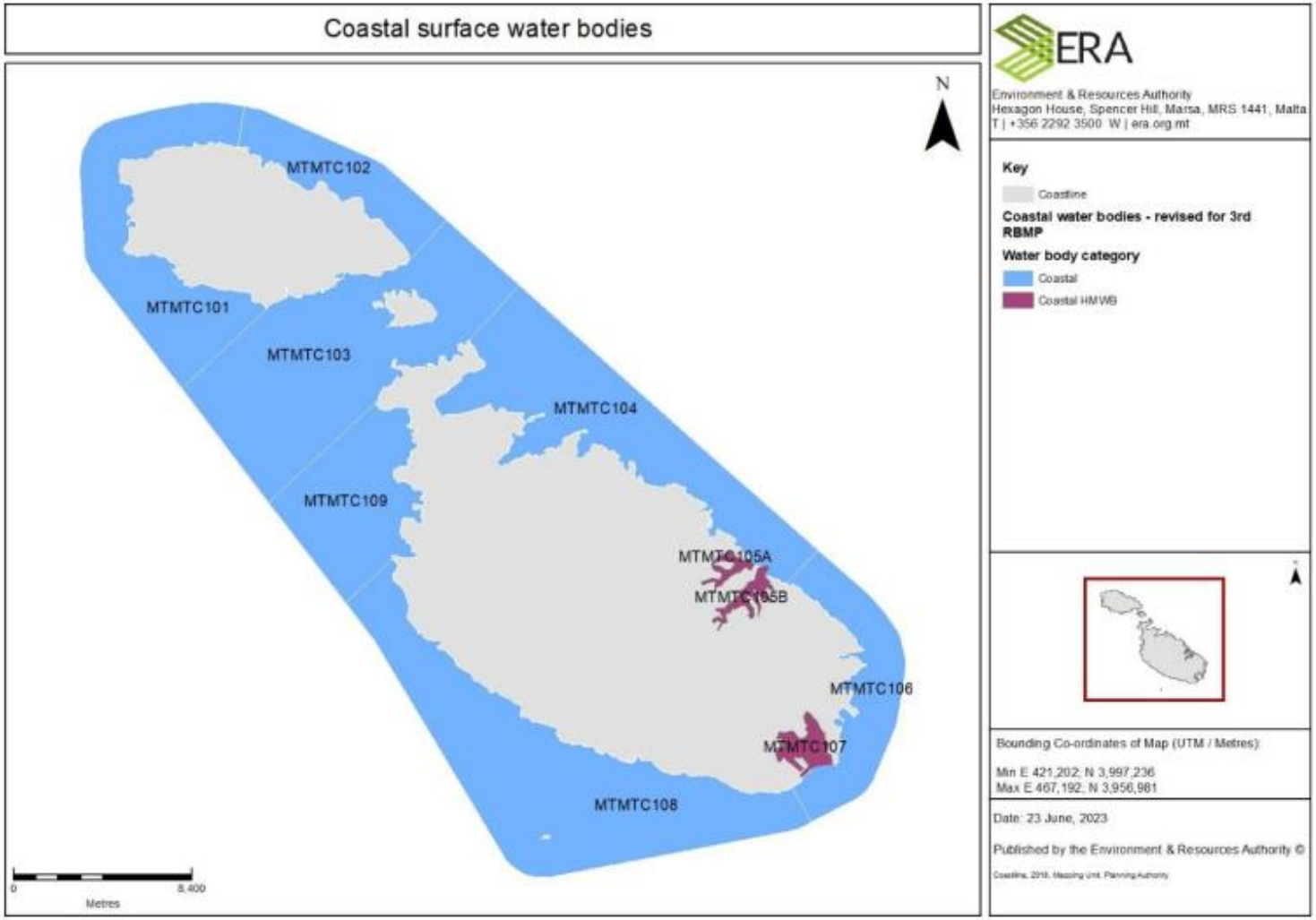

FIGURE 2: REVISED BOUNDARIES OF COASTAL WATER BODIES AS DEFINED IN 3RD RBMP (3RD RBMP REPORT, MARCH 2024)

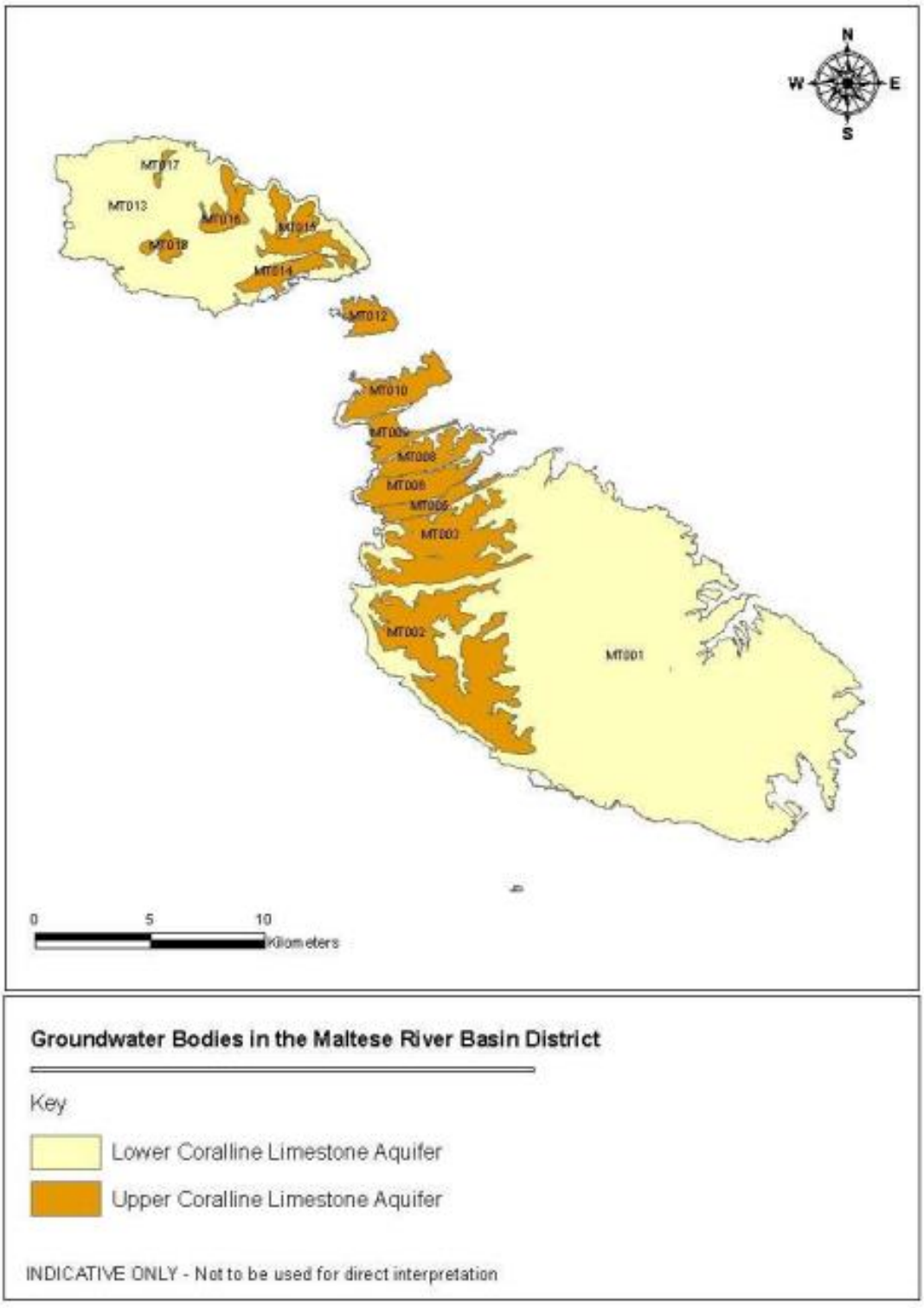

FIGURE 3: GROUNDWATER BODIES WITHIN THE MALTESE RIVER BASIN DISTRICT

1.3 STRATEGIC ENVIRONMENTAL ASSESSMENT

1.3.1 What is a SEA?

Strategic Environmental Assessment (SEA) is a process that is designed to safeguard the environment by including environmental considerations in the development of policy, plans and programmes. It is a decision-making tool that helps ensure that any policy introduced has taken into account its wider environmental implications. A number of alternatives are assessed to ensure that the most appropriate measures are implemented.

The SEA process involves consultation with stakeholders to ensure that all impacts and view-points are considered and evaluated. Overall, SEA aims to achieve a holistic approach to help countries strive towards achieving sustainable development through the implementation of environmentally sustainable practices and policies.

1.3.2 SEA Legislation

The need to carry out SEA is provided in the EU Directive 2001/42/EC of 27th June, 2001. This EU Directive is transposed into national Maltese legislation in S.L. 435.64 (STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS, 2010) of the Environment Protection Act (CAP. 435). Revisions to these regulations were introduced in 2015 and 2019, culminating in the current regulations, S.L.549.61.

An SEA is required when a policy or programme is expected to have a significant effect upon the environment. The SEA is applicable to all polices/programmes that relate to agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning and land use, which will set a precedent for the consent of future development projects.

1.3.3 The SEA Process

The first step in the SEA process is referred to as scoping. Once the main visions of the policy have been determined it is necessary to identify the environmental aspects that will have the largest role to play in the specific policy. The first period of stakeholder consultation is set up in order to help identify all the environmental aspects that should be considered. Once these have been identified the most prominent and relevant factors are selected to be used for the basis of the assessment process. The scoping process also involves the identification of EU, regional and national policies that need to be considered relevant to the policy being assessed. This is important to ensure that all polices are working together to achieve sustainable development and that they do not contradict one another.

After the scoping stage, the next stage involves the compilation of the environmental report. This comprises assessing the role of the identified environmental factors in the relation to the policy being assessed. The first stage is to carry out extensive research to establish the present conditions (baseline) and trends of each of the specific environmental factors. Once this has been established for each factor it is possible to

go on to assess the effect that the policy will have upon each of the environmental factors.

The SEA process involves the consideration of a number of alternatives. The impact of each of the individual environmental factors is assessed for each of the alternatives being considered. The significance of each impact is assessed in terms of whether it is positive or negative; permanent or temporary, and short, medium or long term. Secondary, cumulative and synergistic impacts are also considered.

After the assessment stage, the issue of environmental monitoring is tackled. Practical monitoring schemes are proposed for each of the identified environmental factors. Consultation with local authorities is required at this stage to establish what monitoring programmes are already in place to avoid duplication. This ensures the most efficient use of resources. It is important to have the monitoring methods in place by the time the policy is finalised. This enables monitoring to begin as soon as the policy is implemented and if necessary, allows prompt action to be taken if the policy is proving to be ineffective.

Once a thorough assessment of all the proposed measures and their impacts have been made, the environmental consultant is in a position to provide an overall assessment of the effectiveness of the alternatives in the proposed policy. At this stage the consultant also takes the opportunity to provide recommendations about the policy measures being assessed and any other relevant information that should be considered in the future.

Public and stakeholder consultation plays a very important role throughout the duration of the SEA process. They are regularly consulted to ensure that all view-points are being considered and that the measures within the policy are appropriate to achieve its objectives. Communication between the policy makers and the environmental consultants is also vital to ensure that the best possible policy is developed. The communication between these two bodies must be two way and reciprocal.

Once the environmental report has been finalised the Energy and Water Agency is obliged to provide a Statement of Adoption that informs all competent authorities, the public and affected EU member states that the policy has been implemented. The statement must outline how environmental factors were considered; a summary of the consultations and findings presented in the environmental report; and justifications for choosing the final set of measures.

During the policy implementation period it is important that the monitoring that was suggested in the environmental report is carried out. The monitoring is an important aspect to the process to ensure that the policy is having the desired effect and is not leading to any unforeseen adverse environmental effects.

2 METHODOLOGY

2.1 PHASE 1: THE SCOPING STAGE

The scoping phase of the SEA process is key as it provides the base for the entire assessment process. It is the phase that identifies the environmental factors that will be assessed in relation to the 3rd RBMP.

The SEA will be undertaken in line with the requirements of all relevant Directives and/or Conventions, all Government plans, programmes and policies relevant to the 3rd RBMP, its environmental considerations and their effective implementation and monitoring. The best practice guidance on SEA will be taken into account. The SEA will also be undertaken on the basis of acceptable methods and techniques, as outlined in relevant legislation and guidance.

AIS will subsequently liaise with the SEA Focal Point, who is the SEA Competent Authority (in this case the Energy and Water Agency), and other relevant designated authorities, in order to develop a sound environmental baseline and impact assessment procedure. The SEA scoping stage also involves the collation and analysis of all environmental representations submitted by the competent and designated authorities and additional stakeholders through the public consultation and the SEA focal point.

2.1.1 Environmental Baseline and the Impacts of PaMs

The first step involves reviewing the policies and measures (PaMs) proposed in the 3rd RBMP policy document. During the reviewing process, the key environmental themes which are considered the most likely to be impacted by the PAMs proposed in the 3rd RBMP were identified and listed hereunder:

- Water Quality
- Hydromorphology
- Landscape
- Marine, Terrestrial, Freshwater & Coastal Biodiversity
- Land and Sea Uses
- Infrastructure
- Agriculture & Soil
- Human Population & Health
- Climate Change
- Cultural Heritage

The SEA Directive does not specifically require the use of objectives or indicators; however, these are identified as the way in which environmental effects can be described, analysed and compared. SEA objectives state what is intended, and the plan's performance against objectives is normally measured by indicators. The SEA objectives are different and separate from the policy objectives, although the two influence each other and may overlap. SEA indicators are measurements of temporal trends, which will be used to ascertain the success of the implementation of the policy against various SEA objectives.

The environmental issues, criteria and indicators associated with each environmental theme have been identified as outlined in Table 1. The baseline conditions from the reported data sources will be used to account for the relevant themes identified. Subsequently, each measure will be assessed qualitatively to identify the potential environmental impact on each environmental theme. The inter-relationships between the themes, as well as secondary, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and negative impacts of the policy will also be addressed.

TABLE 1: THE RELEVANT ENVIRONMENTAL THEMES, CRITERIA AND INDICATORS

SEA THEME	CATEGORY	OBJECTIVE		CRITERION	INDICATOR	DATA SOURCE
Water	Water Quality	1	Safeguarding and improving water quality of all water bodies designated within the WFD	Achieving a 'good status' for physicochemical parameters in the designated waterbodies	Physicochemical status of the waterbodies	Energy and Water Agency, Environment and Resources Authority
	Hydromorphology	2	Improving the hydromorphology of all water bodies designated within the WFD	Maintain and safeguard environmental factors essential to ecosystem functions	Status of water provision in freshwater waterbodies	Environment and Resources Authority, EMODNET, Energy and Water Agency
					Status of hydrodynamics in wetlands, coastal and marine areas	
				Minimising the flooding risk in Malta's main water catchments and associated impacts	Areas of significant flooding risk & Implementation of mitigation measures	Environment and Resources Authority, Energy and Water Agency Ministry of Transport, Infrastructure and Public Works, Planning Authority

SEA THEME	CATEGORY	OBJECTIVE		CRITERION	INDICATOR	DATA SOURCE
Material assets	Landscape	3	Protect and improve the quality, integrity and distinctiveness of the landscape	Protection of the landscape	Status of landform and topography, landscape, the natural beauty and scenic amenity of the landscape	Environment and Resources Authority, Public stakeholders, Planning Authority
					Extent of urban sprawl	CORINE Land Cover, Planning Authority
Fauna, Flora, Water	Marine, Coastal, Freshwater and Terrestrial Biodiversity	4	Maintain and safeguard marine, coastal, freshwater and terrestrial habitats and species	Maintain and safeguard the conservation of designated protected areas and species	Status of protected habitats and species of flora and fauna, including birds	Environment and Resources Authority, EMODNET, Planning Authority
				Increase in the extent and connectivity of protected areas and species	Number and extent of new protected areas designated within the implementation period	Environment and Resources Authority, Planning Authority
				Improved ecological status of all waterbodies.	Ecological status assessment for all waterbodies	Environment and Resources Authority, Energy and Water Agency
				Increase in extent of natural areas	Area of natural land uses	CORINE Land Cover

SEA THEME	CATEGORY	OBJECTIVE		CRITERION	INDICATOR	DATA SOURCE
				Improved ecological status of seabed	Status and extent of seabed habitats in areas adjunct to coastal waterbodies	EMODNET, Environment and Resources Authority
Material Assets	Land and Sea Uses	5	Ensuring that land and sea uses within and around designated waterbodies are compatible with the achievement of good ecological status	Managing pressures resulting from incompatible sea uses	Number of targeted policy measures/projects implemented addressing pressures caused by sea uses on coastal and/or transitional waters	Environment and Resources Authority, Transport Malta, Ministry for Agriculture, Fisheries and Animal Rights
				Managing pressures resulting from incompatible land uses	Number of targeted policy measures/projects implemented addressing pressures caused by land uses on all waterbodies	
				Managing of pressures	Number of new protected areas and/or restrictions to detrimental sea or land uses	Environment and Resources Authority, Ministry for the Environment, Energy and Regeneration of the Grand Harbour

SEA THEME	CATEGORY		OBJECTIVE	CRITERION	INDICATOR	DATA SOURCE
Material Assets	Infrastructure	6	Improving the local infrastructure which has direct or indirect impacts on waterbodies and the achievement of good ecological status	Improving local wastewater treatment facilities	Number of upgraded urban wastewater treatment plants within the implementation period	Environment and Resources Authority, Energy and Water Agency, Water Services Corporation
					Amount of urban wastewater treated	
				Improving local wastewater management	Percentage of sewage network length upgraded within the implementation period	Environment and Resources Authority, Energy and Water Agency, Water Services Corporation
				Increasing the catchment of runoff and decreasing urban flooding and associated leaching of pollutants into waterbodies.	Number of new SUDS initiatives during implementation period	Environment and Resources Authority, Energy and Water Agency, Ministry of Transport, Infrastructure and Public Works

SEA THEME	CATEGORY	OBJECTIVE		CRITERION	INDICATOR	DATA SOURCE
Soil, Material Assets	Agriculture & Soil	7	Safeguarding national food provision and improving soil quality	Supporting local produce production	Amount of local produce on the market & Supporting initiatives	National Statistics Office, Ministry for Agriculture, Fisheries and Animal Rights
				Improved physicochemical status of soils	Levels of heavy metals and other pollutants in soils	Environment and Resources Authority
				Reduction of soil losses	Soil erosion rates	Environment and Resources Authority, Independent research, Ministry for Agriculture, Fisheries and Animal Rights European Environmental Agency (EEA)
					Soil sealing index	
Population, Human Health	Population & Human Health	8	Improving local population health	Reduced flooding risk	Flood risk areas & their status	Energy and Water Agency
				Improved bathing water quality	Status of bathing water quality	Environmental Health Directorate

SEA THEME	CATEGORY	OBJECTIVE		CRITERION	INDICATOR	DATA SOURCE
				Improved drinking water quality	Status of drinking water quality	Water Services Corporation
Climatic factors	Climate Change	9	Increased resilience to the adverse effects of climate change	Increased freshwater provision	Status of groundwater bodies (quantity)	Energy and Water Agency, Water Services Corporation
					Quantity of new water provision for agricultural irrigation	
			Climate change mitigation	Decrease in national greenhouse gas emissions	GHG emissions inventory	Malta Resources Authority
Cultural Heritage	Cultural Heritage	10	Improved status of historical rainwater harvesting infrastructure and improved hydromorphology	Restored rainwater harvesting infrastructure	No. of relevant schemes/projects & their local take-up	Energy and Water Agency, Regulator for Energy and Water Services, Superintendence of Cultural Heritage
				Removal of historical hydromorphological pressures	%/No. of artificial modifications and barriers in watercourses	Energy and Water Agency, Environment and Resources Authority

SEA THEME	CATEGORY	OBJECTIVE		CRITERION	INDICATOR	DATA SOURCE
Material assets	Aquaculture	11	Increased productivity of coastal aquaculture due to improved coastal and marine waterbody status	Increased productivity of aquaculture facilities	Total productivity of aquaculture / total biomass per aquaculture site	National Statistics Office Aquaculture Directorate

2.1.2 SEA Alternatives

Since the SEA must consider a variety of alternative scenarios and identify the ones which create the least possible environmental impact, it was necessary to develop a series of alternatives from the measures proposed in the 3rd RBMP.

The 3rd RBMP includes a detailed ranking system to classify and prioritize the proposed measures. These measures were evaluated using a structured approach based on five Key Factors (KFs), which reflect different dimensions relevant to the RBMP's objectives. Each Key Factor was assigned a weight according to its importance, and measures were given scores based on these factors. The final cumulative value for each measure was determined by summing the weighted scores across all Key Factors, which allowed for the prioritization of measures based on their overall score. The Key Factors considered were as follows:

TABLE 2: WEIGHTING OF KEY FACTORS

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

Given its relevance to assessing uncertainties and stakeholder reactions, **Key Factor 5 (KF5)** was deemed the most appropriate classification for informing the SEA assessment process. This factor was chosen since it was determined to be the most suitable factor to evaluate all the measures and can address the risks associated with implementing the proposed measures. This Key Factor considers two critical aspects:

1. **Likelihood that the expected effects of the measure will materialize**, which assesses the degree of uncertainty regarding the outcome.

2. **Likelihood of the measure's acceptability by stakeholders**, which evaluates the potential for public or sector-specific opposition.

Each measure received a score based on its level of risk as defined by the criteria under KF5. The scoring system for KF5 is used to categorise measures according to the likelihood of achieving the desired effects and their acceptability. Additionally, the weighting system for KF5 was designed to ensure that measures with lower risk and higher stakeholder acceptability are prioritised for implementation. The

cumulative score for each measure, including its evaluation against the other Key Factors, was then used to rank the measures in terms of priority. The scoring system is replicated in the following table for reference:

TABLE 3: LIKELIHOOD THAT EFFECTS WILL MATERIALISE - SCORING SYSTEM

CRITERIA	SCORE
High risk: Expected effects very uncertain and/or strong opposition by public/target sector expected	0
Medium risk: Expected effects have some uncertainty and/or potential for opposition by public/target sector	1
Low risk: Expected effects have limited uncertainty and/or expected to be broadly acceptable by public/target sector	2
No risk: Expected effects certain and acceptable to general public and target sector	3

Following discussions with the EWA, it was established that the following alternatives shall be considered in the SEA:

- **Do-nothing scenario:** No implementation of the RBMP measures. This scenario serves as a baseline for assessing the impact of not taking action.
- **Medium case scenario**: Implementation of PoM measures assigned a Key Factor 5 score of 2 & 3 only. These measures with scores of 2 and 3, are considered to have a low to no risk of failure, with limited to no uncertainty regarding their effects and broad public/sector acceptability.
- **Best case scenario**: Implementation of PoM measures assigned a Key Factor 5 score of 0, 1, 2 & 3. This scenario considers all measures, including those with higher risk and some uncertainty, but still includes measures with lower risk and greater stakeholder acceptance.

2.1.3 Stakeholders

The SEA Focal Point, composed of a chairperson and two other members, is the Competent Authority for the STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS 2010 (in this case the Energy and Water Agency). In addition, the designated authorities to be consulted which, due to their particular environmental responsibilities, may be affected by the environmental effects of implementing plans as per SEA REGULATIONS (S.L. 549.61) are:

- Environment and Resources Authority (ERA)
- Ministry for the Environment Energy and Regeneration of the Grand Harbour (MEER)
- Ministry for Agriculture Fisheries and Animal Rights (MAFA)

- Ministry for Transport Infrastructure and Public Works (MTIP)
- Ministry for Gozo and Planning (MGP),
- Ministry for Health and Active Ageing (MHA)

The development of the 3rd RBMP is co-managed by the Energy & Water Agency and Environment and Resources Authority. Policy consultations involving stakeholders have already taken place during the drafting stage of Malta's 3rd RBMP and identification of significant water management issues leading up to the policy drafting. Entities considered as key stakeholders to Malta's 3rd RBMP are listed hereunder:

- Institute for Climate Change and Sustainable Development (University of Malta)
- Ministry of Finance and Employment
- Ambjent Malta
- Malta Resources Authority
- Malta Business Bureau
- Malta Chamber of SMEs
- Building and Construction Authority
- Project Green
- Malta Tourism Authority
- Malta Enterprise
- Sustainable Development Directorate
- Regulator for Energy and Water Services
- Water Services Corporation
- Ministry for Foreign and European Affairs and Trade
- National Statistics Office
- Malta College of Arts, Science and Technology
- Institute of Earth Systems, University of Malta
- Planning Authority
- Flimkien ghal Ambjent Aħjar
- Friends of the Earth Malta
- Biological Conservation Research Foundation
- Fondazzjoni Wirt Artna
- Nature Trust
- Moviment Graffitti
- Birdlife Malta
- Din l-Art Ħelwa
- Għaqda Bdiewa Attivi

2.1.3.1 Stakeholder involvement

During the scoping stage of the SEA, AIS Environment will invite stakeholders identified in Section 2.1.3 to provide their feedback on the scoping report, prior to the submission of the finalised scoping report. The objectives of the stakeholder engagement are to:

1. Ensure and support the right level of stakeholder consultation with regards to the scope of the project. Communication efforts should aim to increase awareness of:
    a. Malta's 3rd RBMP and associated measures
    b. the process of the Strategic Environmental Assessment (SEA) of the 3rd RBMP;
2. Focus on the efforts to involve and consult with the largest number of stakeholders and public groups possible to assess the policy extensively and provide a most comprehensive baseline and impact assessment for the SEA as possible;
3. Generate interest and debate within the Maltese community;
4. Discuss the proposed assessment methodologies and indicators;
5. Highlight the EWA and ERA's commitment as regards to the above points; and
6. Reinforce and illustrate the positive points achieved for/by the EWA and ERA resulting from communication events.

At the scoping stage, all of the designated authorities outlined in Section 2.1.3 will be contacted by email for their feedback, prior to finalising the scoping report. In order to ensure and support the right level of public consultation with regards to the scope of the project, it is imperative that the EWA assists the project team in:

1. Raising public visibility for the 3rd RBMP and its role in implementing the WFD in Malta;
2. Targeting the right audiences;
3. Informing stakeholders of the SEA's outcomes through public consultation meetings
4. Achieving feedback from the stakeholders; and
5. Centralising communication efforts to deliver a clear message by using effective means of communication.

When compiling the environmental report, the full list of entities along with the public will be invited by email to attend a second stakeholder consultation session (or multiple sessions if necessary) so that they can provide their feedback. The venue for the stakeholders' session and other meetings will be at the EWA premises and/or remotely. Audio and video recordings are highly recommended to ensure that all stakeholder and public comments are properly reviewed and considered throughout the duration of the SEA process. Such recordings would facilitate the compilation of the meeting minutes, and corroborate the notes made in the minutes.

2.2 PHASE 2: COMPILATION OF THE ENVIRONMENTAL REPORT

The compilation of the environmental report (assessment of the environmental impacts, as part of the Strategic Environmental Assessment) will involve regular meetings between AIS and EWA to ensure that the most appropriate and effective strategy measures possible can be formulated specifically for the Maltese situation.

2.2.1 Structure of the report

The environmental report will be written in accordance with the guidelines set out in Schedule I of S.L.549.61 and include the following:

> *(a) an outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes;*
> *(b) the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme;*
> *(c) the environmental characteristics of areas likely to be significantly affected;*
> *(d) any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;*
> *(e) the environmental protection objectives, established at international, European or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;*
> *(f) the likely significant effects on the environment, including on issues such and biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects;*
> *(g) the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;*
> *(h) an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties, such as technical deficiencies or lack of know-how, encountered in compiling the required information;*
> *(i) a description of the measures envisaged concerning monitoring in accordance with regulation 11;*
> *(j) a non-technical summary of the information provided under the above*

2.2.2 Methodology

The stages involved in the compilation of the Environmental Report are outlined in Table 4.

TABLE 4: SUMMARY OF THE STAGES INVOLVED IN THE ENVIRONMENTAL REPORT

STEP	STAGES	DESCRIPTION
1	Establishing environmental baselines	Relevant baseline conditions and trends will be researched and compiled in the first stage of the Environmental Report. This includes the environmental characteristics of areas likely to be significantly affected by the policy
2	Policies	Links to other relevant environmental policies, plans and programmes will be described, particularly in relation to the SEA Regulations, the Strategic Plan for the Environment and Development, EU Marine Strategy Framework Directive, Water Framework Directive, Habitats Directives, Sustainable Development Strategy, Agenda 2030, The Nature Restoration Law, EU Biodiversity Strategy and others as applicable. All objectives relevant to the plan will be identified, along with how these were incorporated into the proposed policy
3	Potential environmental issues arising from the 3rd RBMP	A summary of the environmental issues potentially arising from the list of measures included in the 3rd RBMP will be provided
4	Impact Assessment	Evaluation of impact assessment and the designation of mitigation measures This will include all likely significant effects on the environmental themes identified in Table 1. All alternative scenarios proposed in the strategy will be assessed separately
5	Assessment of Alternatives	The various alternatives will be assessed to determine the preferred alternative (including reasons for rejection of others)
6	Recommendations	A description of the recommendations made throughout the SEA process to improve and finalise the 3rd RBMP measures proposed
7	Monitoring proposals	A description of the monitoring requirements will be identified to assess the effectiveness of the 3rd RBMP during the implementation stage

The significance of the environmental impacts will be assessed in Step 4, in line with the guidelines provided in Section 2 of Schedule II of S.L.549.61:

> *2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:*
> *(a) the probability, duration, frequency and reversibility of the effects,*
> *(b) the cumulative nature of the effects,*
> *(c) the transboundary nature of the effects,*
> *(d) the risks to human health or the environment (e.g. due to accidents),*
> *(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),*
> *(f) the value and vulnerability of the area likely to be affected due to:*
> *(i) special natural characteristics or cultural heritage,*
> *(ii) exceeded environmental quality standards or limit values,*
> *(iii) intensive land-use,*
> *(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.*

Various techniques will be used to assess the significance of each of the identified impacts. Such techniques will include the use of expert judgements, the use of thresholds, reference to legislation and consultation with stakeholders.

For each environmental theme, the impact assessment will be presented in tabular format, as indicated in the specimen table in Table 5. The matrix will summarise the strategy alternatives being considered, the significance of the impacts and the timeframe of the impacts.

TABLE 5: EXAMPLE OF THE FINAL ASSESSMENT MATRIX

IDENTIFIED AFFECTED ENVIRONMENTAL ASPECT:

MEASURE	SIGNIFICANCE	TIMESCALE	JUSTIFICATION
3rd RBMP Policy Option 1			
Measure 1			
Measure 2			
Measure 3			
3rd RBMP Policy Option 2			
Measure 1			
Measure 2			
Measure 3			

The significance will be classed as:

- Major positive
- Moderate positive
- Minor positive
- Negligible
- Minor negative
- Moderate negative
- Major negative
- Unclassified

The timescales refer to the duration for which the impact is expected to last, and will be categorised into short-term, medium-term and long-term. The exact designation of the timescales will be decided upon during the earlier stages of the environmental assessment.

A brief description will also be written to accompany the appraisal matrix to explain the evaluation of the strategy measures and the foreseen environmental impacts. A monitoring programme shall also be drafted to allow the EWA and ERA to monitor the environmental indicators assessed in the SEA.

2.2.3 Stakeholder involvement

The final consultation will present the draft versions of the environmental report. This consultation session will be organised and led by the Energy and Water Agency in collaboration with AIS Environment

In order to conform with the national SEA regulations (S.L.549.61), it is necessary that the Energy and Water Agency informs all competent authorities (including those outlined in Section 7[3] of S.L.549.61), the public and any other affected Member States that the policy has been implemented. The 3rd RBMP policy document, a statement of adoption and an outline of monitoring measures must be made available in accordance with Section 10(1) of S.L.549.61.

The statement of adoption will be composed of the following information to conform with Section 10(1b) of S.L.549.61:

- *A summary of how environmental considerations have been integrated into the plan or programme*
- *How the environmental report prepared pursuant to regulation 6, the opinions expressed pursuant to regulation 7 and the results of consultations entered into pursuant to regulation 8 have been taken into account in accordance with regulation 9, and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and*
- *The measures that have been decided concerning monitoring in accordance with regulation 11*

The Statement of Adoption will be used to provide evidence that the 3rd RBMP policy has undergone several revisions and that there has been extensive consultation on both the SEA and the 3rd RBMP. There will be a specific focus on the main proposed

changes to the 3rd RBMP that result from the SEA process and stakeholder consultations.

2.2.3.1 Stakeholders

The following consultees will be contacted during the consultation period related to the environmental report.

Designated Authorities

- Environment and Resources Authority (ERA)
- Ministry for the Environment Energy and Regeneration of the Grand Harbour (MEER)
- Ministry for Agriculture Fisheries and Animal Rights (MAFA)
- Ministry for Transport Infrastructure and Public Works (MTIP)
- Ministry for Gozo and Planning (MGP),
- Ministry for Health and Active Ageing (MHA)

Government Entities

- Ministry of Finance and Employment
- Ambjent Malta
- Malta Resources Authority
- Building and Construction Authority
- Malta Tourism Authority
- Project Green
- Sustainable Development Directorate
- Regulator for Energy and Water Services
- Water Services Corporation
- Ministry for Foreign and European Affairs and Trade
- National Statistics Office
- Planning Authority

Academic Institutions

- Malta College of Arts, Science and Technology
- Institute of Earth Systems, University of Malta
- Institute for Climate Change and Sustainable Development (University of Malta)

NGOs and Private Entities

- Malta Business Bureau
- Malta Chamber of SMEs
- Malta Enterprise
- Flimkien għal Ambjent Aħjar
- Friends of the Earth Malta
- Biological Conservation Research Foundation

- Fondazzjoni Wirt Artna
- Nature Trust
- Moviment Graffitti
- Birdlife Malta
- Din l-Art Ħelwa
- Għaqda Bdiewa Attivi
- Marsascala Residents Network
- Marsaxlokk Heritage
- Għaqda Storja u Kultura Birżebbuġa
- ACT – Malta
- Grow10Trees
- Environment Commission of the Church
- Malta Youth in Agriculture (MAYA)

3 AMENDMENTS

An initial email was sent out on the 28th of August 2024 informing the SEA Focal Point, Designated Authorities and Stakeholders as listed in Section 2.1.3 regarding the commencement of the SEA process for the 3rd RBMP. It was suggested that the stakeholders nominate a representative or contact point to facilitate future communication.

Following the submission of the first draft of the report on the 17th of September 2024 and subsequent approval by the Contracting Authority, the draft Scoping Report document was circulated via email to the Designated Authorities and Stakeholders listed in Section 2.1.3 on the 18th of September. The consultees were given until the 30th of September to return with feedback on the draft report.

The following entities replied with feedback:

- SEA Focal Point
- Ambjent Malta

Both entities stated they had no comments at this stage of the consultation process.

- Environment and Resources Authority (Designated Authority)
- Friends of the Earth Malta (NGO Stakeholder)
- Moviment Graffitti (NGO Stakeholder)
- National Statistics Office (Public Entity Stakeholder)
- Planning Authority (Public Entity Stakeholder)
- Sustainable Development Directorate (Public Entity Stakeholder)

The feedback received from these entities is summarised below along with actions taken to amend the draft Scoping Report based on the feedback received.

TABLE 6: FEEDBACK RECEIVED FROM THE ENVIRONMENT AND RESOURCES AUTHORITY

FEEDBACK RECEIVED	ACTION TAKEN
1.2 The draft measures (PaMs) of the 3rd RBMP should be provided for review together with the Environment Report.	Noted and implemented in the Environmental Report
Table 1: The Relevant Environmental Themes, Criteria and Indicators 1.3 In addition to the proposals in Table 1, it is recommended that the following are also taken into consideration in the Environment Report, as follows: • Water quality theme: The assessment in the Environment Report should be extended to also cover MSFD objectives and parameters as relevant.	MSFD results were included as a data source. Its objectives will be considered where related/relevant to the RBMP
• Landscape theme: The assessment should also consider impacts on land, including land take-up and land degradation.	Noted and implemented
Marine, Coastal… Biodiversity theme: The impact assessment on water and terrestrial biodiversity should also include impacts on the seabed, as well as impacts on flora and fauna and their habitats, whether protected or otherwise.	Noted. This request is already partially addressed by indicators for protected areas. Additional indicators were included such as seabed type (EMODNET) and extent of natural areas (CORINE) to cover non-protected areas/species. Status of seabed quality will be obtained through MSFD reports.
• Agriculture & Soil theme: It is recommended that the department responsible for agriculture is also consulted vis-à-vis data sources on soil erosion.	MAFA was added as a data source for the indicated theme
• It is suggested that the Planning Authority is also consulted on data sources for the following themes: hydromorphology (flood risk); landscape and land; and land- and sea-uses.	PA was added as a data source for the indicated themes

FEEDBACK RECEIVED	ACTION TAKEN
Section 5.1.2: SEA Alternatives 1.4 The scoping report highlights that the measures of the 3rd RBMP were weighted according to the five Key Factors in Table 2 (see below) as part of the RBMP process. These Key Factors are not the same environmental factors that need studying in the SEA as per Schedule I of S.L. 549.61 (Strategic Environmental Assessment Regulations).	Agreed. The factors are not mutually exclusive.
1.5 Key Factor 5 "was deemed the most appropriate classification with regards to the SEA assessment process", but no further information was provided about the used criteria and the assigned scoring/weighting. More specifically, for the assessment of alternatives, the scoping report proposes that only the following will be studied: • Do-nothing scenario: No implementation of the RBMP measures. • Medium case scenario: Implementation of measures assigned a Key Factor 5 score of 2 & 3 only. • Best case scenario: Implementation of measures assigned a Key Factor 5 score of 0, 1, 2 & 3.	A more detailed explanation regarding the methodology of identifying and scoring the key factors is now provided.
1.6 The SEA study should not be influenced by the above-mentioned weighting and scoring, as this is not based on the assessment of impacts in line with S.L. 549.611. It is recommended that the Environment Report should assess all proposed measures in the 3rd RBMP, including in the assessment of alternatives, irrespective of the weighting and scoring in Table 2. This should include a qualitative assessment of environmental impacts. The environmental justification behind the selection of a particular alternative is to be clearly explained in the Environment Report.	Noted. This will be done as part of the assessment methodology in the Environmental Report.
Section 5.1.3: Stakeholders	Noted and actioned.

FEEDBACK RECEIVED	ACTION TAKEN
ERA is to be included in the list of designated authorities to be consulted, as per Regulation 7(3) of S.L. 549.61 (Strategic Environmental Assessment Regulations).	
Section 5.2.2: Methodology 1.8 The Environment Report should consider the relationship between the 3rd RBMP and other relevant environmental plans and programmes. ERA's relevant environmental plans and programmes are available from the following links: • https://era.org.mt/legislation-policy/; and • https://era.org.mt/era-topic-categories/my-environment/	Noted. Described in Section 5.2.1 and Table 4
1.9 Suitable pre-emptive and mitigatory measures are to be considered after the assessment of environmental impacts. The Environment Report needs to describe how the foreseen impacts will be avoided or reduced through the proposed measures and whether any residual impacts will remain. The SEA is to evaluate whether the policy measures are expected to be effective or whether the residual impact would remain significant.	Noted. Described in Section 5.2.1 and Table 4

TABLE 7: FEEDBACK RECEIVED FROM FRIENDS OF THE EARTH (FOE) MALTA

FEEDBACK RECEIVED	ACTION TAKEN
We appreciate the work being done by the relevant authorities and the opportunity for public consultation on Malta's 3rd River Basin Management Plan (RBMP). This process is essential to ensuring that environmental considerations are factored into decisions impacting water quality, biodiversity, and land management. Below is our feedback, which focuses on key aspects of water management and agriculture. Firstly, it is vital to support farmers in transitioning to more sustainable agricultural practices. By doing so, we can improve the quality of water in agricultural areas. Farmers should also be supported with access to water in order to reduce the strain on water table extraction. According to Eurostat, Malta ranks lowest in the EU in terms of organic farming. This points to a missed opportunity to promote and support a transition to sustainable farming practices that benefit both water quality and overall ecosystem health. We recommend the policy to provide greater support and incentives for farmers to adopt sustainable farming methods, which will not only benefit water management but also lead to a more resilient agricultural sector. Furthermore, there must be stronger protection especially from construction, scrap and dump yards, and the use of impermeable pavement for areas surrounding water sources, such as valleys and reservoirs. These areas play a crucial role in water retention and natural filtration, and they should be safeguarded and restored to enhance their function. Protecting these sensitive areas will contribute to ensuring that Malta's water resources are better managed for long-term sustainability and restoration of sensitive areas for freshwater species which are highly endangered in Malta and further threatened by climate change. In terms of infrastructure, we advocate for mandatory water collection systems to be incorporated into both national and urban projects. The introduction of water	The general principles and ethos as described by FoE are noted and will be considered while drafting the Environmental Report, particularly in the assessment of alternative scenarios which could be more effective at achieving an improved water management in the Maltese Islands. The Nature Restoration Law, EU Biodiversity Strategy and Pollinator Strategy will be assessed during the evaluation of policy interlinkages, and thus were added to Table 4 accordingly.

FEEDBACK RECEIVED	ACTION TAKEN
catchment and storage systems as part of planning requirements would ensure that water is utilized more efficiently and reduce reliance on natural water bodies, particularly in light of climate change and increasing urbanization. Research and data collection should also be prioritized, with citizens and stakeholders encouraged and incentivized to participate in gathering information on water quality and land use impacts. Engaging farmers, civil society, and educational institutions in monitoring efforts would provide valuable insights for future policy adjustments and help create a participatory approach to environmental protection. Finally, it is essential to enforce these regulations effectively. Without enforcement mechanisms in place, much of the policy's potential will be lost. Monitoring compliance and penalizing non-adherence are key to ensuring that water management regulations are respected and lead to tangible improvements in water quality and ecosystem health. In conclusion, the policy should be considered part of a broader, more holistic, comprehensive, and systematic shift at the national level to improve environmental protection across sectors and The Nature Restoration Law and EU Biodiversity Strategy and pollinator strategy when drawing up management plans. Strengthening water management practices through better land use, sustainable agriculture, and robust enforcement mechanisms will be essential to achieving the goals of the 3rd RBMP and safeguarding Malta's environmental future.	

TABLE 8: FEEDBACK RECEIVED FROM MOVIMENT GRAFFITTI

FEEDBACK RECEIVED	ACTION TAKEN
<u>Recommendations for changes to TABLE 1: THE RELEVANT ENVIRONMENTAL THEMES, CRITERIA AND INDICATORS (Pages 11 to 14)</u> ● Theme 2 Hydromorphology: another indicator should be added on a national transportation strategy that prioritizes public and active transportation and walkable neighbourhoods. ○ To free up space for flooding mitigation measures we need to reduce space taken up by impermeable roads. Flooding mitigation cannot be accomplished without addressing a major cause of it - our full dependence on cars.	We already are considering the areas of significant flooding risk as one of our indicators. Whilst we cannot assess this in as high resolution as requested by Graffiti, we will be able to assess whether the proposed measures shall alleviate existing flooding pressures in certain catchment regions. Therefore, the management of urban flooding will be included through this indicator.
● Theme 4 Marine, Coastal, and Freshwater Biodiversity: the Indicator, "Number and extent of new protected areas designated within the implementation period" should include "and the efforts being made to manage these protected areas". ○ This is to avoid giving Paper Parks any merit for helping safeguard biodiversity.	This will be discussed in the section of the Environment Report which explores the interactions between RBMP and Protected Area management / other environmental policies.
● Theme 5 Land and Sea Uses: The Malta Tourism Authority should also be a data source.	Noted and actioned
○ Many areas around designated water bodies are used primarily for tourism which leaves a major impact on the ecological status of the area. Therefore, data such as number of visiting tourists and projected number of tourists should be considered for this theme.	While we agree that tourism is a pressure faced by these areas, it is considered out of scope to add tourism statistics to this particular SEA assessment since it is not an objective of the RBMP

FEEDBACK RECEIVED	ACTION TAKEN
	to manage tourism impacts.
Theme 7 Agriculture and Soil: an indicator should be added that measures the total agricultural land lost ○ The indicators proposed might represent a good picture of the soil condition while completely missing the fact that total agricultural land area is being lost due to construction. The loss of agricultural land is a major impact on agriculture and soil. The total land area dedicated to agriculture should be included as an indicator to get a complete picture.	We agree that agricultural land loss is of detriment to Malta's water management. However, this factor is not directly related to any of the objectives of the RBMP.
• Theme 9 Climate Change: a new criterion and a new indicator should be added on the fair, equitable and transparent distribution of water in the water table. The new indicator recommended is the number of boreholes, the amount of water extracted and how this groundwater is being used. ○ Who has access to this precious resource, how much water they have access to, and what they use it for should be regulated centrally since this should be a common resource not a private one.	Agreed with reservations on data availability, responsibilities and relevance as stated in previous points.
• Theme 9 Climate Change: A substantial amount of the energy produced in Malta is used to desalinate sea-water. A climate goal would be to make sure that this is done as efficiently as possible, switching over to renewable energy when possible.	Agreed, the impacts of the RBMP on climate change mitigation will be considered in the report. National GHG emissions have been included as an indicator under Theme 9.

FEEDBACK RECEIVED	ACTION TAKEN
• Theme 10 Restored Cultural Heritage: A new indicator should be added to the criterion "Restored rainwater infrastructure" The new indicator recommended is the number of built and restored rainwater harvesting infrastructures. Additionally, the Building and Construction Authority should be included as a data source. ○ Building wells in new buildings is a planning requirement that is frequently ignored, and would go a long way into avoiding flooding and reducing rainwater waste.	Publicly available data in this regard would only be available through WSC restoration efforts of large-scale reservoirs. Private well data is likely incomplete, since data would only be available for new constructions and/or restorations, and ultimately not relevant to the objectives of the RBMP.
<u>Recommended additions to the Stakeholder list (Pages 16 and 17)</u> • Stakeholders that are not included but should be: ○ Fisher cooperatives (There are several and these should all be included especially those representing small scale and traditional fisheries)	Outside of scope for the RBMP
○ Residential groups of coastal towns such as: ■ Marsascala Residents Network ■ Għaqda Residenti Slimiżi / Sliema Residents Association ■ Marsaxlokk Heritage ■ Għaqda Storja u Kultura Birzebbuġa ○ Afforestation groups ■ ACT - Malta ■ Grow10Trees ○ Environment Commission of the Church ○ Malta Youth in Agriculture (MAYA; Għaqda Bdiewa Attivi is already	Noted. All relevant stakeholders shall be consulted.

FEEDBACK RECEIVED	ACTION TAKEN
included so this group might bring a different viewpoint)	

TABLE 9: FEEDBACK RECEIVED FROM THE NATIONAL STATISTICS OFFICE (NSO)

FEEDBACK RECEIVED	ACTION TAKEN
Page 15 Useful indicators would be the soil sealing index or the percentage of developed land from the total land surface area because in general artificial areas increase runoff to the sea and decrease water infiltration into the aquifers.	Noted and actioned
Page 16 Other relevant indicators would be: 1. number and extent of protected areas which have site-specific management in place. 2. extent of development within protected areas. Such indicators would provide further insight about the effectiveness of protected areas to safeguard biodiversity.	Noted and actioned. The assessment will consider the interactions between the RBMP and other policies including those related to the management of protected areas.
Page 17 Another indicator would be percentage of urban wastewater generated which is treated up to the applicable treatment level. Such an indicator would provide information about the performance of Malta's urban wastewater treatment plants.	Noted and actioned. Publicly available data comprises the volumes of wastewater influent treated at each wastewater treatment plant. Such data is presented in the annual reports of the Water Services Corporation.
Page 18 Do drinking water quality and bathing water quality feature as part of the health component?	Noted and actioned. Data will be gathered from the WSC annual reports and Environmental Health Directorate respectively.
Page 18 As a criterion one can add the increased provision of secondary water for irrigation purposes, thus alleviating pressure from groundwater sources and	Noted and actioned. Data will be sourced from WSC annual reports.

FEEDBACK RECEIVED	ACTION TAKEN
helping to mitigate the effects of fluctuating rainfall patterns.	
Page 22 The full list of entities is a long one and so multiple consultation sessions targeting groups of entities should be considered.	Noted
Page 26 Time scales in terms of months/years should be specified	Noted and will be actioned in the Environmental Report

TABLE 10: FEEDBACK RECEIVED FROM THE PLANNING AUTHORITY

FEEDBACK RECEIVED	ACTION TAKEN
The PA observed that from the SEA key environmental themes, listed in S.L. 549.61, 'Air' has been excluded from the SEA Scoping report. On the other hand, the report mentions the following additional parameters: • Hydromorphology • Land and Sea Uses • Infrastructure • Agriculture It is not clear whether these are linked to the environmental theme of 'Material assets' under the SEA regulations. It would be helpful for the Scoping Report to provide a justification for the approach being taken.	During the determination of relevant environmental themes, AIS consulted the list of environmental issues as outlined in SL 549.61, replicated below: (f) *the likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the inter-relationship between the above factors* The scoping exercise determined that air quality will not be directly impacted by the measures as proposed in the RBMP, therefore this theme was scoped out. The additional themes listed fall within the S.L list of environmental issues accordingly: Hydromorphology: Water Land and Sea Uses, Infrastructure: Material Assets Agriculture: Soil, Material Assets The relevant environmental theme included as an additional column to Table 1 for clarity.
Given the 'Infrastructure' environmental theme refers to the RBMP proposed measure for an upgrade of the urban	The management of Construction and Demolition waste is not an objective of the RBMP measures, and likely will not be impacted by

FEEDBACK RECEIVED	ACTION TAKEN
wastewater treatment plants, would it be opportune to include solid waste, in particular construction and demolition waste, as a possible environmental theme?	this policy, therefore this theme was scoped out.

TABLE 11: FEEDBACK RECEIVED FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE

FEEDBACK RECEIVED	ACTION TAKEN
• In line with the aims of scoping identified of Section 4.3 of the Report, namely, identifying EU, regional and national policies that need to be considered relevant to the policy being assessed – the SDD highlights the importance of considering Malta's Sustainable Development Strategy (SDS) for 2050 as a relevant policy and the principles of Agenda 2030.	Feedback is noted and will be taken into consideration in the drafting of the environmental report. Specific reference to both is now included in Table 4
• With reference to Section 5.1.1, the SDD recommends that the environmental themes identified as most likely to be impacted by the policies and measures proposed in the 3rd RBMP be aligned with aspects noted in the SDGs (namely SDG 6, 14, 15) and Malta's Sustainable Development Strategy for 2050. In particular, it is recommended that "fisheries and aquaculture" are also added as a key environmental theme. Additionally, the green and blue economy may be considered as per Strategic Goal 1 of Malta SDS for 2050.	An indicator has been included to assess the impact of RBMP on productivity of coastal aquaculture through improved coastal water quality. Impacts of the RBMP on fisheries are considered to be less direct as these are not directly addressed under the WFD process.
• By ensuring that the Sustainable Development Directorate and its Strategy is referenced, the scoping report can better align with Malta's overarching Strategic Goals, leading to more effective and integrated environmental management.	Noted and will be actioned in the Environmental Report
• Page 20 Table 4: when noting Policies and links to other relevant environmental policies, plans and programmes, the SDD reiterates the importance of referring to Malta's SDS which is overarching and holistic – covering environmental, social and economic aspects.	Noted and will be actioned in the Environmental Report