



Comments on a Proposal for Demolition of Existing Structures and Construction of Fuel Filling Depot including Ancillary Offices, Facilities and Widening Access Road TRK 160087 (EA 00003/16)

4th April 2016

1. Introduction

BirdLife Malta has reviewed the Project Description Statement for the proposed development. The site proposed for development of the “Demolition of Existing Structures and Construction of Fuel Filling Depot including Ancillary Offices, Facilities and Widening Access Road” is partly located in a proposed Area of Ecological Importance (AEI) and Site of Scientific Importance (SSI) as identified in the South Malta Local Plan through policy *SMCO 03 Protection of AEI’s and SSI’s*.

These areas contain special habitats that require protection. Industrial developments could cause resurgence of negative environmental impacts and damage. In reaction to the submitted PDS, and the intention to have this development exempt of the need to carry out an Environmental Impact Assessment (EIA), BirdLife Malta would like to comment as follows.

2. Location of the development site

In a survey of ecological resources for the South Malta Local Plan conducted in August 2009, parts of the proposed development site have been identified as AEI’s and SSI’s because of their importance, both in terms of ecological habitats and landscape characteristics. AEI’s and SSI’s require protection from developments because of their considerable ecological and scientific values. Such expelled protected sites include indigenous and archaeophytic species which contribute to the typical Mediterranean setting, such as the *Maquis* species which has been identified in the proposed development area (as described in the Project Description Statement).

In accordance with section 46 of the Development Planning Act, 1992, there will be a general presumption in these protected areas and sites against development – including buffer zones adjacent to AEI’s and SSI’s - that would create negative impact. MEPA is obliged to safeguard and protect these areas/sites and therefore has to ensure that Enemed Co. Ltd meets the relevant environmental assessment criteria prior to realization of the project.

The specific habitat types need to be identified in the section of AEI’s and SSI’s. These habitat types, for instance semi natural woodlands, will be affected by the development and therefore, Enemed Co. Ltd should provide clarification in this matter to ensure that negative environmental impacts will be appropriately addressed and mitigated during the construction and operation phases.

BirdLife Malta is of the opinion that the proposed area is not suitable for constructing a fuel filling depot site and urges to revise the Project Description Statement. Given the PDS itself highlights critical points about the environmental importance of the area and possible severe ecological impacts that would result from the development, it is unclear why the proposed area is being selected for development.

In addition, alternative development sites to those considered on page 39 of the PDS have not been presented adequately and the PDS fails to assure that suitable alternative locations have been considered. Some justifications are very general and need further explanation. For instance “the land [at Bengħajsa] is not the property of the Applicant” is not in our opinion a valid justification for not considering alternative sites. Particularly, because several sites already provide necessary infrastructure for the construction of a fuel filling station.

As a suggestion, surrounding areas should be taken into consideration such as the area identified as a dumping site located on the northern part of the road connected to Triq Hal Far (see map 1). In terms of location, this site provides similar context conditions for the development, such as traffic connections and links to the harbour pipeline, however is already highly impacted by extensive dumping. In fact there are a number of enforcement notices for this area, resulting from the illegal use of this site as a dumpsite. This location is missed out from the alternative site assessment, and would be an area of lesser scientific/ecological importance that would be impacted by the development. The PDS as well as an EIA should look thoroughly into this matter.



Map 1: Proposed development sites
(Information by MEPA MapServer and the quality insurance assessment proposed by Enemed Co. Ltd)

3. Potential environmental impacts and necessity of an EIA

The potential impacts of the proposed development identified in the PDS include amongst others (1) ecological impacts during construction and operation, (2) noise, and (3) environmental risk. These issues are reason enough for the necessity of an Environmental Impact Assessment (EIA).

BirdLife Malta insists that an EIA is required, as the proposed development meets the criteria of Section 7.6.2.6 “Construction of a new fuel servicing station”, of Schedule IA of the Environmental Impact Assessment (EIA) Regulations, 2007.

3.1. Ecological Impacts

The proposed site for development is located on agricultural land which contains olive-carob woodland. As mentioned above, the Maquis species is of ecological value and located within the boundaries of the development site. As pointed out in the assessment, developments at this site will result in the removal of protected trees, a reduction of associated habitats and loss of agricultural land. This action could lead to potential significant environmental impacts.

3.2. Noise

Noise impact will occur during the construction phase of excavation of the development site. The timeframe for constructions of the site has been set for four weeks. During the construction phase, it must be ensured that the potential impacts are appropriately addressed.

3.3. Environmental risk assessment

The EIA matrix provided as part of the PDS indicates several concerning constraints, environmental risks and potential impacts. However, environmental risks are described in a very broad matter and several issues are not sufficiently addressed.

Risk of accidents during the construction and operation phase of the project could affect human health and the environment due to potential leaks, emissions, polluted runoff from the site, and other scenarios such as fires or explosions. A risk of surface contamination of land and water, including groundwater due to fuel spillages, leaks of any hazardous waste and runoff, as well as leakage from the storage tanks were pointed out and classified as low and very low in the groundwater risk assessment and the environment risk assessment.

Information to justify this classification, however, is not included and the basis of the conclusions needs to be provided as part of a complete EIA. In addition, a safety plan has to be provided and should be included in the EIA.

4. Traffic impact

A comprehensive analysis of expected impacts on the surrounding traffic system followed by developing the fuel filling station in the region should be provided. For instance, the assessment does not cover expected daily numbers of trucks and traffic generated by the fuel filling station per day. BirdLife Malta requests the preparation of a full Traffic Impact Statement (TIS), as part of the EIA, before final decisions on the realization of the project are made.

5. BirdLife Malta suggestions

BirdLife Malta urges that the above-mentioned comments are taken into account when the feasibility of the development of the demolition of existing structures and construction of fuel filling depot including ancillary offices, facilities and widening access road is being evaluated.



The area selected for the proposed development has environmental relevance because parts of it are located within Areas of Ecological Importance (AEI) and Sites of Scientific Importance (SSI). Therefore, alternative development sites should be considered, such as the dumping area north to the suggested development site which has been identified in map one.

The PDS fails to ascertain that the impacts from the development could be contained or mitigated without effectively evaluating fully the risks and importance of the site in question in terms of the various environmental factors that need to be considered. Aspects such as the impact on human health, impact on ecology, impact on hydrology and geology of the area and their contamination, waste disposal, and a risk assessment of the site in question could only be determined by an Environment Impact Assessment. BirdLife Malta demands that MEPA requests the compilation of a EIA, including a suitable alternative site assessment exercise prior to considering further this development.
