

Comments on PA8757/17 - Construction of the Malta-Italy gas pipeline EU Project of Common Interest 28 February 2018

BirdLife Malta has reviewed the Project Description Statement (PDS) for the proposed development “Construction of the Malta-Italy gas pipeline EU Project of Common Interest, including a terminal station at DPS, an onshore HDD route through Delimara Peninsula and the laying of an offshore 22”. Due to its nature and location, the proposed development qualifies for a full Environmental Impact Assessment (EIA) and an Appropriate Assessment (AA). BirdLife Malta suggests addressing the following points in these environmental studies:

1. Regarding the route selection: certain types of areas should be avoided to be considered as proposed routes for gas pipelines¹, including (1) Protected areas (e.g., UN World Heritage sites; UN Biosphere Reserves; Ramsar sites), (2) areas meeting IUCN’s categories I to VI, and marine categories I-V (e.g., fishing or fish breeding reserves), proposed or recognized protected area, areas maintaining conditions vital for protected areas (e.g., watersheds, buffer zones), and (3) Areas critical for rare, vulnerable, migratory or endangered species (listed on the IUCN Red List) as well as (4) conditions vital for protected areas (e.g., watersheds, buffer zones),
 - ➔ The project is proposed to cross through a marine Natura 2000 site (Il Bahat tal-Lvant MT0000108) which should be avoided given the sensitivity of the area among other factors due to sea birds and Posidonia meadows. In the case that the pipeline will cross through any of the above-mentioned areas, light and noise pollution need to be addressed in the EIA and a separate Appropriate Assessment needs to be carried out. Operations during breeding periods of seabirds should be avoided. BirdLife Malta furthermore recommends to install monitoring stations for observation of the behaviour of fish, marine mammals and birds and to establish a specific fund designed dedicated to obtain data and Information on and to increase the existing knowledge of the marine environment in the area impacted by the proposed development,
 - ➔ Onshore, the proposed development furthermore overlaps with a Site of Ecological Importance (SEI) designated among other criteria due to its costal garrigue. Any impact needs to be addressed and mitigated appropriately in the EIA.
2. Major concerns to the environment (especially sea mammals, fish and birds as well as other protected species) resulting from the proposed development can impact in the following manner²:
 - a. Physical damage to the seabed (including increase in water turbidity, release of nutrients and hazardous substances and impacts on bottom currents)

¹ https://cmsdata.iucn.org/downloads/book_on_pipeline_best_practice.pdf

² https://www.bonusportal.org/files/1144/Leppanen_Nord_Stream_Pipeline.pdf

- b. Discovery of dumped munitions and barrels which need to be removed (including leakage, poisoning in the area)
 - c. Munitions clearance of dumped munitions which can cause severe sediment disturbance in the process of removal
- ➔ A difference exists between the installations of gas pipelines onto the seabed or buried into the sediments of the seabed. Soft benthic communities will recover in a shorter period (within two years) and hard substrate of seabed where the re-colonialization process can take up to ten years. This number increases with depth of the installation as well as drop of temperature. The EIA needs to identify the approaches of developing best possible planning and environmentally friendly construction and management procedures as well as environmental monitoring programmes throughout the period of the entire project to minimize potential impacts during construction of the pipelines and address the above concerns holistically and fully,
3. An environmental and social impact assessment (ESA) should be considered for this project, (1) to prevent impacts, (2) to minimize the impacts that cannot be entirely prevented, (3) to mitigate the residual minimal impacts on both social and environmental levels. Furthermore, (4) residual minimized impacts should be fully compensated so that the impacted people and environment are better off with the project.
➔ If these points will not be addressed through a separate study, the EIA should include an analysis of the above,
4. Alternatives to the proposed pipeline, such as the already existing marine tanker need to be identified to justify the proposed development,
5. Oil Spill Prevention and Management: The EIA needs to ensure that oil spill response plans are in place before completion of the pipeline up to several years after operation of the pipeline has started,
6. Legislation relevant to the project includes the UN Convention on the Law of the Sea, the UNECE Convention on Environmental Impact Assessment in Transboundary Context (ESPOO), the EU Directive on environmental impact assessment (EIA) as well as national legislation. Especially the Espoo Convention (Italy (19 Jan 1995) ratified the convention whereas Malta (20 Oct 2010) accessed the treaty) needs to be addressed appropriately at all stages of the project, whereas:
 - a. Contracting Parties are obliged to notify and consult each other on all major projects that might have adverse environmental impact across borders
 - b. Individual Parties have to integrate environmental assessments into the plans and programmes at the earliest stages
- ➔ The EIA as well as further consultation processes need to be carried out in a transboundary manner where the public is given the chance to contribute equally to minimize stakeholder conflicts,



7. Cumulative assessments should be carried out as part of the EIA to ascertain if there is another project – existing or planned -- that may influence the proposed pipeline,
8. Decommissioning, rehabilitation and restoration plans need to be addressed in the EIA.