



Ministry for European Affairs and Implementation of the Electoral Manifesto

**STRATEGIC ENVIRONMENTAL ASSESSMENT ON MALTA'S NATIONAL RURAL
DEVELOPMENT PROGRAMME FOR THE PROGRAMMING PERIOD 2014-2020**

SCOPING REPORT

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Strategic Environmental Assessment on Malta's Rural Development Programme for the Programming Period 2014-2020 Scoping Report June 2014

Report for: **Ministry for European Affairs and Implementation of the Electoral
Manifesto**

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SCOPING REPORT

INTRODUCTION

1. The Ministry for European Affairs and Implementation of the Electoral Manifesto (MEAIM) is responsible for the drafting of Malta's National Rural Development Programme 2014-2020. The aim of the programme is to set a strategy to provide measures to implement the European Union's strategic priorities for rural development (Article 7 of COM(2011) 627 final/2).
2. Screening of the RDP determined that it qualifies for a Strategic Environmental Assessment (SEA) in accordance with Legal Notice 497 of 2010, the Strategic Environmental Assessment Regulations, 2010. In this regard, the SEA is being undertaken by Adi Associates Environmental Consultants Ltd. The Team is working closely with MEAIM.
3. This is the Scoping Report for the Strategic Environmental Assessment (SEA) of Malta's Rural Development Programme 2014-2020 covering the entire territory of the Maltese Islands. The aim of the Report is to set out the framework for the SEA including setting the context of the SEA, establishing the baseline, setting the SEA objectives and indicators for the assessment, and identifying any potential significant impacts on the environment of the RDP.

Strategic Environmental Assessment

4. European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment requires that a SEA of a wide range of plans and programmes is carried out prior to the implementation of the plan or programme. The objective of the "SEA Directive" is to provide a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans with a view to promoting sustainable development. SEA comprises:
 - Preparing an Environment Report on the likely significant effects of the draft Programme;
 - Consulting on the draft Programme and the accompanying Environment Report;
 - Taking into account the Environment Report and the results of consultation in decision making; and
 - A discussion of how the results of the environmental assessment would be taken into account in the Programme.
5. The information to be included in the Environment Report includes:
 - A description of the baseline environment;
 - Links between the Programme and other relevant policies, plans, programmes,

and environmental objectives;

- An identification of existing environmental problems affecting the RDP;
 - The RDP's likely significant effects on the environment, including issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climate, material assets, cultural heritage, landscape, and the interrelationship between such factors;
 - The mitigation measures envisaged;
 - A description of the alternatives considered and those discarded in favour of the selected action(s);
 - Monitoring measures envisaged; and
 - A non-technical summary.
6. The SEA Directive (2001/42/EC) has been transposed into national legislation by the SEA Regulations, 2010 (Legal Notice 497 of 2010).
7. Guidance on SEA for Malta has not yet been published. The Scoping Report therefore draws on other European Guidance namely, the GRDP's (2006) "Handbook on SEA for Cohesion Policy 2007- 2013", the Commission's "Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment" and the UK's (2005) "A Practical Guide to the Implementation of the SEA Directive".

Malta Rural Development Programme 2014- 2020

8. The "Malta Rural Development Programme 2014-20" (July 2013) addresses both the strategic priorities of the EU's European Agricultural Fund for Rural Development (EAFRD) and the Maltese Islands' context. The Rural Development Programme (RDP) sets out a strategy for rural development in Malta, including the identification of a number of options for implementation. This document will hereafter be referred to as "the Programme".
9. In line with the Europe 2020 strategy, Regulation 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) NO 1698/2005' identified six EU-wide priorities for rural development. These are:
- Priority I: Fostering knowledge transfer and innovation in agriculture, forestry, and rural areas:
 - (a) fostering innovation and the knowledge base in rural areas;
 - (b) strengthening the links between agriculture and forestry and research and innovation;

- (c) fostering lifelong learning and vocational training in the agricultural and forestry sectors.
- Priority 2: Enhancing competitiveness of all types of agriculture and enhancing farm viability:
 - (a) facilitating restructuring of farms facing major structural problems, notably farms with a low degree of market participation, market-oriented farms in particular sectors and farms in need of agricultural diversification;
 - (b) facilitating generational renewal in the agricultural sector.
- Priority 3: Promoting food chain organisation and risk management in agriculture:
 - (a) better integrating primary producers into the food chain through quality schemes, promotion in local markets and short supply circuits, producer groups and inter-branch organisations;
 - (b) supporting farm risk management.
- Priority 4: Promoting food chain organisation and risk management in agriculture:
 - (a) restoring and preserving biodiversity, including in Natura 2000 areas and high nature value farming, and the state of European landscapes;
 - (b) improving water management;
 - (c) improving soil management.
- Priority 5: Promoting resource efficiency and supporting the shift towards a low carbon and climate resilient economy in the agriculture and food sectors and the forestry sector:
 - (a) increasing efficiency in water use by agriculture;
 - (b) increasing efficiency in energy use in agriculture and food processing;
 - (c) facilitating the supply and use of renewable sources of energy, of by-products, wastes, residues and other non food raw material for purposes of the bio-economy;
 - (d) reducing nitrous oxide and methane emissions from agriculture;
 - (e) fostering carbon sequestration in agriculture and forestry;
- Priority 6: Promoting social inclusion poverty reduction and economic development in rural areas:
 - (a) facilitating diversification, creation of new small enterprises and job creation;
 - (b) fostering local development in rural areas;
 - (c) enhancing accessibility to, use and quality of information and

communication technologies (ICT) in rural areas.

10. The specific needs of Malta and Gozo were identified and five themes were formulated following a consultation period in order to facilitate the implementation of the rural development priorities at a national level. The identified themes are:
- **Water, wastes and energy:** improving sustainable use and generating renewable energy;
 - **Maltese quality produce:** improving quality, traceability, strategic marketing, adding value, branding and promotion;
 - **Sustainable livestock:** improving resource efficiency, competitiveness and productivity, and welfare;
 - **Landscape and environment:** managing habitats and features; and
 - **Wider rural economy and quality of life:** developing rural tourism, rural skills and promoting social inclusion.
11. The five themes identified at a national level have been linked to the six EAFRD priorities in order to show how these will be delivered through the RDP. The RDP will not address all the problematic issues related with the rural areas in Malta and Gozo, however it will ensure that the EU support will be focused to deal with specific problems in an effective way.

Measures and Sub-Measures

12. A number of measures and sub-measures have been identified for implementation. The measures seek to fulfil the objectives of the various focus areas and ultimately priorities. Some measures are relevant under more than one focus area and/or priority because they contribute to reaching more than one objective.
13. **Table I** presents a list of the measures and sub-measures. The measures are derived directly from the relevant articles in Regulation 1305/2013 (European Agricultural Fund for Rural Development) – these are also referenced in the table.

Table I: Measures and Sub-Measures of draft RDP

EAFRD Reg Art No.	Measures & Sub-Measures
14	Knowledge Transfer and Information Actions
	1.1 - support for vocational training and skills acquisition actions
	1.2 - support for demonstration activities and information actions
	1.3 - support for short-term farm and forest management exchange as well as farm and forest visits
15	Advisory Service, farm management and farm relief services
	2.1 - support to help benefiting from the use of advisory services
	2.2 - support for the setting up of farm management, farm relief and

EAFRD Reg Art No.	Measures & Sub-Measures
	farm advisory services as well as forestry advisory services
	2.3 - support for training of advisors
16	Quality schemes for agricultural products and foodstuffs
	3.1 - support for new participation in quality schemes
	3.2 - support for information and promotion activities implemented by groups of producers in the internal market
17	Investment in Physical Assets
	4.1 - support for investments in agricultural holdings
	4.2 - support for investments in processing/marketing and/or development of agricultural products
	4.3 - support for investments in infrastructure related to development, modernisation or adaptation of agriculture and forestry
	4.4 - support for non-productive investments linked to the achievement of agri-environment-climate objectives
19	Farm and business development
	6.1 - business start up aid for young farmers
	6.2 - business start up aid for non-agricultural activities in rural areas
25	Investments improving the resilience and environment value of forest ecosystems
28	Agri-environment-climate
	10.1 - payment for agri-environment-climate commitments
	10.2 - support for conservation and sustainable use and development of genetic resources in agriculture
29	Organic Farming
	11.1 - payment to convert to organic farming practices and methods
	11.2 - payment to maintain organic farming practices and methods
31	Payments to areas facing natural or other specific constraints
	13.3 - compensation payment to other areas affected by specific constraints
35	Co-operation
	16.1 - support for the establishment and operation of operational groups of the EIP for agricultural productivity and sustainability
	16.2 - support for pilot projects and for the development of new products, practices, processes and technologies
	16.3 - co-operation among small operators in organising joint work processes and sharing facilities and resources, and for developing and marketing tourism

EAFRD Reg Art No.	Measures & Sub-Measures
	16.4 - support for horizontal and vertical co-operation among supply chain actors for the establishment and development of short supply chains and local markets and for promotion activities in a local context relating to the development of short supply chains and local markets
	16.5 - support for joint action undertaken with a view to mitigating or adapting to climate change and for joint approaches to environmental projects and ongoing environmental practices
	16.6 - support for cooperation among supply chain actors for sustainable provision of biomass for use in food and energy production and industrial processes
	16.9 - support for diversification of farming activities into activities concerning health care, social integration, community-supported agriculture and education about the environment and food
37	Risk Management
42-44	LEADER local action groups/LEADER start-up kit/LEADER co-operation activities
	19.1 - preparatory support
	19.2 - support for implementation of operations under the CLLD strategy
	19.3 - preparation and implementation of cooperation activities of the local action group
	19.4 – support for running costs and animation
	20.1 - Support for technical assistance (other than NRN)
	20.2 – support for establishing and operating the NRN

THE SEA PROCESS

14. The SEA on the RDP for Malta started in November 2013, after Adi Associates Environmental Consultants Ltd and E-Cubed Ltd were awarded the tender to carry out this SEA and ex-ante evaluation through a competitive tender procedure administered by the Ministry for Sustainable Development, Environment and Climate Change (MSDEC). At the time of award of the contract, the MSDEC was the programme proponent. The Ministry for European Affairs and Implementation of the Electoral Manifesto has since taken on the role of programme proponent (Managing Authority) for the RDP 2014-2020.
15. The SEA involves several key stages:
 - The *scoping stage* aims to agree the scope and level of detail of information which must be included in the Environment Report. This sets out the context for the assessment and defines its scope. It is one of the most important stages in the process as it identifies the issues for consideration in the Environment Report. Although no longer a legal requirement, it is considered good practice to clearly document the scoping process. Consultation on the draft Scoping Report will be

undertaken with a number of identified stakeholders including the SEA Focal Point, the Ministry for Sustainable Development, Environment and Climate Change (MSDEC), the Ministry for Energy and Health (MEH), the Malta Environment and Planning Authority, the Malta Resources Authority, the Department of Agriculture, the Fisheries Control Directorate, and the Environmental Health Directorate. The draft Scoping Report will be amended to include comments that were received from these stakeholders as relevant.

- The *collection of baseline data and analysis of relevant plans, programmes, and environmental objectives* has already commenced. The Consultants are collecting baseline data from a wide range of sources, including studies of the key growth areas, and analysing a wide range of plans/programmes/objectives using matrices to structure the data collection. Maps of key environmental issues are being prepared.
- Preparation of the *Environment Report* – this commences once all relevant information is collected and following consultation with the stakeholders and the Managing Authority.

Guidance

16. Draft guidance on SEA for Malta has not yet been published. The Environmental Report therefore draws on other European Guidance, namely, the Greening Regional Development Programme (GRDP) (2006) “*Handbook on SEA for Cohesion Policy 2007-2013*”, the Commission’s “*Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment*” and the UK’s (2005) “*A Practical Guide to the Implementation of the SEA Directive*”.

RELATION OF MALTA’S RURAL DEVELOPMENT PROGRAMME 2014-2020 TO OTHER NATIONAL DOCUMENTS & LEGISLATION

17. Schedule 2 of the SEA Regulations requires a discussion on the “the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources” and “the relevance of the plan or programme for the implementation of Community legislation on the environment, such as plans and programmes linked to waste-management or water protection”. **Appendix I** provides a list of the policies, plans, and programmes relevant to the RDP, which have been analysed.
18. The analysis has been subdivided into four main categories:
- (i) **International Commitments:** this category covers the international environment and sustainability policy framework within which Malta must work. It includes a selection of global commitments, such as those arising from the Millennium Development Goals (MDGs), UN Framework Convention on Climate Change (UNFCCC) and Kyoto Protocol.
 - (ii) **EU requirements:** Relevant EU Directives and communications have been

included and summarised;

(iii) **National Environmental & Planning Documents** including the Structure Plan for the Maltese Islands, the National Sustainable Development Strategy, the National Environment Policy, and the National Reform Programme. The review provided herein summarises the key issues raised; further information can be obtained from the original documents;

(iv) **National Sectoral Policies and Strategies:** this section covers highest-level policy and strategy documents published by the Government, such as the National Strategic Plan. Rather than summarise entire documents this review seeks to emphasise the key sustainability objectives and priorities;

(iv) **National legislation:** no attempt will be made to assess the individual regulations, as is done at the project level EIA (Environmental Impact Assessment). However, the main areas of concern for the RDP will be highlighted. Given the scale (and evolutionary nature of this field) this review is not exhaustive and represents a current (May 2014) snapshot.

BASELINE DATA

19. A good understanding of the environment of the areas covered by the SEA is essential for the performance of a sound assessment. It is therefore necessary to establish the environmental baseline relevant to the plan or programme being proposed. This provides a snapshot of the existing state of the environment and a description of the likely future trends (based on past trends) without the programme being in place.
20. Existing environmental and sustainability data will be collected from a wide range of sources. **Table I** summarises this broad-brush description. The list is not exhaustive, and may be modified in the Environmental Report. It will also depend on the availability of data.
21. The Sustainable Development Strategy 2006 – 2016 identifies Malta's environmental challenges; it arises from a systematic review of official reports including the State of the Environment Report (1998, 2002, and 2005) and Malta's National Report to the World Summit on Sustainable Development (2002), and an extensive consultation process. The later National Environment Policy (2012) identifies Malta's Environmental Objectives.
22. The following environmental parameters were identified:
 - Air quality;
 - Climatic factors and climate change;
 - Energy-efficiency and renewable energy resources;
 - Biodiversity including the marine environment;
 - Freshwater;
 - Waste;
 - Land use;
 - Soils;
 - Landscape;
 - Cultural heritage;
 - Population and human health; and
 - Material assets.
23. The SEA baseline will focus on the parameters listed under Schedule I(f) of the SEA Regulations, 2010 - Information to be included in the Environment Report.

24. **Table I** shows how the Environment Report will draw together the issues and baseline data. Sources of information included the statistics produced by the National Statistics Office, the State of the Environment Report, 2005 (and subsequent updates) and the documents prepared in connection with the Structure Plan Review process. As the Environment Report is developed the baseline may be modified to reflect available and other relevant data.

Table I: Environmental baseline

Issue	Relevant baseline data	Illustrative material
Emissions to air and climate change	<ul style="list-style-type: none"> • GHG inventory (if relevant) • Emissions from various sectors • Coastal erosion, sea level rise, changing weather patterns resulting from climate change • Energy from renewables • Energy consumption 	Graphs and figures
Biodiversity / fauna and flora	<ul style="list-style-type: none"> • Areas protected and managed under international and local legislation • Areas known to support priority Annex I habitats under the Habitats Directive • Protected species • Areas for which surveys have been carried out • Natura 2000 network and Marine Protected Areas 	Designated, managed and surveyed areas; where relevant, any data related to areas, habitats and/or species that are not formally protected although they are considered to be of conservation value, will be included
Water	<ul style="list-style-type: none"> • Freshwater ecosystems • Water production and consumption • Nitrate and Chloride levels in groundwater • Groundwater bodies • Users and use of groundwater sources • Classification of groundwater sources • Licensed water suppliers • Classification of water suppliers • Water sources of suppliers • Capacities of water supplier tankers • Estimated volume of groundwater that may be abstracted from source (m3 / annum) • Water Framework Directive targets, objectives, protected areas 	Maps / graphs / tables

Issue	Relevant baseline data	Illustrative material
Soil	<ul style="list-style-type: none"> • Contamination of soil • Quantities of imported pesticides and fertilisers • Soil erosion • Soil sealing 	Published data and figures
Landscape	<ul style="list-style-type: none"> • Areas protected for landscape value 	Landscape sensitivity areas and protective designations
Cultural heritage	<ul style="list-style-type: none"> • Sites protected for cultural heritage • Traditional structures related to agricultural and rural activities as important elements of the rural landscape 	Maps
Human health	<ul style="list-style-type: none"> • Groundwater safeguard zones • Nitrate and Chloride levels in groundwater 	Graphs and tables Published data
Material assets and population	<ul style="list-style-type: none"> • Work force in the agricultural and rural sectors • Infrastructure related to the agricultural and rural sectors • Rural tourism • Waste generation and disposal trends especially with regards to animal wastes • Livestock farms 	Maps and figures

25. Quantitative data will be presented in the form of maps, tables, and figures, where possible. A brief description of the baseline and any trends will be given, where these are available. Where difficulties in obtaining data are encountered they will be described in the Environment Report.

EVALUATION OF THE CURRENT SITUATION

26. The SEA Regulations require a description of the relevant aspects of the current state of the environment and the likely evolution thereof without the implementation of the policy document with a particular emphasis on the future developments arising from other relevant plans and programmes.
27. This analysis will focus on the main environmental issues that have been identified in **Table I**. It will include a description of the past and current trends from data available from existing monitoring systems or through expert judgements (in cases where data are lacking). It will also outline the likely evolution of these trends, if the RDP were not implemented.
28. The description of the likely future trends should the RDP not be implemented is constrained by uncertainties, including availability of data on future economic development, technological progress, or advancements in regulatory frameworks that

collectively influence future trends. The assessment will include a list of major uncertainties.

SEA OBJECTIVES

29. The SEA Directive does not specifically require the use of objectives or indicators in SEA, although they are a recognised way through which environmental effects can be described, analysed, and compared.
30. It is therefore preferable to use indicators to monitor the performance of the policy against the SEA objectives. The SEA objectives are meant to be separate from the policy objectives, and provide a way to assess the potential environmental performance of the policy objectives. Thus, the environmental objectives should influence the policy objectives, and the two may even overlap. To fulfil the requirements of the SEA Directive and the SEA Regulations, 2010, the SEA objectives must cover biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage, landscape, and interrelationships between them.
31. In developing appropriate objectives, the following documents have been consulted:
 - GRDP’s Handbook on SEA for Cohesion Policy 2007- 2011;
 - The Commission’s “*Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment*”;
 - A Practical Guide to the Implementation of the SEA Directive, ODPM
 - The SEA Directive 2001/42/EC; and
 - SEA Regulations, 2010.
32. In developing appropriate indicators the following documents have been consulted:
 - National Environment Policy, 2012;
 - The Sustainable Development Strategy for the Maltese Islands, 2006-2016; and
 - Malta’s State of the Environment Report, 2005 and subsequent updates.
33. **Error! Reference source not found.** defines the set of objectives relating to the environmental issues identified in **Table I**. Alongside these, relevant criteria for assessment and possible data sources have been identified.
34. The SEA indicators are measurements of trends over time. They will be used as a means of ascertaining the success of implementation of the RDP against the various SEA Objectives. Where possible the SEA process endeavours to identify how the RDP would affect these indicators (i.e. the trends); such a process is constrained by the fact that the SEA indicators themselves depend on other factors outside the control of the RDP.

Table 2: SEA Environmental Objectives & Indicators for Assessing Impacts

Issue	SEA Objective	Criteria How will this measure...	SEA Indicator	Data source
Biodiversity, Flora & Fauna	<ul style="list-style-type: none"> To maintain biodiversity (including terrestrial and marine) To avoid negative effects on protected habitats and species To avoid introduction of non-indigenous species into the natural environment To ensure that populations of native species are within safe biological limits To retain connectivity and avoid habitat fragmentation 	<ul style="list-style-type: none"> Affect the integrity of designated areas? Affect protected species and habitats? Affect take up of land which supports a natural environment? Affect the introduction of non-indigenous species into the natural environment? Affect the creation / maintenance of natural corridors and stepping stones? 	<ul style="list-style-type: none"> Number of permitted sites in protected areas Conservation status of habitats and species Records of non-indigenous species in the natural environment that may have been introduced as a result of agriculture activities 	<p>Environmental monitoring through Environmental Impact Assessment (EIA), Appropriate Assessment (AA), or other regulatory requirements as relevant.</p> <p>Malta Environment and Planning Authority (MEPA)</p> <p>Natura 2000 site managers</p>
Human health and Population	<ul style="list-style-type: none"> To ensure agricultural/livestock products are within the legal safety requirements (pesticides and diseases) for human consumption To ensure ground water quality does not deteriorate as a result of agricultural activity To reduce noise, dust, odour, and light pollution 	<ul style="list-style-type: none"> Affect the safe consumption of agricultural/livestock products? Affect ground water quality? Affect dust generation from construction and waste handling activities? Affect noise from construction, traffic and livestock farms? Affect light pollution from development? Affect odour generation? Affect the provision of access to the countryside and outdoor recreation activities? 	<ul style="list-style-type: none"> Analyses and test results as required by legislation / operational permit requirements Ground water quality results Life expectancy at birth Changes in demography Number of walking and cycling routes % of organic food produced 	<p>Malta Competition and Consumer Affairs Authority (MCCAA)</p> <p>MEPA</p> <p>National Statistics Office (NSO)</p> <p>Department of Agriculture</p> <p>Ministry for Sustainable Development, Environment and Climate Change</p> <p>Ministry for Gozo</p>

Issue	SEA Objective	Criteria How will this measure...	SEA Indicator	Data source
	<ul style="list-style-type: none"> To protect and improve the health and well-being of the population 	<ul style="list-style-type: none"> Affect access to fresh, quality and nutritious food? Affect access to locally sourced food? 		
Water	<ul style="list-style-type: none"> To meet the standards required by the Water Framework Directive To minimise pollution on groundwater from activities directly arising from the agricultural sector To improve drinking water quality and supply To avoid deterioration of water bodies 	<ul style="list-style-type: none"> Affect drinking water quality while meeting demand? Affect the existing supply infrastructure? Affect the ecological status of inland surface waters? Affect water efficiency within the sector? 	<ul style="list-style-type: none"> Drinking water quality over time. Number of plans, programmes and projects to maintain the existing supply infrastructure over time Chemical analysis Number of projects funded by the RDP to assist in the attainment of WFD objectives Likely compliance with WFD objectives Number of water pollution accidents Quality of freshwater bodies Proportion of water abstraction by use Distribution of nitrate concentration 	Malta Resources Authority / WSC
Emissions to air	<ul style="list-style-type: none"> To ensure odours are minimised 	<ul style="list-style-type: none"> Affect odour emissions? 	<ul style="list-style-type: none"> Number of complaints related to odour from agricultural/livestock operations 	MEPA, MSDEC
Climatic factors and climate change	<ul style="list-style-type: none"> To contribute to climate change adaptation and/or mitigation To increase reliance on renewable energy 	<ul style="list-style-type: none"> Affect climate change (considering in particular mitigation, adaptation, renewable energy and GHGs?) 	<ul style="list-style-type: none"> Use of renewable energy over time GHG emission trends over time 	MEH, MRA

Issue	SEA Objective	Criteria How will this measure...	SEA Indicator	Data source
	resources <ul style="list-style-type: none"> To reduce GHG emissions 			
Soil	<ul style="list-style-type: none"> To prevent soil erosion To prevent soil sealing To prevent soil contamination 	<ul style="list-style-type: none"> Affect soil quantity and quality? 	<ul style="list-style-type: none"> Number of projects implemented through the OP that include soil conservation 	Environmental Impact Assessment, Environmental monitoring as part of permit
Material assets	<ul style="list-style-type: none"> To ensure efficient water management within the sector To ensure sustainable waste management within the sector 	<ul style="list-style-type: none"> Affect sustainable water management practices? Affect sustainable waste management practices? 	<ul style="list-style-type: none"> Water consumption by the sector over time Groundwater quality results Surface water quality results Waste generation by and waste management for the sector over time 	MRA, WasteServ, Department of Agriculture, MSDEC
Cultural heritage	<ul style="list-style-type: none"> To maintain the conservation status of cultural heritage sites / areas with known cultural / archaeological remains 	<ul style="list-style-type: none"> Affect cultural heritage including archaeological heritage? 	<ul style="list-style-type: none"> Number of operations located away from cultural heritage sites / areas or areas with known cultural / archaeological remains as a percentage of the total number of operations Number of projects targeting the restoration of cultural heritage features and improvement of the cultural landscape 	MEPA Heritage Malta Superintendent of Cultural heritage
Landscape	<ul style="list-style-type: none"> To maintain landscape quality distinctiveness 	<ul style="list-style-type: none"> Affect landscape quality distinctiveness? 	<ul style="list-style-type: none"> Environmental Impact Assessment results on landscape assessment 	MEPA

LIKELY SIGNIFICANT EFFECTS AND CONSTRAINTS

35. Significance will also be assessed in accordance with the criteria listed in Schedule 4 of the SEA Regulations, 2010. Consultation will ensure that all factors are considered. Reference documents will include the National Environment Policy, Sustainable Development Strategy and the State of the Environment Report, 2005 (and subsequent updates). Subsequent sections further describe how impacts will be assessed.
36. The assessment of significance is already well established in Environmental Impact Assessment (EIA) literature. Significance is a function of impact magnitude and the sensitivity of receptors. Various methods can be used to determine significance including expert judgements, the use of thresholds, reference to legislation, and consultation with stakeholders. It is expected that, in the course of the SEA process, all these techniques will be used.
37. The assessment of significance is based on the probability of the impact occurring, on the scale of the impact, its duration, reversibility, whether it has transboundary impacts, and whether the impact is uncertain. **Table 4** describes the assessment framework and the symbols used to denote the various types of impact.
38. The relevant SEA objectives identified in **Table 2** will then be used to assess the RDP Priorities and recommendations in accordance with the significance criteria described in **Table 3**. It is proposed to present the results of the assessment in the format indicated in **Table 4**.

Table 4: Assessment legend

Impact character	Symbol	Description of Impact
Probability	VP	Impact very likely to occur
	P	Impact likely to occur
Scale	++	Large positive impact
	+	Positive impact
	0	No impact
	-	Negative impact
	--	Large negative impact
Direct / Indirect	I	Indirect impact
	D	Direct impact
Frequency / duration	LT	Long term
	ST	Short term
Transboundary dimension	TR	Possible transboundary effect
Uncertainty	?	Impact uncertain

Table 5: Example RDP Assessment framework and format for environmental report

Relevant SEA Aspect	SEA Objectives	Criteria How will this measure.....	Comment	Significance		Mitigation
				Symbols	Summary description	
Measure: Knowledge transfer and information actions (Art 14)						
Biodiversity, Flora & Fauna	<ul style="list-style-type: none"> To maintain biodiversity (including terrestrial and marine) To avoid negative effects on protected habitats and species To avoid introduction of non-indigenous species into the natural environment To ensure that populations of native species are within safe biological limits To retain connectivity and avoid habitat fragmentation 	<ul style="list-style-type: none"> Affect the integrity of designated areas? Affect protected species and habitats? Affect take up of land which supports a natural environment? Affect the introduction of non-indigenous species into the natural environment? <p>Affect the creation / maintenance of natural corridors and stepping stones?</p>	What is the potential impact?	Impact assessment in accordance with the criteria listed in Table 4	Justification of the impact assessment	Description of mitigation measures, if these are necessary
		<ul style="list-style-type: none"> Affect the integrity of designated areas? Affect protected species and habitats? Affect take up of land which supports a natural environment? Affect the introduction 				

		<p>of non-indigenous species into the natural environment?</p> <ul style="list-style-type: none">• Affect the creation / maintenance of natural corridors and stepping stones?				
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Cumulative & Synergistic Impacts

39. This stage of the process involves an assessment of the cumulative and synergistic effects of all proposed priorities in the RDP on the relevant environmental issues, objectives, and indicators. Cumulative effects are effects that result from incremental changes caused by other past, present, or reasonably foreseeable actions together with the proposal. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.
40. Synergistic effects interact to produce a total effect that is greater than the sum of the individual effects. Synergistic effects often happen as habitats or human communities begin to reach carrying capacity and/or non renewable resources are depleted unsustainably.
41. The cumulative and synergistic impact assessment will be based on the information generated by the preceding assessments (described above) of the individual priorities. Any identified cumulative and synergistic effects will be summarised and used as recommendations for final adjustments to the programming document.

ALTERNATIVES

42. The SEA Directive requires that an assessment must identify the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.
43. During the development of the RDP, feasible alternatives considered by the Programming Unit will also be assessed from an environmental viewpoint against the SEA objectives identified in **Table 2**.

MONITORING

44. The Environment Report will include a section that describes how the success of the RDP's implementation will be measured with respect to the SEA objectives, by measuring (monitoring) the significant effects of the RDP on the environment.
45. The SEA will assess the monitoring arrangements proposed for the RDP and may recommend incorporation of new indicators based on the relevant environmental issues, objectives, and indicators for the programming document.
46. Again, it is noted that the correlation between indicators for monitoring and the RDP objectives may be constrained because indicators may be affected by other initiatives, including private sector initiatives, other plans and programmes, and legislative measures that are outside the scope of the RDP.

THE ENVIRONMENT REPORT

47. The proposed structure of the Environment Report is as set out in **Table 6**. It is noted that as the Report develops the structure may change slightly; however, the following table gives the general framework. It is in accordance with the provisions of Schedule I of the SEA Regulations, 2010.

Table 6: Structure of the Environment Report

Section	Content
Summary and outcomes	Non-technical summary
Introduction	Strategic environmental assessment (compliance with the SEA Regulations, 2010) Aim and structure of the report RDP background
Methodology	Approach adopted Stages of SEA process (timings and responsibilities) Limitations Consultation
Baseline	The environmental baseline Summary of environmental issues Links to other relevant policies, plans, programmes
SEA framework	Objectives and indicators Assessment of significance
Assessment of alternatives	Alternatives considered Comparison of alternatives Consideration of environmental issues in development of alternatives Preferred alternative (including reasons for rejection of others)
Detailed Assessment of the RDP	Assessment of each RDP Priority Recommendations Recommended changes to the RDP Proposed mitigation Uncertainties and risks
Monitoring proposals	A description of the monitoring requirements
Appendices	As necessary

STRUCTURE OF ENVIRONMENT REPORT

48. The structure of the Environmental Report has been developed following consideration of European Guidance and as described in the Scoping Report. The Environment Report structure is detailed below:
- Non-technical summary;
 - Glossary of abbreviations;
 - **Chapter 1** – Introduction (overview of the RDP and its purpose; layout of report);
 - **Chapter 2** – Summary of the RDP and its context (brief description of the RDP and related documents; links to other plans / programmes);
 - **Chapter 3** – Methodology (identification of main options: approach taken, who has been consulted, and when);
 - **Chapter 4** – Baseline environmental information and trends (and limitations of data) including evolution of baseline without the implementation of the RDP;
 - **Chapter 5** – SEA objectives and context (key environmental aspects, relevant environmental objectives and criteria, and likely environmental implications without the SEA);
 - **Chapter 6** – Assessment of Alternatives including reasons for selecting alternatives dealt with;
 - **Chapter 7** – Assessment of environmental effects and proposed mitigation;
 - **Chapter 8** – Recommendations; and
 - **Chapter 9** – Monitoring requirements.

Appendix I: Analysis of Related Plans, Programmes, and Legislation

Plan, Programme, Legislation	Description	Implications for the RDP
I. International Commitments		
The UN Millennium Declaration and Millennium Development Goals (MDGs)	The United Nations Millennium Declaration arose from the meeting of UN Heads of State in New York, September 2000. The Declaration was aimed at revitalising international efforts to tackle critical development issues, and led to agreement on, and adoption of, the eight Millennium Development Goals (MDG). Of relevance to the SEA is the seventh MDG: ensure environmental sustainability.	This is a national commitment and the RDP must play a role in its realisation.
UN Framework Convention on Climate Change	The ultimate objective of this Convention, and any related legal instruments that the Conference of the Parties may adopt, is to achieve stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a timeframe sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner. Malta is not an Annex I country, which means that it does not have to meet quantified targets for a reduction in greenhouse emissions. It does, however, support efforts to reduce greenhouse gas emissions and is bound by EU legislation.	The RDP should be aware of Malta's efforts to combat and adapt to climate change and encourage efforts to reduce emissions. The SEA proposes indicators related to climate change.
Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979)	Malta is a party to the Bern Convention. The Convention aims to ensure conservation of wild flora and fauna species and their habitats. Special attention is given to endangered and vulnerable species, including endangered and vulnerable migratory species specified in appendices. The Parties to the Convention must undertake to take all appropriate measures to ensure the conservation of the habitats of the wild flora and fauna species. Such measures should be included in the Parties' planning and development policies and pollution control, with particular attention to the conservation of wild flora and fauna. They should also undertake to promote education and disseminate general information concerning the need to conserve species of wild flora and fauna and their habitats.	The RDP should be aware of the endangered and vulnerable species of flora and fauna in Malta and ensure that the RDP is not in conflict with measures for their protection and conservation and those of their habitats. This will be done through the assessment of the RDP using the SEA objectives on biodiversity.
The Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean,	This Convention, known as the Barcelona Convention, requires the Contracting Parties to "...individually or jointly take all appropriate measures in accordance with the provisions of this Convention and those Protocols in force to which they are party to prevent, abate, combat and to the fullest possible extent	The application of the precautionary and "polluter pays" principles, the obligation on the Parties to carry out and promote impact assessments, protect and preserve biological diversity, and access to information and public

Plan, Programme, Legislation	Description	Implications for the RDP
1976 (the Barcelona Convention)	<p><i>eliminate pollution of the Mediterranean Sea Area and to protect and enhance the marine environment in that Area so as to contribute towards its sustainable development</i>" (UNEP, 2004¹).</p> <p>The Convention, as revised in 1995, strives to "take all appropriate measures to prevent, abate and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area caused by dumping from ships and aircraft or incineration at sea." This is in line with similar moves in other international and regional conventions (e.g. the London Dumping Convention, the Oslo Convention², and the Helsinki Convention³), and is based on the precautionary principle, which has set a new level of priority in emerging international legislation, including EU Directives. These various amendments include the extension of the Convention's geographical field of application to the coast, the application of the precautionary and "polluter pays" principles, the obligation on the Parties to carry out and promote impact assessments, protect and preserve biological diversity as well as combat pollution from cross-border movements of dangerous waste, and access to information and public participation (EU, 2005⁴).</p>	participation are of relevance to the RDP.
The Protocol of the Barcelona Convention concerning Specially Protected Areas and Biological Diversity in the Mediterranean, 1999	This Protocol, promulgated by the Contracting Parties to the Barcelona Convention in 1999, aims to protect, preserve, and manage in a sustainable and environmentally sound way the areas of particular natural or cultural value of the Mediterranean through the establishment of Specially Protected Areas (SPAs), and to protect, preserve and manage threatened or endangered species of flora and fauna. To date, 4 SPAs have been designated in Malta under this Protocol, namely I-Ghadira, II-Gzejjer ta' San Pawl, Filfla & surrounding islets and I-Gebbla tal-General.	Its relevance to the RDP lies in its requirement for EIA for any industrial or other projects that could significantly affect protected areas and species and their habitats (Article 17 of the Protocol). The requirement for EIA will also be highlighted in the Environment Report.
The Convention on Biological	The Convention on Biological Diversity, also known as the Rio Convention,	The sustainable conservation of resources in the marine

¹ <http://www.unep.ch/seas/main/med/medconvii.html>. As accessed in March 2005.

² The Convention for the Prevention of Marine Pollution from Ships and Aircraft (1972).

³ The Convention of the Protection of the Marine Environment of the Baltic Sea Area (1974 revised in 1992).

⁴ Europa website. Accessed on <http://europa.eu.int/scadplus/leg/en/lvb/l28084.htm>; March 2005.

Plan, Programme, Legislation	Description	Implications for the RDP
Diversity, 1992	<p>was enacted in 1992. Its objective is to “<i>conserve the maximum possible biological diversity for the benefit of present and future generations and for its intrinsic value</i>“. This pact among the vast majority of the world's governments sets out commitments for maintaining the world's ecological underpinnings while maintaining economic development. The Convention establishes three main goals: the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits from the use of genetic resources. Relevant aspects of the Convention are the emphasis on the sustainable use of components of biological diversity, the requirement for EIA, and the inclusion of biodiversity issues.</p> <p>A direct result of the Rio Convention was the concept of Agenda 21 – a global partnership for sustainable development. Agenda 21 addresses today's pressing problems aiming to prepare the world to meet its challenges. It reflects a global consensus and political commitment at the highest level on development and environment cooperation. Its successful implementation is first and foremost the responsibility of Governments but the broadest public participation and the active involvement of the non-governmental organizations and other groups should also be encouraged. National strategies, plans, policies, and processes are crucial in achieving this (UNEP, 2005⁵).</p> <p>Agenda 21 has four sections: Social and economic dimensions; Conservation and management of resources for development; Strengthening the role of major groups; and Means of implementation.</p>	environment is particularly relevant to the RDP and will be assessed in the Environment Report.
Strategic Plan for Biodiversity 2011-2020	At the tenth meeting at the Conference of the Parties of the Convention on Biological Diversity held in 2010 in Japan, a Strategic Plan for	The SEA will consider the Aichi Biodiversity Targets in the assessment of the RDP.

⁵ UNEP Earthwatch website, 2005. Accessed at <http://earthwatch.grid.unep.ch/agenda21/> in March 2005.

Plan, Programme, Legislation	Description	Implications for the RDP
	<p>Biodiversity 2011-2020 was adopted. This new plan provides the new overarching international framework for biodiversity including the Aichi Biodiversity targets for the period 2011-2020. There are twenty targets in all, divided into five strategic goal areas as follows:</p> <ul style="list-style-type: none"> • Strategic Goal A: Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society; • Strategic Goal B: Reduce the direct pressures on biodiversity and promote sustainable use; • Strategic Goal C: To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity; • Strategic Goal D: Enhance the benefits to all from biodiversity and ecosystem services; and • Strategic Goal E: Enhance implementation through participatory planning, knowledge management and capacity building. <p>It was agreed that all signatories to the Convention would translate this Plan into national biodiversity strategies and action plans</p>	
Nagoya Protocol on Access to Genetic Resources and their Fair and Equitable Sharing of Benefits arising from their Utilisation in the Union	This is a supplementary agreement to the Convention on Biological Diversity (adopted in 2010) and provides a legal framework for the implementation of one of the three objectives of the CBD in relation to the fair and equitable sharing of benefits arising out of the utilisation of genetic resources. The Protocol applies to genetic resources covered by the CBD and to the benefits accrued by their utilisation, it also covers traditional knowledge from the use and benefits from utilisation.	The SEA will consider the Nagaya Protocol in the assessment as relevant.
2. EU requirements		
EU energy and climate change policy, 2008: 20-20-20 targets	<p>The EU adopted an integrated energy and climate change policy in December 2008, aimed at achieving a low carbon, energy efficient economy as part of the action towards a sustainable future. The goals of this EU policy are better expressed in the so called 20-20-20 targets as follows:</p> <ul style="list-style-type: none"> • Decrease the EU overall greenhouse gases by 20% over 1990 levels (30% if international agreement is reached) by 2020; 	The RDP needs to be aligned with these commitments and contribute towards facilitating their achievement.

Plan, Programme, Legislation	Description	Implications for the RDP
	<ul style="list-style-type: none"> • Reduce the EU overall energy consumption by 20% by 2020 through increased energy efficiency; and • Achieve a share of 20% renewable energy in the EU overall gross energy consumption by 2020 <p>The energy and climate change policy has resulted into a number of EU Directives, decisions which translate these goals into commitments for the EU Member states.</p>	
Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme in the Community	This Directive intends to extend and improve the EU emissions trading scheme (EU ETS) applicable from 2013.	The effect of this Directive is that large installations, which in Malta include the generation plant of Enemalta will have to buy the CO ₂ allowances through auctioning. An amount of allowances which will decrease every year up to 2020 will be allocated to Malta for auctioning.
Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020.	This decision sets targets for Member States for greenhouse gas emissions that do not fall within the scope of the EU ETS.	The GHG emissions from the non EU ETS sector in Malta cannot increase by more than 5% (over the 2005 level) by 2020
Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable	This directive sets out new renewable energy targets for EU Member States aimed at reaching the overall EU share of 20% of energy from renewable energy sources by 2020. Member States may comply with their obligations under this Directive either by investing in renewable energy sources and/or using the flexible mechanisms provided by the same	Malta has an obligation to reach a 10% share of renewable energy in the energy consumption by 2020 (including a separate 10% target of renewable fuel in transport) with interim targets.

Plan, Programme, Legislation	Description	Implications for the RDP
sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC	Directive such as statistical transfers and participation in joint projects in other Member States or in non-member states subject to a number of conditions.	
European Commission Communication Energy Roadmap 2050	The EU is committed to reducing greenhouse gas emissions to 80-95% below 1990 levels by 2050 in the context of necessary reductions by developed countries as a group. In the Energy Roadmap 2050 the Commission explores the challenges posed by delivering the EU's decarbonisation objective while at the same time ensuring security of energy supply and competitiveness. The Energy Roadmap 2050 is the basis for developing a long-term European framework together with all stakeholders ⁶ .	The Strategic direction of the RDP should reflect the spirit of the Energy Roadmap 2050.
EU Sustainable Development Strategy	<p>The first EU SDS was launched at the Gothenburg Summit in June 2001. The strategy proposed objectives and policy measures to address key unsustainable trends and also the requirement for every new major policy to be submitted to an Impact Assessment. The SDS was revised and a renewed strategy was adopted in June 2006. Seven key priority challenges were established for a period until 2010:</p> <ul style="list-style-type: none"> • Climate change and clean energy; • Sustainable transport; • Sustainable consumption & production; • Conservation and management of natural resources; • Public Health; • Social inclusion, demography and migration; and • Global poverty and sustainable development challenges 	Sustainable consumption and conservation and management of natural resources are particularly relevant for the RDP.

⁶ Directly from website <http://ec.europa.eu>

Plan, Programme, Legislation	Description	Implications for the RDP
	The policy was reviewed again in July 2009.	
EU Biodiversity Strategy to 2020	<p>This document aims to halt the loss of biodiversity and ecosystem services in the EU by 2020. There are six main targets and 20 actions to facilitate Europe to reach this goal. The six targets cover:</p> <ul style="list-style-type: none"> • Full implementation of EU nature legislation to protect biodiversity; • Better protection for ecosystems, and more use of green infrastructure; • More sustainable agriculture and forestry; • Better management of fish stocks; • Tighter controls on invasive alien species; and • A bigger EU contribution to averting global biodiversity loss. 	The RDP should directly consider potential impacts on biodiversity. These will be assessed through the SEA.
Commission proposal for EU legislation to address invasive alien species and protect biodiversity	The Commission has proposed a Regulation on the prevention and management of the introduction and spread of invasive alien species. The proposal is for three types of interventions. These are: prevention, early warning and rapid response, and management.	The spirit of this proposal will be considered in the SEA during assessment of the RDP.
The Habitats Directive (92/43/EEC)	The Habitats Directive is one of two main nature conservation Directives (the other being the Birds Directive). It centres around two pillars, one being the Natura 2000 network (designating Special Conservation Areas), the largest network of protected areas in the world, and the other the protection of species of conservation interest. In the event that a proposed plan/programme or project could negatively affect the integrity of a Natura 2000 site or listed species therein, the Habitats Directive requires an Appropriate Assessment. Rather than being a decision-informing	The RDP should seek to ensure that it does not affect the integrity of a Natura 2000 site or relevant species. Any risk of this will be identified through the SEA.

Plan, Programme, Legislation	Description	Implications for the RDP
	instrument, such as EIA and SEA, Appropriate Assessment is a decision-maker in that should significant negative impacts be identified, the associated plan/programme or project will not be allowed to move forward in accordance with the requirements of this Directive.	
The Birds Directive (2009/147/EC)	The oldest piece of nature protection legislation in the EU, this Directive seeks to provide protection to all of Europe's natural species. The Directive was set up in response to a growing decline in many of Europe's bird species resulting from pollution, loss and degradation of habitat and unsustainable use. Recognising these threats, the Directive provides emphasis on conservation of habitats for both resident and migratory birds and allows for the designation of Special Protection Areas (SPAs), that, together with the Special Conservation Areas assigned under the Habitats Directive forms the Natura 2000 network. This Directive also bans activities that have a negative impact on birds, including those resulting in taking of birds.	The RDP should seek to ensure that it does not affect the integrity of SPAs.
The Waste Framework Directive (2006/12/EC).	<p>The Waste Framework Directive (previously 75/442/EEC) is the foundation legislation for sustainable waste management. The Framework Directive places obligations on plan making authorities to have regard to certain objectives, such as encouraging the prevention or reduction of waste. A key objective is the minimisation of waste and where possible the encouragement of materials recycling and energy recovery. The Directive sets out to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment.</p> <p>It requires a system for the co-ordinated management of waste within the community; it defines waste and introduces the principles of the waste hierarchy, proximity principle and regional self sufficiency. The competent authority is required to draw up a waste management plan to set out anticipated quantities of different waste streams, how these streams will be managed and identify sites for waste management.</p> <p>The Directive is transposed to Malta through</p>	The Strategic direction adopted in the RDP in relation to Waste Management should be in the spirit of the Waste Framework Directive. This will be assessed through the SEA.

Plan, Programme, Legislation	Description	Implications for the RDP
	<ul style="list-style-type: none"> • L.N. 337 of 2001 - Environment Protection Act (Act No. XX of 2001) Waste Management (Permit and Control) Regulations, 2001; • L.N. 230 of 2007 - Environment Protection Act (CAP. 435) Commencement Notice of the Waste Management (Activity Registration) Regulations, 2007 / brings into force L.N. 106 of 2007; and • L.N. 106 of 2007 - Environment Protection Act (CAP. 345) –Waste Management (Activity Registration) Regulations, 2007. 	
The Water Framework Directive (2000/60/EC)	<p>The Water Framework Directive seeks to establish a structured framework for action in the field of water policy. It aims to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater that:</p> <ul style="list-style-type: none"> - Prevents further deterioration and protects and enhances the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on the aquatic ecosystems; - Promotes sustainable water use based on a long-term protection of available water resources; - Aims at enhanced protection and improvement of the aquatic environment, inter alia, through specific measures for the progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing-out of discharges, emissions and losses of the priority hazardous substances; - Ensures the progressive reduction of pollution of groundwater and prevents its further pollution, and - Contributes to mitigating the effects of floods and droughts and will have a significant role to play in protecting and managing water resources. 	In accordance with this Directive, Malta is required to ensure that designated surface waters achieve good ecological and chemical status by 2015 and that this status is to be maintained. The RDP must have regard to this requirement. This will be assessed through the SEA.
Bathing Water Quality Directive (76/160/EEC)	This Directive provides a framework for the monitoring, assessment, and management of the quality of bathing water and defines minimum quality criteria that Member States must adhere to.	The RDP should be mindful of the need to abide by these standards. This will be assessed through the SEA, if applicable.

Plan, Programme, Legislation	Description	Implications for the RDP
Marine Strategy Framework Directive (2008/56/EC)	This Directive is the first all-encompassing piece of European legislation aimed at protection of the marine environment. The main aim is to achieve Good Environmental Status (GES) in European waters by 2020 through the adoption of an ecosystem-based approach to the management of all human activities that impact the marine environment. The regulation includes implementation of a number of key steps to achieve the overriding aim including an initial assessment of the current environmental status of marine waters as well as the environmental pressures and impacts on the marine environment. The initial assessment must include an economic and social analysis of the use and degradation of the marine environment. The determination of GES must then be carried out based on a number of qualitative descriptors. Environmental targets and associated indicators must then be set in order to guide progress towards the achievement of GES.	The RDP must operate within the spirit of this Directive, although it does not directly apply to the implementation of the RDP.
European Communication Green Infrastructure (GI) – Enhancing Europe’s Natural Capital	This Communication highlights the many benefits of GI solutions and the importance of integrating green infrastructure solutions in spatial planning. It notes that Cohesion Policy has identified GI as an investment priority for the next programming period.	The SEA will assess whether GI is being promoted through the RDP.
SEA Directive (2001/42/EC)	The SEA Directive requires that certain plans and programmes are subject to an environmental assessment prior to their implementation.	The RDP is undergoing an SEA in accordance with the Directive.
Environmental Noise Directive (2002/49/EC)	The Environmental Noise Directive (the END) aims to <i>define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to the exposure of environmental noise</i> . In addition, it aims to provide a framework for the development of EU measures to reduce noise from major noise emitters including road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery.	The RDP and SEA will consider this Directive during their development.
Regulation 1305/2013 on support for rural development by the European Agricultural Fund For Rural Development (EAFRD) and repealing Council Regulation	This Regulation lays down the provisions for Member States to receive funding from EAFRD. The Regulation requires that each Member State must produce a Rural Development Programme that may either include the entire territory of the Member State, or a number of programmes targeting different regions. It lays down the provisions for the development of these programmes including funding priorities.	The RDP is being developed in line with this Regulation.

Plan, Programme, Legislation	Description	Implications for the RDP
1698/2005		
3. Most Relevant National Environmental, Planning & Sectoral Documents		
Malta's National Renewable Energy Action Plan as required by Article 4(2) of Directive 2009/28/EC, 2010	This action plan identifies Malta's expected final energy consumption between 2010 and 2020 and sets out national targets for the share of energy from renewable sources consumed in transport, electricity and heating and cooling in 2020 within the context of the national energy policy as required by the RES Directive.	The RDP should refer to this document in setting targets and objectives.
National Energy Efficiency Action Plan (2008-2016)	<p>The aim of this Action Plan is to promote energy efficiency under Malta's EU obligations. The Action Plan is divided into three phases, comprising three years each:</p> <ul style="list-style-type: none"> ○ Phase I: 2008-2010; ○ Phase II: 2011-2013; and ○ Phase III: 2014-2016. <p>In each of these phases, the Action Plan aims to achieve savings of 3% of the average energy consumption of the base period (September 2001-September 2006) as a result of improved energy efficiency resulting in a gradual reduction of total consumption by 9% until 2016. Measures include reduction of water demand, improved efficiency in buildings and in water production.</p>	Relevant RDP measures should complement and support measures set out in this Action Plan.
National Strategy for Policy and Abatement Measures Relating to the Reduction of Greenhouse Gas Emissions, 2009	This strategy, drawn up by the Climate Change Committee presents 87 recommendations with an aim to mitigate and embark upon adaptation measures to minimise impacts from climate change, particularly those arising from greenhouse gas emissions.	The RDP should aim to complement the recommendations developed in this strategy as relevant.
The National Energy Policy for the Maltese Islands, 2012	<p>Malta's National Energy Policy focuses on the following overall objectives:</p> <ul style="list-style-type: none"> ● Energy efficiency; ● Reducing reliance on imported fuels; ● Security of supply; ● Reducing Emissions from the energy sector; ● Delivering energy economically, efficiently and effectively; and ● Ensuring the energy sector can deliver. 	Any measures related to the energy sector described in the RDP should be in line with the direction set out in the National Energy Policy. This will be evaluated through the SEA.
Malta's National Reform	The National Reform Programme (NRP) aims to set out a comprehensive	The RDP should be in line with the NRP's strategic

Plan, Programme, Legislation	Description	Implications for the RDP
Programme Under the Europe 2020 Strategy, April 2011	strategy to deliver growth and jobs in line with the refocus of the Lisbon Agenda agreed to in the Spring European Council. Several political, economic, social, technological, and environmental factors affect Malta's economic growth and international competitiveness and hence, the island's employment growth potential. The NRP includes measures that focus on the following thematic areas: employment; education; poverty; research & development (R&D); and energy and the environment.	direction.
Waste Management Plan for the Maltese Islands 2014-2020	This Plan aims to move the Maltese Islands current waste management practices up the waste management hierarchy and sets out a number of targets as well as measures to reach those targets.	The RDP must ensure that any proposed measures are in line with the spirit of the plan. Waste management will be addressed through the SEA.
Space for Waste: the Waste Management Subject Plan	The Waste Management Subject Plan provides strategic long-term direction and context to guide both Government and the private sector in waste management issues. Its policies guide the strategic planning of waste management and the determination of development permit applications for developments and land use changes related to waste management facilities.	As above.
Water Catchment Management Plan, 2011	Malta's Water Catchment Management Plan (WCMP) addresses all waters and its objectives focus on water resource management and conservation. The Plan is part of the implementation of the Water Framework Directive and takes an integrated approach and provides a single framework for the management of different water categories (surface and groundwater), integration of water policy across sectors, and promotes stakeholder and public participation dialogue.	The RDP must ensure an integrated approach with regards, in particular to the programme of measures and monitoring programme of the WCMP as relevant. The SEA considers impacts of the RDP in relation to the requirements under the Water Framework Directive and the WCMP including impacts on water quality, and water-related ecology as relevant.
Storm Water Master Plan	This plan addresses the economic losses, social damage and environmental consequences caused by floods. It proposes alternative engineering options for storm water management and reuse, maintenance programmes and implementation measures. The key principles considered in the plan are sustainable development, the proximity principle and self-sufficiency, the precautionary principle and pollution prevention.	The RDP should be aware of the implications of the plan including the findings of its associated SEA.
National Tourism Policy 2012-2016	Malta's Tourism Policy aims to take an integrated approach by including economic, environmental and social goals. It identifies niche markets and discusses the tourism product.	The RDP should steer within the same strategic direction as relevant.
National Environmental	The action plan is a policy framework document that sets targets and	The RDP should integrate environmental health

Plan, Programme, Legislation	Description	Implications for the RDP
Health Action Plan, 2006 - 2010	priority actions for the period 2006-2010. Actions are primarily concerned with the protection of public health through protection of the environment.	considerations as relevant. Impacts on human health are considered in the SEA.
A Draft Sustainable Strategy for the Maltese Islands 2006-2016	<p>The Sustainable Strategy is centred on four main themes:</p> <ul style="list-style-type: none"> Managing the environment and resources; Promoting sustainable economic development; Fostering sustainable communities; Cross-cutting strategic issues. <p>Within these sectors the following priorities are identified:</p> <p>The Environment</p> <ol style="list-style-type: none"> 1. <u>Climate Change</u>: take steps to reduce greenhouse gas emissions through transport and energy policies that seek to promote environmental protection, competitiveness, and security of supplies and, as a result, decouple the rate of growth of Green House Gases (GHG) emissions from economic growth. 2. <u>Air Quality</u>: take remedial action to control emissions of air pollutants and achieve compliance with European standards; 3. <u>Nature and Biodiversity</u>: halt loss of biodiversity by 2010, and achieve management of protected areas by 2008; 4. <u>Groundwater</u>: adopt a policy that safeguards the quality of groundwater resources to protect human health, and satisfy the requirements for human use and achieve good quantitative status by 2015; 5. <u>Seawater</u>: sustain compliance with the Bathing Water Directive and achieve compliance with the Barcelona Convention standards; 6. <u>Waste</u>: prevent and minimise waste by achieving EU waste-related objectives and targets, reviewing Malta's Waste Management Strategy by 2007; 7. <u>Land use</u>: protect, maintain, and improve the urban and rural environment and through the planning system protect the open countryside from uses, particularly residences, which can be more appropriately located in urban areas; 8. <u>Transport</u>: reduce car ownership rates to the EU average by 2014. 	Sustainable development principles must be integrated as part of the RDP. These will be assessed through the SEA.

Plan, Programme, Legislation	Description	Implications for the RDP
	<p>Attain 1995 bus patronage levels by 2014 (40 million passengers);</p> <p>The Economy</p> <p>9. <u>Economic Growth</u>: adopt policy measures so that the GDP (Gross Domestic Product) per capita in real terms grows at a rate that will enable the Maltese economy to converge towards the EU average.</p> <p>10. <u>Employment</u>: create employment opportunities to generate income and improve the quality of life of the population, taking into consideration environmental and social impacts, and adopt policy measures so that the ratio of total employment to the working age population in Malta converges with the EU average and reaches at least 57% by 2010;</p> <p>11. <u>Labour productivity</u>: adopt policy measures to increase average labour productivity at a rate of 1% per annum over the EU average by 2010, while attempting to balance wages, taxation, and productivity, in collaboration with the social partners.</p> <p>Society</p> <p>12. <u>Poverty reduction</u>: reduce or at least sustain the current level of 15% of the population at risk of poverty and decrease the ratio of population aged over 65 at risk of poverty from 20% to 15%, by 2010;</p> <p>13. <u>Labour force participation of women</u>: adopt policy measures so that the labour force participation rate of women increases from 33% to 40.7% by 2010;</p> <p>14. <u>Health</u>: decrease ratio of overweight/obese population in line with the EU average by 2010 by, amongst other actions enhancing the focus on healthy living and prevention, to reduce the need for curative care;</p> <p>15. <u>Education</u>: continue to adopt measures to decrease the early school-leavers rate to 35% by 2010.</p> <p>Cross Cutting Issues</p> <p>16. <u>Spatial development plan</u>: by 2010 draw up an integrated spatial development plan to take forward the National Strategy for Sustainable Development, with the participation of major stakeholders;</p>	

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	<p>17. <u>Economic Instruments</u>: gradually adjust the present income tax regime so that the ratio of green taxation to total taxation reaches the EU average by 2010;</p> <p>18. <u>Enforcement</u>: by 2008, put in place an audit of enforcement arrangements to assess the adequacy of the current enforcement mechanisms and to promote integration of responsibilities and reduction of overlaps.</p> <p>Implementation</p> <p>19. <u>Institutional setup</u>: by 2008 put in place a permanent structure, appropriately staffed and funded, to revise and implement the National Strategy for Sustainable Development, on an ongoing basis, under the auspices of the National Commission for Sustainable Development, and hold an annual Conference with participation of major stakeholders to critically evaluate progress relating to the strategy;</p> <p>20. <u>Sustainability indicators</u>: by 2008, establish and fund an entity responsible for compiling and evaluating sustainability indicators. This entity should work closely with the National Commission for Sustainable Development and the National Statistics Office.</p>	
Structure Plan for the Maltese Islands, 1990	<p>This is the national planning document that sets out the development framework for the Maltese Islands for the twenty-year period to 2010. Its' three goals are:</p> <ol style="list-style-type: none"> 1. To encourage the further social and economic development of the Maltese islands, and to ensure as far as possible, that sufficient land and support infrastructure are available to accommodate it; 2. To use land and buildings efficiently, and consequently to channel urban development activity into existing and planned development areas, particularly through rehabilitation and upgrading of the existing fabric and infrastructure thus constraining further inroads into undeveloped land, and generally resulting in higher density development than at present; 3. To radically improve the quality of all aspects of the environment of both urban and rural areas. 	The RDP must adhere to relevant policies within the Structure Plan.

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Strategic Plan for the Environment and Development (SPED), 2012	The new Environment and Development Planning Act (2010) requires the preparation of a Strategic Plan for the Environment and Development (SPED). This document is currently under preparation and the initial consultation document to establish the strategic objectives can be downloaded from the MEPA website. The SPED will replace the current Structure Plan, providing a strategic spatial planning framework up to 2020. The SPED will be based on an integrated planning system that aims to (i) ensure the sustainable management of land and sea resources together with the protection of the environment; and (ii) guides the development and use of land and sea space.	The RDP must consider the relevant spatial planning objectives. These will be considered in the Environment Report.
National Climate Change Adaptation Strategy (NCCAS), 2012	The National Climate Change Adaptation Strategy presents a series of actions aimed at various sectors that requires integration of such measures as part of the strategic planning in areas such as fisheries, agriculture, water management, etc.	The RDP should have regard to the relevant actions and policy direction of the NCCAS.
National Strategy for Policy and Abatement Measures Relating to the Reduction of Greenhouse Gas Emissions, 2009	This strategy is based on a number of pillars including securing civil society and citizen participation, establishing an institutional framework for climate change and building the appropriate human capital, integrating the economics of climate change in policy design and the identification of abatement measures. Abatement measures in the following sectors: energy, waste and agriculture, water, and transport.	The RDP should be mindful of the objectives within the National Strategy for Policy and Abatement Measures relating to the Reduction of GHG emissions.
National Air Quality Plan, 2010	This document provides policy guidance to reduce daily average PM ₁₀ concentrations in ambient air in the Maltese Islands. Proposed measures target the major sources of PM ₁₀ , including the construction industry, power generation and traffic (the major contributor to the exceedance of PM ₁₀ concentrations in ambient air).	This Programme should be taken into consideration during the development of the RDP and the SEA.
National Noise Action Plan, 2013	The National Noise Action Plan was drafted to satisfy minimum requirements in accordance with the END Directive. It outlines a long-term strategy aimed at preventing and reducing environmental noise where necessary and in particular where exposure levels can result in harmful effects on human health and preserving environmental noise quality where it is good. It also sets out objectives for monitoring and management of environmental noise in the Maltese Islands.	This Programme should be taken into consideration during the development of the RDP and the SEA.

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National Environment Policy, 2012	The final NEP was launched in February 2012 and covers all end sectors and natural resources, including air, waste, water, land, soil, climate, biodiversity, coastal and marine area, noise chemicals and mineral resources. The policy covers the period from 2012 to 2020.	This policy outlines the need to manage the coastal and marine areas in an environmentally-sustainable and integrated manner. The development of the SEA objectives consider the NEP objectives ensuring that the assessment is directly related to the national objectives in relation to the environment
National Biodiversity Strategy & Action Plan (NBSAP) (2012-2020)	The NBSAP provides a vision that reflects the priorities for efficient use of resources and halting biodiversity loss in line with EU requirements and the Global Biodiversity Strategic Plan under the Convention on Biological Diversity.	The RDP and the accompanying SEA must consider the potential impacts clearly outlined in the NBSAP and ensure strategic measures to prevent and/or minimise as far as possible any negative effects.
National Report on the Strategic Action Plan for the Conservation of Maltese Coastal and Marine Biodiversity, 2002	This Report identifies priority actions in the field of marine and coastal biodiversity. These actions include the preparation of species and habitat action plans, declaration of marine and coastal protected areas, data compilation, monitoring proposals, upgrading research equipment, and effective enforcement.	The RDP should be cognisant of the requirements in the field of biodiversity and ensure integrated measures as relevant. These will be assessed through the SEA.
Draft National Strategy for the Cultural Heritage (2012-2016)	<p>The draft National Strategy for Cultural Heritage 2012 addresses 22 inter-related objectives, that are grouped into four main areas:</p> <ul style="list-style-type: none"> • Broadening citizen participation: cultural heritage and the local community; • Improving governance in the cultural heritage sector: Investment in the administration setup of the local cultural heritage; • Care and use of the cultural heritage resource: preservation and conservation; • Sustainable use of heritage resources: sustainable use of cultural heritage. 	The RDP must consider this draft strategy and integrate measures where relevant.
Malta's Partnership Agreement, 2013	This document provides the overall framework that will determine the areas for investment under the European Structural and Investment Funds. The Partnership Agreement sets the framework for Operational Programme I, Operational Programme II, the Rural Development Programme, and the Fisheries Operational Programme.	The RDP is based upon the framework as determined in the Partnership Agreement in accordance with a hierarchical programme structure.
4. National Legislation		
Constitution of Malta	The Constitution of Malta (Section 9) declares that the State shall safeguard	Landscape and historical heritage must be recognised as

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	<p>the landscape and the historical and artistic patrimony of the Nation. These are the only aspects of the environment referred to in the Constitution, underlining the importance of the landscape and historical heritage.</p>	<p>important assets in the RDP where relevant.</p>
<p>Environment and Development Planning Act, 2010</p>	<p>This Act seeks to protect the environment and make provision for the planning and management of development and establishes the Malta and Environment Planning Authority in relation to these requirements.</p> <p>The Act requires everyone together with the government to protect the environment and to assist in the taking of preventative and remedial measures to protect the environment and manage natural resources in a sustainable manner. Various duties that fall to the government are established including:</p> <p>4(a) to manage the environment in a sustainable manner by integrating and giving due consideration to environmental concerns in decisions on socioeconomic and other policies;</p> <p>4(b) to take such preventive and remedial measures as may be necessary to address and abate the problem of pollution and any other form of environmental degradation in Malta and beyond, in accordance with the polluter pays principle and the precautionary principle;</p> <p>4(e) to apply scientific and technical knowledge and resources in determining matters that affect the environment;</p> <p>4(g) to safeguard biological diversity;</p> <p>4(h) to combat all forms of pollution;</p> <p>4(i) to consider the environment as the common heritage and common concern of humankind; and</p> <p>4(j) to provide incentives leading to a higher level of environmental protection.</p>	<p>Projects resulting from the RDP must conform to the requirements of this Act.</p>
<p>Marine Pollution (Prevention and Control) Act</p>	<p>This Act should be the main legal source under Maltese law to address marine pollution but despite being amended three times, it has never come into force. The role of the Transport Authority in this respect is without prejudice to the provisions of the Environment Protection Act, which</p>	<p>Not relevant yet as it has not come into force.</p>

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	enables the Minister for the Environment, to issue regulations on marine pollution, with MEPA acting as the competent authority. No regulations on marine pollution control from sea-based sources have ever been issued under the Environment Protection Act.	
Malta Resources Authority Act, 2000	<p>The Malta Resources Authority Act establishes the powers of the Malta Resources Authority whose regulatory functions centre around water, energy, and mineral resources. In relation to water specifically the Authority shall under provision 4(2)(b):</p> <ul style="list-style-type: none"> (i) <i>secure and regulate the acquisition, production, storage, distribution or other disposal of water for domestic, commercial, industrial or other purposes;</i> (ii) <i>secure and regulate the conservation, augmentation and operation of water resources and the sources of water supply;</i> (iii) <i>secure and regulate the treatment, storage, disposal, use or re-use, as appropriate, of sewage, waste water, sludge and storm water run-off;</i> (iv) <i>secure and regulate the provision of adequate systems of public sewers and to ascertain their cleanliness, safety and efficiency;</i> (v) <i>ensure the safe discharge, reception, treatment and disposal of trade effluent;</i> (vi) <i>encourage and regulate the re-use of treated effluent;</i> (vii) <i>ensure the proper and fit disposal of waste water sewage;</i> (viii) <i>maximise the use of storm water run-off;</i> 	The National Water Policy and Energy Policy are under administration of the Malta Resources Authority.
Authority for Transport in Malta Act, 2009	This Act provides for the establishment of the Authority for Transport in Malta, which assumes the functions previously exercised by the Malta Maritime Authority, the Malta Transport Authority and the Director and Directorate of Civil Aviation and for the exercise by or on behalf of that Authority of functions relating to roads, to transport by air, rail, road or sea, within ports and inland waters, and relating to merchant shipping.	The Authority for Transport in Malta is a stakeholder that should be consulted in the development of the RDP and the SEA.