



# Operating Procedures for Works and Site Interventions in Valleys and Watercourses (Specimen)

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Environment & Resources Authority

Version 1



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## 1. Introduction

- 1.1 **This document sets out operating procedures for works and site interventions in valleys and watercourses, with the intention of avoiding and mitigating environmental impacts associated with the execution of development proposals.** The Method Statement (MS) is a document intended to describe in detail the proposed interventions, operations and works for the execution of the project with the least possible damage to the site and its surroundings. The likely impacts on the natural environment, of these interventions, operations and works, and the proposed mitigation measures to address such impacts, must be put forward in the MS.
- 1.2 The MS shall be prepared to the satisfaction of the Environment & Resources Authority (ERA), in accordance with the case-specific Terms of Reference (TORs) provided by ERA. Generally, the MS should include the following information, in addition to other site re-instatement and environmental requirements, as determined by ERA, on a case-by-case basis. The MS must be detailed, concise and to the point to avoid unnecessary delays during processing.
- 1.3 The report is presented in two sections:
- (i) **Terms of Reference (TORs)** for the preparation of a Method Statement (MS) for works and site interventions in valleys and watercourses; and
  - (ii) **Mandatory specifications and requirements (MSRs)** which are to be taken into consideration during the preparation of the MS, and thereafter adhered to during the execution of the actual works or interventions on site.

### ***Disclaimers***

- 1.4 These generic TORs and MSRs are intended as an indicative specimen and are not necessarily tailor-made to particular projects, since details of such projects may not yet be available. **ERA could adapt these TORs and MSRs on a case-by-case basis, as relevant, depending on the nature of the project, associated environmental impacts and site context.** The TORs, MSRs and their ensuing requirements are also subject to any future changes that may arise, even at short notice and/or whilst the assessment process is ongoing, for various reasons including force majeure (such as changes to legislation or similar regulatory parameters), changes to the baseline situation on site, amendments to the project, new information about the project or site, etc. Thus, any use of these TORs and MSRs is on the explicit understanding that the actual TORs and MSRs for the eventual projects are likely to vary significantly from the specimen version hereby provided.
- 1.5 The TORs and MSRs have been prepared in connection with ERA's environmental assessment of development applications and related follow-ups. However, they could also be applied to similar stand-alone operations in valleys and watercourses which do not necessarily constitute development. Prospective clients need to check directly with the Planning Authority whether their proposal requires development permission from the same Authority or otherwise. Furthermore, subject to the necessary adaptations, the following requirements and provisions could be equally relevant to other ERA functions (e.g. permitting, compliance and enforcement).

### ***MS and site restoration***

- 1.6 Where ERA considers that the proposed works in valleys and watercourses require both a MS and a restoration method statement, the relevant provisions of ERA's 'TOR for the Preparation of an Restoration Method Statement - Nature' are also to be integrated as relevant.

### ***MS and Construction Management Plans (or similar documents)***

- 1.7 The MS shall be: prepared to ERA's satisfaction in accordance with these TORs; clearly identifiable and consolidated; and, submitted as a standalone document/report. Should the MS be submitted as part of a wider construction management plan (or in parallel to any such plan as may be required by other authorities), the MS shall be a distinct and self-contained section/document, which ERA can assess directly without the need to peruse the entire construction management plan or cross-refer to other documentation. The MS as approved by ERA shall take precedence over any other content, in the event of any discrepancy. The title of the main document (e.g. the CMP) shall explicitly mention "... and Method Statement requested by the Environment and Resources Authority in connection with PA .../.."
- 1.8 The final submission must be suitable to ERA. If the final submission is not suitable for ERA to make informed decisions on any aspects connected to this TOR and its environmental responsibilities, ERA reserves the right to request the submission of further information and details as required.

## **2. General requirements**

- 2.1 The MS document should be available for public viewing through the Planning Authority's eApps system, be made available as a digital copy, not be a restricted/controlled document, and include:
  - (i) A front page which clearly refers to the MS for works and site interventions in valleys/watercourses and their location;
  - (ii) A contents page;
  - (iii) A revisions sheet at the front of the document for any revisions/updates carried out to the MS together with the dates of such revisions;
  - (iv) A page format allowing a footer and/or header on each page which should include the version and date of the document; and
  - (v) Page numbers as well as heading/paragraph numbering to facilitate review and cross-referencing.

## **3. Organization and responsibilities**

- 3.1 Proposed project management arrangements for all phases of the execution of the works and site interventions are to be presented in the MS. The document must include:
  - (i) An identification and contact details of the applicant/developer and the perit, and where relevant the environmental consultant/s (or any other relevant professional/specialist consultant/s), who shall be responsible for overseeing the execution and completion of all works in accordance with the MS. When deemed relevant by ERA, the contact details of the respective contractor/ builder/mason (or similar) for each phase of the project, shall also be provided. This may also include the details of the environmental manager (or any other equivalent qualified person) as approved by ERA. All of these are to be provided as soon as available, but prior to the commencement of any works or preparations on site. Contact information should include name and surname, company name (as relevant), address, contact numbers, email, etc. (including emergency contact numbers outside operational hours); and
  - (ii) An undertaking by the applicant/developer and the perit, to notify ERA and where available the environmental manager (or any other equivalent qualified persons), of any changes to the work schedule in the MS as approved by ERA, within a reasonable period of time in advance (e.g. 1 week). Any urgent works which are necessary due to unforeseen circumstances and which are justified to require an

immediate response may, at ERA's discretion, not require such prior notification. Details of such urgent interventions, including reasonable mitigation measures that are adopted on site, should be reported to ERA and where available to the environmental manager (or any other equivalent qualified person), at the earliest. Urgent interventions remain the responsibility of the applicant/developer, and ERA reserves the right to seek suitable remedial action for any deleterious environmental impacts or damage as a result of such urgent works.

#### **4. Description of site and its surroundings**

- 4.1 This MS should include a dedicated section on the description of the site and surroundings, including the relevant aspects of the catchment area (e.g. areas further downstream which may be affected by the proposal), and should include:
- (i) A site plan showing a clear outline of the full extent of the site boundary and a clear indication of the surrounding area(s), which may be affected by the proposed, works and site interventions. This should include the relevant aspects of the catchment area, which could be impacted. Access routes to the site from the nearest public roads should be indicated, together with an indication of the routes to be taken by vehicles which may be permitted to be used in connection with the proposed works;
  - (ii) Details, including maps and drawings, are to be provided of the site topography, geology, hydrology, natural habitats/ecology and other natural, cultural or historical features, as may be relevant, (e.g. old irrigation systems, rubble walls, water galleries, wells) within (or under) the site and its surrounding area of influence. This must be supported with a photographic survey duly cross-referenced to a clear site plan. Any other relevant or supporting surveys (e.g. ecological, geological) should be included or suitably cross-referenced as necessary. Depending on the nature of the proposed works and the sensitivity of the affected valley/watercourse, ERA may request more detailed technical studies/surveys accordingly, including ecological surveys, as necessary;
  - (iii) Details, including maps and drawings, are to be provided of any existing trees and vegetation (including their scientific and vernacular names and any noted pathological or disease issues), that are present within the site and affected surroundings; and
  - (iv) The identification of any existing baseline sources of polluted runoff onto the site, and any other sources of environmental problems.

#### **5. Description of proposed works**

- 5.1 The MS shall seek the minimisation of adverse environmental impact on the site and its surroundings (including landform, topography, habitats/ecology and natural/cultural features). In particular, the MS should include a detailed justification for the proposed works, including the following matters:

##### ***Programme of works***

- 5.2 A programme of works (PoW) describing all the sequenced phases of the works required to carry out the proposed interventions in the valley/watercourse, including:
- (i) A timetable for the commencement, duration and expected completion of all phases of the project, including monitoring;
  - (ii) Details of when and how specific measures will be implemented to avoid impacting flora/fauna, particularly during critical periods. This shall take into account the findings of any ecological surveys carried out, as relevant; and

- (iii) Details of all relevant dependencies on any other interventions (e.g. on preceding phases of the project or on preparatory interventions related to the project) or other relevant factors/uncertainties, as relevant.

5.3 Subject to prior agreement with ERA, the PoW could be submitted separately before the commencement of works on site, i.e. once that the contract of works is established between the applicant/developer and the contractor/builder/mason (or similar). The proposed timetable/schedule would need to be agreed by ERA prior to such works, taking also into account any relevant seasonality issues.

### ***Proposed interventions, operations and works***

5.4 A detailed description of the envisaged site interventions, operations and works for each phase/stage of the execution of the project (i.e. what, how, when and where). This description shall take into account the findings of Section 4.1 above, and shall include the following as relevant:

- (i) Plans, elevations and sections (including conventional colours as relevant) regarding the proposed operations/works to be undertaken, including ancillary interventions as relevant;
- (ii) A photographic survey of all areas where such interventions are proposed;
- (iii) Site preparation such as removal of any material from site (e.g. silt, debris, inert material, etc.), preparatory pruning and uprooting of trees, cutting/removal of vegetation or any other species of concern, such as invasive species, and other interventions on natural features, etc. The removal of invasive species must be carried out by relevant qualified persons in accordance with ERA's guidelines<sup>1</sup>;
- (iv) Details and location of interventions on existing structures, including dismantling/reconstruction of rubble walls, restoration of existing dams, removal of illegalities (as relevant), protection measures for existing buildings/structures/natural features, as well as interventions on terraces, etc.;
- (v) Details of all temporary work-phase structures and safeguards (including materials used), such as temporary access roads, hoarding, public safety structures, cordoned off areas, containment measures (e.g. bunding, sediment interceptors/ponds, silt curtains, any other spill containment measures as necessary) etc.;
- (vi) Details of the types, quantities and source of materials (preferably recycling material already present on site), including water, stone (including rubble stone) and other resources to be used, consumed, stored and/or retained together with the respective EWC codes;
- (vii) Details of storage and/or stock-piling of all materials on site, including wastes and their respective EWC codes;
- (viii) Details of the removal and disposal of unwanted material (e.g. waste) from site, including the relevant EWC codes, the disposal locations and travel routes;
- (ix) Details of the location and depth of excavation, volume and type of material envisaged to be excavated. The same type of information is to be provided in relation to dredging where such activity is specifically permitted by ERA, depending on the merits of the case;
- (x) Details of the type of lighting and noise/vibration arrangements to be adopted throughout the execution of the works, including the measures that will be applied to ensure that such works will be conducted in optimal visibility conditions (so as to minimise inadvertent damage resulting from workmanship errors);
- (xi) Details regarding the extent of the project's impact on existing utilities such as storm sewer, sanitary sewer, water main, etc.;

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<sup>1</sup> <http://era.org.mt/en/Documents/PlantInvaders-RestorationGuidelines-2013.pdf>

- (xii) Identification and description of existing access routes (both for vehicular access & foot access) to the site during and after the execution of operations and works, including a description of how vehicles, machinery, equipment and/or tools shall be brought on site and subsequently removed, including travel routes;
- (xiii) Details (including type and respective number) of vehicles, equipment, machinery and tools required to carry out the respective interventions, operations and works, including site plans showing where each will be sited during the execution of the works, and overnight, as well as safety measures to be implemented;
- (xiv) Details of routes to be followed by vehicular through traffic at the different phases of the project and a comprehensive traffic management scheme for the affected areas, as relevant;
- (xv) Details of the operations which may involve the use of land, including roads or footpaths, beyond the boundaries of the site, for operations related to the works and/or any mitigation/safety measures being proposed; and
- (xvi) Clarification of any additional conditionality required to ensure recovery of the site environment and/or to prevent deterioration or degradation of the site and its surrounding environment both during and after the works.

### ***Mitigation measures***

5.5 A detailed description, including plans and drawings, of the mitigation measures proposed to avoid or reduce environmental impacts, as follows:

- (i) Details of measures to be taken to avoid damage to trees, vegetation, other species (e.g. by allowing fauna to escape from matter/debris before disposal of same) and natural habitats, as well as geological, geomorphological, agricultural, cultural or other features within the area of work and surrounding area of influence, including the relevant aspects of the catchment area which could be impacted. This should take into account any surveys on ecology, geology or other natural features carried out;
- (ii) Details of any mitigation measures proposed to ensure that no trampling, disturbance, parking/storage or land modification occur outside the permitted areas;
- (iii) Details of any mitigation measures proposed, to ensure that no hard surfacing or un-natural hardening, of the valley, watercourse and their respective banks, occurs due to the proposal or the associated works;
- (iv) Details of any mitigation measures to be taken to avoid light and noise pollution, as well as vibration impacts, on the surrounding natural areas and any natural features as relevant;
- (v) Details of adequate measures to be taken, to ensure that no deposition of dust, mud, rubble or other materials, due to agents such as wind, runoff, wave action, subsidence or collapse, anthropogenic factors, or a combination of any of the above, occurs on the surrounding features and area, during on site work as well as during transportation of material to and from the site. Any overflows, leakages and contamination impacts from stockpiling onto adjacent areas are to be prevented through strategic positioning, interception and/or collection (e.g. wheel washing facilities);
- (vi) Details of any mitigation measures adopted to contain any murky, silting, smothering, scouring and pollution of valley/watercourse, including any natural features, natural habitats, species and water bodies (terrestrial or marine), in the site and in the surrounding areas, or located further downslope or downstream.

### ***Site re-instatement***

5.6 A description of the interventions required to re-instate the areas environmentally damaged during construction/excavation works. All temporary points, ramps and tracks,

providing access into the valley (including the water course and banks), during the construction/excavation phase, shall be completely removed within [XXXX] after the completion of the works and their sites shall be restored in line with this method statement.

- 5.7 **Note to ERA Officer:** The relevant provisions of ERA's TORs for Restoration Method Statements – Nature (see Section 5), which also need to be satisfied by the responsible persons such as applicants/developers, and periti in relation to the case in question, should be referred to in this section.

## 6. Mandatory specifications and requirements

- 6.1 The following measures shall be complied with and adhered to during the carrying out of site interventions and works in valleys and watercourses. These specifications and requirements, together with any other case-specific conditions which may be imposed by ERA, shall be abided by the applicant/developer and the perit, and by any other responsible persons engaged or subcontracted for the carrying out, overseeing or monitoring of any aspects of such works on site, including:

### ***Containment of works***

- 6.2 With respect to the proposed operations and works:
- (i) All interventions and works shall be confined to the boundaries of the permitted site, or limited to those authorised by ERA along the approved stretches of the watercourse depending on the case, provided further that any on-site natural habitats and features (e.g. garrigue and trees) meriting protection or retention are not adversely impacted;
  - (ii) All areas outside the boundaries of the delineated site/routes, which may be affected by the proposed works, shall be left intact and shall not be disturbed or environmentally degraded in any way;
  - (iii) There shall be:
    - a) no access or entry to/from the site, from/to other sites or land;
    - b) no storage/parking of vehicles, machinery or equipment;
    - c) no vehicular trampling or manoeuvring; and
    - d) no storage or deposition of material, outside the areas authorised by ERA in accordance with the MS;
  - (iv) No site engineering operations and works shall entail the creation of new unauthorized access points, paths, routes, roads, water channels and/or dams, or the widening thereof, within or outside the site; and
  - (v) No infrastructure, whether new or extended, shall be introduced into the site or surroundings, other than those required temporarily during the execution of the works *per se* in line with the ERA-approved MS.

### ***Prohibitions and requirements***

- 6.3 With respect to prohibition of operations and works, and other related requirements:
- (i) Advance planning of works and liaison with all relevant entities is required. The applicant/developer/perit must suspend all works (same for circumstances which may cause safety concerns) and in any case immediately notify ERA and other relevant authorities or Government departments in the eventuality that any uncharted infrastructure, unforeseen impacts or any related hazard (or risk of infrastructural damage) is encountered during the works;
  - (ii) **Works should be carried out during times of the day and months of the year, when it is proven to cause minimal disturbance to the natural environment** (e.g. works during the night should be avoided). When not possible, a detailed

- justification for the proposed timeframe(s), for carrying out the works, should be provided for ERA's approval, prior to the commencement of such works;
- (iii) No operations and works shall result, whether intentionally or otherwise, in any:
    - a) damage or disturbance to the natural environment, topographic features and hydrological characteristics;
    - b) unauthorized deposition of any material on any land, including land reclamation<sup>2</sup> or degradation, on the site and surroundings;
    - c) additional development commitments or pressures for development (or similar interventions), including pressures for sanctioning of works, beyond that permitted by the development permit; and
    - d) the introduction, establishment or proliferation of species that are invasive and/or alien, to the site or its surrounding area of influence;
  - (iv) No materials or equipment shall be placed, deposited, disposed of or stored on existing habitats, bedrock and other locations which may be prone to degradation;
  - (v) No materials or equipment shall be placed, deposited, disposed of or stored within the spread of the branches of trees such that these could be in any way harmed or damaged;
  - (vi) No works and operations shall hinder the proper planning and implementation of any requested mitigation measures, site re-instatement or restoration;
  - (vii) No rock cutting/boring and excavation of rock/bedrock shall take place under normal circumstances;
  - (viii) Any infilled fissures (dagħbien), caverns, hollows, Quaternary deposits or other features of potential geological, geomorphological or palaeontological interest which are known or discovered shall be reported immediately to the Environment and Resources Authority (ERA) and any other relevant authorities (e.g. the Superintendence of Cultural Heritage) and no further works, operations or activities shall take place which would disturb or risk causing disturbance to these features until these entities conclude their investigations;
  - (ix) Ground levels shall not be raised or lowered in relation to the existing ground level, unless otherwise specifically permitted by ERA as part of the proposed works;
  - (x) No excavation works shall take place within a distance of less than one meter (1m) width from all random stone walls (*ħitan tas-sejjeġħ*) and other walls, in and around the site;
  - (xi) There shall be no unauthorised dismantling or demolition of existing random rubble walls;
  - (xii) Works shall only commence once the valley bed is completely devoid of water and the substrate is dry, unless otherwise specifically permitted by ERA as part of this MS;
  - (xiii) No polluted water, runoff or sewage shall be disposed of within valleys/watercourses, on adjacent lands and/or any other natural area;
  - (xiv) No pruning or uprooting of trees shall take place without ERA's prior clearance or permission;
  - (xv) No pesticides shall be used;
  - (xvi) Subject to the ecological survey and its assessment, whenever this has been requested by ERA, should it be necessary to remove the topmost 50cm of material (e.g. soil) prior to commencement of excavation works, this material shall be removed and stockpiled on site temporarily, avoiding areas where it poses any significant risk of environmental impacts, or being carried away (e.g. valley beds, watercourses, steeply sloping terrain, or areas of geological instability). Thereafter, no material shall be stored/deposited on site apart from reinstatement of the temporarily removed 50 cm of material as deemed necessary on the basis of the ecological survey and any other relevant assessments carried out by ERA;

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<sup>2</sup> Including the reclamation of natural habitats and sites into other uses, such as agricultural land.

- (xvii) It shall be the applicant's/developer's/perit's responsibility to ensure that no damage to existing infrastructure (including, but not limited to, cables, pipes, dams, pumping station outworks and galleries, and water culverts) results directly or indirectly from the authorised works;
- (xviii) The use of machinery and vehicles in valleys and watercourses may be permitted by ERA, provided that:
  - a) the use of such equipment shall only be allowed where this does not conflict with restrictions expressed, or implied in other conditions, by ERA linked to the case in question, including additional prohibitions indicated by ERA;
  - b) no refuelling or servicing of such equipment is carried out on site;
  - c) there shall be no wash-down water from concrete delivery trucks (or similar), concrete pumping equipment, and other tools and equipment onto the valley and watercourses;
  - d) the use of such equipment is not conducive to physical damage to, or destabilisation of, terracing, watercourse banks, trees or existing structures (including road verges, etc.) within or outside the site; and
  - e) where specified by ERA, manual shovels and related hand tools may need to be used in addition to the above mentioned equipment for the finishing touches, where such requirement is dictated by the overriding need to avoid permanent physical damage to the site;
- (xix) An adequate embankment at the side of the watercourse shall be left un-dredged to enable re-colonization of the valley;
- (xx) An adequate vegetative corridor is to be left intact along the watercourse, to ensure riparian ecological continuity;
- (xxi) No levelling/dredging of the watercourse shall take place, *except in specific cases where ERA has requested dredging, e.g. for maintenance purposes*. [Note: in exceptional circumstances, and after having evaluated the merits of the case and it concluded that there will be no unacceptable environmental consequences, ERA may specifically permit certain amount of dredging in watercourses which are not ecologically and scientifically important];
- (xxii) Where specifically permitted by ERA (e.g. for maintenance purposes), dredging works should only proceed as far down as reasonably required for the removal of silt. No further excavation of the underlying rock/substratum shall be attempted;
- (xxiii) There shall be no hard surfacing of any part of the valley, including its watercourse and embankments;
- (xxiv) No fires shall be lit within the whole stretch of the watercourse under consideration and its banks; and
- (xxv) No storage, placement or use of any chemicals, including weed or agro- control substances, shall take place within the valley and watercourse.

### **Removal of invasive / alien species**

#### **6.4 With respect to invasive / alien species:**

- (i) The introduction, establishment or proliferation of any species which are invasive or otherwise alien to the site or in its surrounding area of influence are prohibited; and
- (ii) The removal of any trees and/or invasive or otherwise alien species on site shall be carried out in accordance with the methodology of ERA's Guidelines on Managing non-native Plant Invaders and Restoring Native Plant Communities in Terrestrial settings in the Maltese Islands<sup>3</sup>, or any updates, revisions or substitutes thereof, and shall include all the measures to be taken in order to avoid any further invasion within the site and its surroundings.

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<sup>3</sup> <http://era.org.mt/en/Documents/PlantInvaders-RestorationGuidelines-2013.pdf>

## **Waste management**

- 6.5 With respect to waste management all operations and works involving the generation and management of waste, including the use of inert waste, must comply with:
- (i) The legal requirements of the Waste Management Regulations, 2011 (S.L. 549.63) and Waste Management (Activity Registration) Regulations, 2007 (S.L. 549.45);
  - (ii) Government's Waste Management Plan for the Maltese Islands 2014-2020, particularly Urban Design for Waste Management in section 3.8.5;
  - (iii) Inert waste material resulting from construction and demolition may be reused as fill material within the site as long as such reuse is in line with the approved plans/proposal and other conditions of the permit, or shall be deposited in accordance with the requirements of the Waste Management Regulations, 2011 (S.L. 549.63) and Waste Management (Activity Registration) Regulations, 2007 (S.L. 549.45), at facilities duly permitted by ERA;
  - (iv) All wastes shall be separated according to the different waste streams as per EWC codes as defined in Commission Decision 2000/532/EC, and deposited in identified sites permitted by ERA to accept such wastes;
  - (v) Potentially-contaminated material needs to be reported to ERA. Contaminated soils are to be managed and disposed of in accordance with the Waste Management Regulations, 2011 (S.L. 549.63) and Waste Management (Landfill) Regulations, 2002 (S.L. 549.29); and
  - (vi) Transportation of waste from/to the site shall be carried out by a waste carrier licensed by ERA in line with Waste Management (Activity Registration) Regulations, 2007 (S.L. 549.45).

## **Pollution prevention during construction**

- 6.6 **Note to ERA Officer:** other relevant requirements and prohibitions relating to pollution prevention during construction in valleys and watercourses may be referred to in this section.

## **7. Environmental monitoring**

- 7.1 The MS should include a clear environmental monitoring and reporting programme describing how progress of all works will be monitored, recorded and reported in a timely manner in order to enable immediate action as required. This should include any requirement for monitoring of the effects of the proposed operations and works on the physical environment and natural features such as vegetation, geology, etc., as relevant to the site and its context. Monitoring of works shall be recorded e.g. by photographic means - before, during and after. A copy of the photographs and other records shall be submitted on a regular pre-agreed basis. The following must be addressed:
- (i) The environmental monitoring programme addressing the relevant works identified in the MS and their risks to the natural environment shall be submitted within a reasonable period of time in advance (e.g. 1 month) prior to the commencement of works on site, for ERA's approval. The monitoring programme shall be in place throughout the works phase, or for any period specified by ERA, on a case-by-case basis, and shall take into account (but not be limited to) the concerns and recommendations established in the [XXXX e.g. EIA Report; ERA responses];
  - (ii) The environmental monitoring programme shall identify: the methodologies and frequencies of monitoring; a map-based extent of the areas which will be monitored; the frequency and mode of reporting; and any baseline studies that may be required. Where possible, the programme shall also identify the threshold limits beyond which works should be halted or adjusted due to unacceptable

environmental impacts, and any other relevant triggers and parameters for pre-emptive, remedial or damage-limitation intervention. Specialist consultants for each specific monitoring requirement shall also be identified as relevant and their details submitted for ERA's approval;

- (iii) The environmental monitoring programme shall be formulated by an environmental monitoring consultant (hereinafter referred to as "the monitor"), who shall have the necessary expertise and track record, to ensure that the monitoring programme is satisfactorily devised and implemented, and that the specialist consultants are duly present on site, as required, for effective monitoring. The monitor is to be approved in advance by ERA, after nomination by the applicant/developer. The monitor will be responsible for the immediate alerting of the relevant authorities when the thresholds are exceeded or in the case of cultural/archaeological/geological or other related discoveries;
- (iv) The monitor and specialist consultants shall be engaged at the expense of the applicant/developer;
- (v) The monitor shall ensure that all works are carried out in accordance with the ERA-imposed permit conditions, relevant approved drawings and other ERA-approved specifications, including the MS (as relevant); and
- (vi) The monitor shall also be responsible for submitting regular monitoring reports in line with the approved arrangements. Both ERA and the monitor shall reserve the right to request further submissions or additional samples, and to impose any further conditions as deemed necessary during the progress of works.

## **8. Contingency plan**

- 8.1 The MS must include a contingency plan to cater for risks of accidental damage from the execution of the proposed operations, works and interventions and/or other unforeseen risks to the natural environment.

## **9. Environmental permitting**

- 9.1 The MS should identify which aspects of the proposed operations and works require prior authorisation from ERA under the respective environmental regulations<sup>4</sup>. Separate authorisations from ERA must be obtained prior to the commencement of such operations and works on site.

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<sup>4</sup> <https://eracms.gov.mt/en/Pages/Environmental-Permitting-Services.aspx>