**ERA's comments on the SEA Scoping Report for the National Fisheries Strategy 2026-2036 in terms of Regulation 6(4) of S.L. 549.61 (SEA Regulations) and Appropriate Assessment screening in terms of Regulation 19 of S.L. 549.44 (Flora, Fauna and Natural Habitats Protection Regulations)**

**27th July 2026**

## 1. Introduction

1.1 ERA refers to your consultation on the SEA scoping report for the draft National Fisheries Strategy for Malta 2026-2036 (NFS), received on 7th July 2026. ERA has already provided comments on the draft strategy, dated March 2026, which should also be taken into consideration during the SEA study. The NFS provides a framework for the long-term sustainability, resilience and competitiveness of Malta's fisheries sector.

1.2 Our feedback is provided without prejudice to ERA's comments on the SEA Environment Report (ER) and any other environmental assessments which may be required. ERA looks forward to continued engagement in this process.

## 2. Appropriate Assessment (Habitats Directive) screening

2.1 In line with Regulation 19 of S.L. 549.44, the proposed measures require screening to determine whether, because of potential significant impacts on Special Areas of Conservation (SACs) and Special Protected Areas (SPAs), an Appropriate Assessment is required under the EU Habitats Directive. Although the Strategy lacks details at this stage, the measures on trawling could potentially pose a risk to marine protected areas. Malta's marine protected areas are designated as SACs and SPAs and form part of the EU Natura 2000 network (see Figure 1).

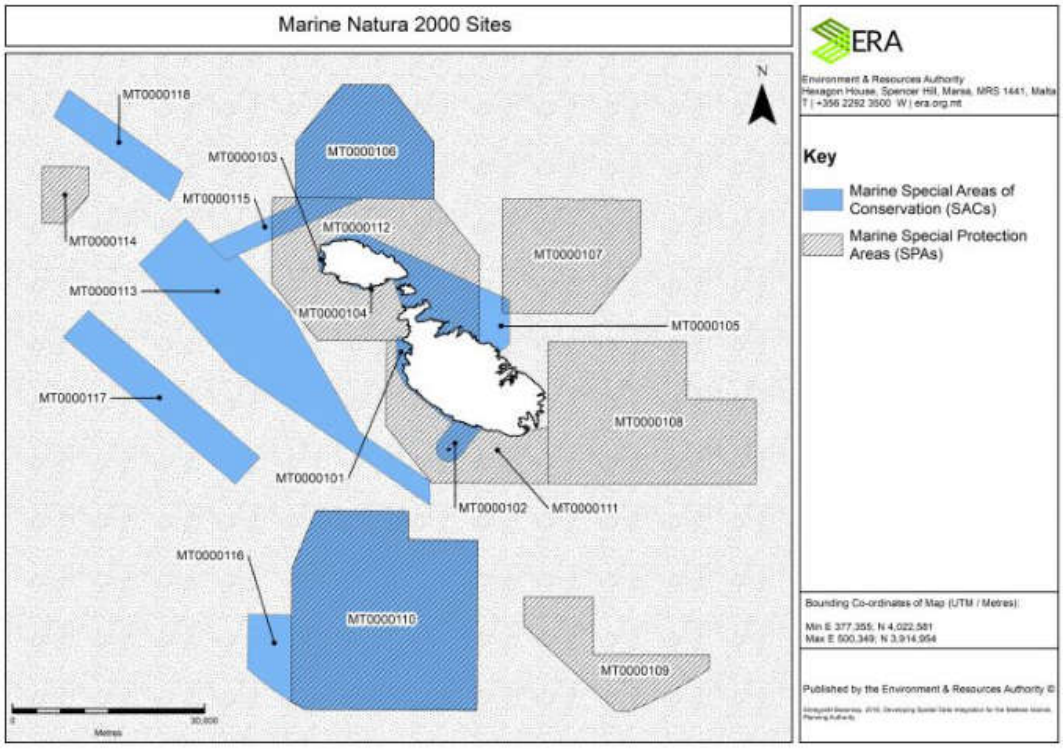



*Figure 1: Map of Malta's marine Natura 2000 network which encompasses 18 sites and covers over 4100km$^2$.*

*Source: [https://era.org.mt/topic/marine-protected-areas-2/](https://era.org.mt/topic/marine-protected-areas-2/)*

2.2 Measures M16 to M18 of the Strategy propose the adjustment of existing trawling zones; a pilot project to identify new zones; and co-existing solutions between different fisheries contesting the same grounds. Various trawling zones are located within or adjacent to marine SACs and SPAs. These protected areas are characterised by important benthic habitats (e.g. *Posidonia oceanica* and reef habitats) and/or are important for marine species (e.g. Loggerhead turtle) and avifauna (e.g. Yelkouan shearwater). Adjustments to the existing trawling zones and fishing practices, and the designation of new zones, could affect marine protected areas and species.

2.3 The SEA should assess whether the proposed measures in the strategy could have a potential significant impact on SACs and SPAs, both marine and terrestrial (e.g. measures M54 to M56 promoting coastal development, new infrastructure and/or upgrading works). Suitable measures should be proposed to minimise impacts.

## 3. Detailed comments on the scoping report

3.1 Following a review of the SEA scoping report, ERA recommends that the Environment Report addresses the following matters:

Section 3.1.1: Environmental baseline & impacts of measures

- The proposed measures include interventions on or adjacent to the coast. Therefore, the SEA study should also assess visual impacts and potential impacts on the landscape, seascape and the natural coast.

*Marine, avifauna & coastal biodiversity:*

- The issues highlighted in section 2 above should be addressed in the SEA study.
- Apart from marine habitats and species, the study should cover the coast and terrestrial habitats/biodiversity (as relevant), since various measures will affect the coast and possibly sites further inland.
- The proposed indicators are welcomed although generic. It is important that the study also covers potential habitat loss, degradation, and/or disturbances. Impacts from underwater noise on marine fauna (e.g. dolphins, sea turtles), bycatches and the intensity of fishing occurring within sensitive marine habitats, as well as impacts on commercial and non-commercial fish species, should be addressed. For avifauna, the study should also consider breeding sites, migratory routes and rafting zones.
- The study should cover impacts on the seabed, with the biodiversity objective broadened to include benthic habitats, ecologically important habitats (e.g. *Posidonia oceanica* meadows) and ecological connectivity.

*Waste management:*

- Construction and demolition waste issues arising from the new infrastructure or physical development works associated with the Strategy are to be addressed.

*Land use:*

- The SEA should assess how the Strategy could impact coastal and terrestrial environments as a result of demand for additional infrastructure, provision of land-based and/or coastal facilities (e.g. M48: fish processing and packaging), development for diversification purposes (e.g. tourism) and increased competition for coastal/marine space.

*Water quality:*

- The assessment of impacts related to water should also be linked to the status, objectives and measures for the relevant waterbodies as identified in the 3rd Water Catchment Management Plan. Moreover, the assessment should be extended to also cover MSFD objectives and parameters as relevant. SEA objectives and criteria related to the achievement of Good Environmental Status in the marine environment, on the basis of the eleven MSFD descriptors, needs to be elaborated in the SEA Environment Report.

*Section 3.1.2: SEA Alternatives*

3.2 The assessment should support the identification of suitable alternatives, with priority given to low-impact options. The Environment Report should clearly explain the environmental justification for the identified alternatives.

*Section 3.1.3: Stakeholders*

3.3 The preparation of other plans emerging from this Strategy should be carried out in consultation with ERA to ensure suitable integration of environmental considerations and mitigation of potential environmental impacts.

*Section 3.2.2: Methodology*

3.4 The Environment Report should review the relationship between the Strategy and relevant environmental plans, programmes and policies, and demonstrate that the strategy is coherent with the environmental policy framework. Examples of relevant plans and policies include: the River Basin Management Plan; the Single-Use Plastic Products Strategy for Malta 2021 – 2030; the Nature Restoration Regulation; the Conservation Objectives and Measures for Malta's marine Natura 2000 sites; Malta's 2025 report; amongst others. ERA's relevant environmental plans, programmes and policies are available from the following links:

- https://era.org.mt/legislation-policy/; and
- https://era.org.mt/era-topic-categories/my-environment/.

3.5 The Environmental Report should make reference to the environmental information available through ERA's MEPS Geoportal (https://meps.eraportal.org.mt/) where relevant, to support the study's environmental baseline and impact assessment of the proposed measures.

3.6 Whenever a quantitative assessment is not possible, the study should reach reasonable and informed conclusions based on qualitative technical assessment and professional judgement.

3.7 Suitable pre-emptive and mitigation measures are to be considered after the outcome of the assessment of environmental impacts. The Environment Report needs to describe how the foreseen impacts will be avoided or reduced through suitable proposed measures and whether any residual impacts will remain. The SEA is to evaluate whether the policy measures are expected to be effective or whether the residual impact would remain significant.