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Senior Manager  
AIS Environment

22<sup>nd</sup> July 2022

**Subject: Consultation on the SEA Environmental Report for the EMFAF Programme 2021-2027**

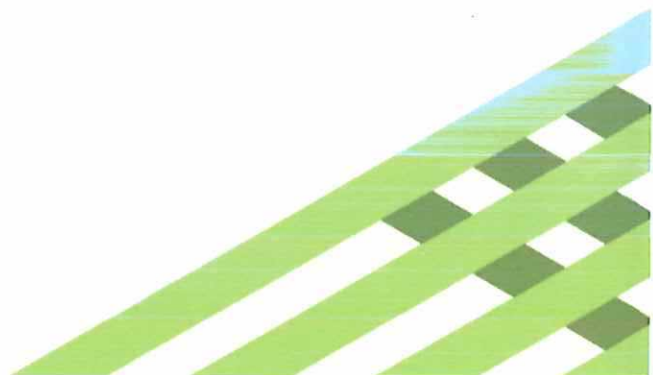
ERA welcomes the opportunity to comment on the SEA Environmental Report of the EMFAF Programme, which the Authority received by email on 20<sup>th</sup> July 2022.

The conclusions in the Environmental Report are noted. ERA considers that its comments (enclosed) should be taken into consideration in the Environment Report so as to ensure that potential environmental impacts associated with projects supported by this programme are mitigated at an early stage.

Yours sincerely,



Mr. Kevin Mercieca  
Acting Chief Executive Officer  
Environment and Resources Authority



## ERA's comments on the Strategic Environmental Assessment (SEA) Environmental Report for the EMFAF Programme for 2021-2027

22<sup>nd</sup> July 2022

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### 1. Introduction

1.1 ERA welcomes the opportunity to comment on the Strategic Environmental Assessment (SEA) Environmental Report (ER) for the EMFAF Programme 2021-2027

1.2 The following comments are provided without prejudice to ERA's review and additional comments on any eventual projects that may be supported by this programme, when more detailed environmental assessment and/or permitting will be required. Depending on their nature, scale and context, such projects may require different types of environmental assessments or other related screenings including Environmental Impact Assessment (EIA) and/or project-level Appropriate Assessment, as relevant. These project-level mechanisms are important to ensure that any site-specific adverse impacts on the environment, including on water resources, biodiversity, landscape, etc., resulting from proposed physical interventions, such as port/landing infrastructure, storage facilities, etc., are mitigated at an early stage.

### 2. Comments

2.1 Some of the proposed actions in the Programme are infrastructure-oriented, such as the upgrading of port infrastructure and the installation of storage facilities for fishing gear and marine litter. The Environmental Report acknowledges that development interventions supported by the programme could have adverse impacts on biodiversity, the landscape, land take-up and generation of waste. However, given that the details of such proposals are not available, it is difficult to determine whether such impacts could be major or minimal. **ERA considers that the choice of location for such interventions is crucial to avoid significant impacts on natural sites, the landscape and seascape, undeveloped rural land, biodiversity, cultural heritage and their context. Therefore, the Environmental Report should clearly recommend that preference should be given to proposed developments, infrastructure and similar interventions which are least harmful to the environment, which are primarily directed towards areas already designated for development and similarly committed sites, away from important environmental areas such as valleys, ridge-edges, cliffs, escarpments, natural habitats and sites, natural coast, important seabed, etc. Moreover, preference should be given to projects which minimise the generation of waste as much as possible according to the waste hierarchy.**

2.2 With regards to aquaculture zones and related operations, it must be ensured that these activities do not result in negative impacts on natural sites, seabed, the conservation status of important natural habitats and species, protected areas and important landscapes/seascapes. In particular, sensitive seabeds (e.g. Maerl beds), shallow waters, marine habitats (e.g. Posidonia meadows), natural coasts and coastal landscapes/seascapes should be avoided upfront, and suitable buffer zones should be established from such sensitive areas where no fish farming operations and facilities should be considered. Aquaculture facilities should be kept away from the viewshed of coastal areas, particularly important natural landscapes and seascapes, including sensitive landscapes and Areas of High Landscape Value. **These considerations need to be highlighted in the ER as environmental safeguards for giving preference to aquaculture-related projects and interventions which are least harmful to the environment.**

### Appropriate Assessment

2.3 ERA notes the comment in the Environment Report, which highlights that:

*“Any developments which are funded under the Programme that could have a significant adverse impact on Special Areas of Conservation (SACs) and/or Special Protection Areas (SPAs) will also require an Appropriate Assessment in line with the Flora, Fauna and Natural Habitats Protection Regulations, Trees and Woodlands Protection Regulations and Conservation of Wild Birds Regulations (Section 4.3.5)”.*