



Adoption Statement

For the SEA of the EMFAF Programme 2021-2027


Report



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DISCLAIMER

This report has been prepared by AIS Environment with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

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1 INTRODUCTION

The Strategy & Implementation Division (SID) within the Ministry for the Economy, European Funds and Lands (henceforth “responsible authority”) has commissioned AIS Environment Ltd. through the public procurement system (CT3000/2020/2) to carry out a Strategic Environmental Assessment (SEA) of the European Maritime, Fisheries and Aquaculture Fund (EMFAF) Programme 2021-2027.

The SEA will be carried out in accordance with local legislation S.L.549.61 (Environment Protection Act), and involves the following tasks as outlined in the TORs:

- Task 1: Kick-off meeting
- Task 2: Inception report
- Task 3: Screening and scoping report
- Task 4: Draft environmental report
- Task 5: Public and stakeholder consultations
- Task 6: Final environmental report
- Task 7: Draft adoption and monitoring report
- Task 8: Final adoption and monitoring report

This report partially achieves the requirements of Task 8 (adoption statement). This document has been prepared in line with the requirements of regulation 10 of the SEA Regulations (S.L. 549.61).

The European Maritime, Fisheries and Aquaculture Fund (EMFAF) 2021-2027 relates to the use of European funds dedicated to the Common Fisheries Policy (CFP) and the Integrated Maritime Policy (IMP). This funding programme is the successor to the European Maritime & Fisheries Fund (EMFF) 2014-2020. Funds allocated through this Programme cover the management of fisheries, aquaculture and fishing fleets. Investments supported under EMFAF shall particularly aim to foster sustainable fisheries and aquaculture, contribute to food security, restore and protect marine biodiversity whilst enabling the sustainable growth of the blue economy. Measures related to scientific input, controls and checks, market intelligence, amongst others, are also applicable under this programme.

2 SUMMARY OF THE SEA PROCESS

The SEA Regulations (S.L. 549.61) and EU Directive 2001/42/EC require that any plans and programmes which are likely to have a significant effect on the environment should be subjected to an SEA. An SEA is required for all plans and projects that "*set the framework for future development consent of projects*" across all sectors, including transport, energy, fisheries, forestry, waste management, water management and land use planning. The SEA was conducted alongside the development of the plan or programme and considered multiple alternative options. The SEA coordinators evaluated likely significant environmental effects of each alternative put forward recommendations. The coordinators also presented the findings during stakeholder and public consultations, and integrated comments from the consultees into the documentation.

The scope of the SEA is identified in the SEA Scoping Report prepared by the SEA coordinators, AIS Environment Ltd. The scoping exercise sets out the context for the assessment, methodology and defines the scope of the SEA. It is one of the most important stages in the process as it identifies the issues for consideration in the duration of the SEA process.

As required by Article 5 (2) and Article 6(2) of S.L. 549.61, the Screening and Scoping Report underwent a stakeholder consultation period that involved the respective designated authorities as required by S.L. 549.61 article 7 (3) including the Environment and Resources Authority, the Regulator for Energy and Water Services, the Ministry for Agriculture, Fisheries, and Animal Rights, Ministry for Health, the Ministry for Health and the Environmental Health Directorate. The consultation period allowed the interested parties to provide feedback on the results of the Screening and Scoping exercises. This first consultation period allowed the Consultants to properly integrate all environmental considerations and viewpoints in the early stages of the SEA. Following a public consultation session, the Scoping Report was finalised taking into account the consultation responses from two stakeholders.

The coordinators drafted and submitted the Environment Report in line with the finalised Scoping Report in April 2022. Following internal reviews, a public consultation draft of the SEA was prepared by July 2022. A three-week public consultation exercise was launched. After the expiry of the public consultation, the Environment Report was finalised, taking into consideration the responses received from the consultation process.

The finalised Environment Report, in line with Article 5 of the SEA Directive, includes a description of the reasonable alternatives considered during the drafting of the EMFAF Programme 2021-2027, a description of the baseline environment relevant to the measures proposed and links with other policies, plans, programmes, environmental objectives, EU Directives, and national legislation. The report also includes existing environmental issues affecting the implementation of the Programme. The coordinators highlighted and discussed the likely significant effect of the Programme measures on the environment, including air quality, biodiversity,

land uses & landscape, cultural heritage and waste management. A description of possible mitigation measures together with monitoring measures are also described in detail.

3 SEA ADOPTION STATEMENT

Regulation 10(1) of the SEA Regulations (S.L. 549.61) requires that the responsible authority ensures that consultation is undertaken appropriately. Consultation should be carried out with the authorities referred to in regulation 7(3), the competent authority, the public and any Member State consulted under regulation 8 to ensure that these authorities are informed that such a plan has been adopted. The responsible authority is also required to make available the plan and a statement in line with regulation 10(1)(b) and the monitoring plan in line with regulation 10(1)(c).

In line with regulation 10(1)(b) and (c), the Adoption Statement provides a summary of the following information:

- » How environmental considerations have been integrated into the plan or programme (vide Section 3.1.1)
- » How the environment report prepared pursuant to regulation 6, the options expressed pursuant to regulation 7 the results of consultations entered into pursuant to regulation 8 have been taken into account in accordance with regulation 9 (vide Section 3.1.2)
- » The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with (vide Section 3.1.3)
- » The measures that have been decided concerning the monitoring in accordance with regulation 11 (vide Section 3.2)

3.1 ADDRESSING REGULATION 10(1)(B) OF S.L. 549.61

3.1.1 Integration of environmental considerations into the plan or programme

The objective of the Programme is to offer investments supported under EMFAF that shall aim to foster sustainable fisheries and aquaculture, contribute to food security, restore and protect marine biodiversity whilst enabling the sustainable growth of the blue economy. Measures related to scientific input, controls and checks, market intelligence, amongst others, are also applicable under this programme.

The Programme focuses on enhanced sustainable management of the Maltese fisheries and aquaculture sectors by targeting three (3) thematic priorities. These Priorities have a total budget (EU+MT share) of around EUR 31 million, and cover:

- Priority 1: Fostering sustainable fisheries and the restoration and conservation of aquatic biological resources
- Priority 2: Fostering sustainable aquaculture activities, and processing, and marketing of fisheries and aquaculture products, thus contributing to food security in the Union; and
- Priority 3: Technical Assistance¹

¹ This Priority will finance the management and control of the programme (circa Eur 2 million) and hence is not included within this document.

For further information on the measures proposed as part of the public consultation document for the EMFAF, kindly visit the Ministry's website.²

Regulation 10 of the SEA regulations requires that the environment report identifies, describes and evaluates the likely significant effects on the environment of implementing the plan or programme and examines reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme. The SEA coordinators identified and justified two alternative scenarios for the Programme measures:

- Alternative 0: Zero-option
- Alternative 1: Minimum scenario which satisfies the total financial allocations as per EMFAF Regulations
- Alternative 2: As proposed in the EMFAF Programme 2021-2027

The zero-option (Alternative 0) represents a theoretical alternative where no funds are allocated under these regulations. This Alternative is purely theoretical since the allocation of funds is required by legislation and represents a scenario as to how the fisheries and aquaculture sector would be affected in the absence of the implementation of the EMFAF programme. The minimum intervention scenario (Alternative 1) represents a scenario in which the minimum funds are allocated to the environment, as outlined in Table 1.

Alternative 2 assumes full implementation of the proposed measures in the draft programme and indicates that for climate change contribution, the EMFAF programme will exceed the requirements of the EMFAF Regulation 2021/1139 by allocating a significantly higher amount to climate change measures as opposed to 30%.

TABLE 1: SEA ALTERNATIVES

TOTAL FINANCIAL ALLOCATIONS AS PER EMFAF REGULATION	PERCENTAGE BUDGETARY ALLOCATIONS		
	ALT 0	ALT 1	ALT 2
Article 5 (4) 15 % allocated to the specific objective referred to in Article 14(1) (d) fostering efficient fisheries control and enforcement, including fighting against IUU fishing, as well as reliable data for knowledge-based decision making	0%	15%	30%
Article 5 (5) The Union financial	0%	(a) EUR 6 000 000;	EUR

²EU Funds for Malta 2021-2027, Public Consultation Document, EMFAF, <https://eufunds.gov.mt/en/EU%20Funds%20Programmes/EU%20Territorial%20Programmes/Documents/EMFAF%20Consultation.pdf>.

TOTAL FINANCIAL ALLOCATIONS AS PER EMFAF REGULATION	PERCENTAGE BUDGETARY ALLOCATIONS		
	ALT 0	ALT 1	ALT 2
support from the EMFAF allocated per Member State to the total sum of the support referred to in Articles 17 to 21 shall not exceed the higher of the following thresholds: (a) EUR 6 000 000; or (b) 15 % of the Union financial support allocated per Member State		or (b) 15 % of the Union financial support allocated per Member State	420,000 (2%)
Recital (30) Climate Change Contribution: 30% contribution to climate objectives	0%	30%	66%

The SEA Coordinators assessed the impacts of the Programme measures on the five environmental themes as part of the SEA process. Although the draft Programme was already published and subjected to consultation prior to the start of the SEA, the responsible authority was updating the Programme in parallel with the SEA process. The Programme is therefore being revised on the basis of the environmental considerations and recommendations highlighted as part of the SEA process, as outlined below:

- Alternative fishing techniques:** The programme successfully offers funding for low-carbon alternatives in terms of equipment/fishing gear upgrades to improve size selectivity and reduce/eliminate unwanted catches, diversification of farmed species and sustainable feed. Nevertheless, one of the methods to reduce environmental impacts of fisheries is to shift away from impactful fishing techniques to alternatives that are less damaging to biodiversity and have a lower carbon footprint. Fishing techniques such as beam trawling and bottom trawling severely and permanently destroy benthic habitats and species, as well as catching a large number of non-target species. Furthermore, due to the friction of the net against the seabed, these techniques are also fuel-intensive and possess a large carbon footprint. Encouraging the shift to alternative techniques such as trap fishing, seine fishing and gillnet fishing should be further encouraged to reduce biodiversity impacts and improve the industry's sustainability through the programmed training initiatives, advisory services and upgrades of fishing gear.
- Handling of fish offals:** Aquaculture farms and their land-based facilities generate fish offals as a by-product. This material is currently either disposed offshore or exported for use as a raw material in the production of fish meal and fish oil. Facilities which convert aquaculture by-products to raw materials would reduce the carbon footprint and atmospheric emissions of this aspect

of the aquaculture industry, as well as improving management of this waste stream on a national scale. Projects which promote increased environmental contribution, including through the local handling of aquaculture waste, should be viewed favourably.

- **Linking research to blue economy:** The Programme will provide support for research into sustainability of fisheries, research surveys at sea and restoration measures for important habitats and species. Information on the way the research results will be used to benefit the maritime, fisheries and aquaculture sectors and increase the sustainability of these sectors is nevertheless limited. Linking the research goals to their implementation in the sectors would be of great benefit.
- **Consideration of microplastics:** EMFAF is targeted towards restoration of biodiversity and ecosystems. Two of the measures included in the programme encourage fishers to collect marine litter and lost fishing gear. Nevertheless, the Programme does not mention microplastics and their threats to the marine ecosystem. The Programme would be improved by expanding research funding opportunities to include studies on microplastics in local seafood, as well as techniques for their removal from the marine environment which will contribute to maintaining a good environmental status in the marine environment, as set out in Article 1(1) of Directive 2008/56/EC and article 25 (2) (c) of Regulation 2021/1139.

Three recommendations relate to the way projects to be funded by the Programme should be selected. This responsible authority will be implementing this recommendation during the screening process of the funding applications:

- **Selection of projects addressing environmental concerns:** A further recommendation emerging from the SEA is the need to ensure that, during project selection, proposals/initiatives that address a number of environmental concerns should be given priority over those that do not. Environmental requirements during project selection should be allocated enough weighting potentially through eligibility and selection criteria to ensure that project proponents actively pursue environmental requirements.
- **Locating interventions in a way to avoid significant impacts:** In agreement with ERA's comments during public consultation, we recommend that physical interventions such as the upgrading of port infrastructure and the installation of storage facilities for fishing gear and marine litter are located in areas which avoid significant impacts on natural sites, landscape and seascape, undeveloped rural land, biodiversity, cultural heritage and their context. Preference should therefore be made to proposed developments that are least harmful to the environment, 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

habitats, etc. Furthermore, preference should be given to projects which minimise the generation of waste as much as possible, and implement the waste hierarchy. Suitable abatement measures should also be considered as part of the design of the development and its implementation, in order to minimise noise and air emissions.

- Locating aquaculture areas in a way to avoid significant impacts:** In agreement with ERA's comments during public consultation, we recommend that the Programme should ensure that aquaculture zones and related operations do not result in adverse impacts on natural sites, seabed, the conservation status of important natural habitats and species, protected areas and important landscapes and seascapes. Particular consideration needs to be made to sensitive seabed habitats (ex: maerl beds and *Posidonia* meadows), shallow waters, natural coasts and coastal landscapes/seascapes. Suitable buffer zones should be established from such sensitive areas where no fish farming operations and/or facilities should be considered.

3.1.2 Preparation of the Environment Report pursuant to regulations 6, 7, 8 & 9
 Effective consultation is one of the foundations of good governance. Effective consultation gives stakeholders the earliest possible possibility for participation in the decision-making process. A list of relevant stakeholders was drawn up and approved by the SEA Focal Point as part of the Screening Report. The stakeholders listed in Table 2 were continuously approached as part of the SEA process.

TABLE 2: LIST OF STAKEHOLDERS TARGETED DURING THE PROJECT

GROUP	STAKEHOLDER
Governmental bodies	The Environment & Resources Authority
	Transport Malta
	Planning Authority
	Ministry for the Environment, Energy and Enterprise
	Ministry for Finance and Employment
	Department of Fisheries and Aquaculture
	Ministry for Transport, Infrastructure and Capital Projects
	Ministry for Gozo
	Ministry for Agriculture, Fisheries, and Animal Rights
	University of Malta
	Malta Aquaculture Directorate
	Energy and Water Agency
	Ambjent Malta Agency

GROUP	STAKEHOLDER
	Ministry for Health
	Regulator for Energy and Water Services
	Environmental Health Directorate
	Civil Protection Department
	Occupational Health & Safety Authority
	Local Councils' Association
	Malta Resources Authority
NGOs	Ghaqda Koperattiva tas-Sajd (GhKS)
	Koperattiva tas-Sajd Malta (KSM)
	Flimkien Ghal Ambjent Ahjar
	Friends of the Earth Malta
	Biological Conservation Research Foundation
	Fondazzjoni Wirt Artna
	Nature Trust
	Moviment Graffiti
	Birdlife Malta
	Din l-Art Helwa

Stakeholders were continually consulted throughout the process of the SEA in order to ensure their effective participation. The consultations ensured that all affected parties have the opportunity to provide their opinions on the impacts of the proposed measures. These sessions helped to ensure that, as much as possible, the final Programme is effective and specific to the bettering of the Maltese Islands and Maltese society.

The first session of stakeholder consultation was conducted on 6th December 2021, where the SEA coordinators described the SEA process, the EMFAF Programme 2021-2027 and the environmental themes, criteria and indicators to be used in the SEA. Attendees were subsequently given the opportunity to ask questions, put forward their opinion and engage in discussions with other stakeholders. The aim of this first consultation session was to ensure that all affected environmental areas have been highlighted and that all viewpoints are considered in the early stages of the SEA process.

Two similar recommendations were put forward by the attendees during the first consultation period. BirdLife Malta and the ERA suggested that the SEA is carried out to identify possible negative impacts from physical interventions, despite

acknowledging that the bulk of the measures are non-physical. No comments were raised on the SEA methodology proposed as part of the scoping exercise.

Stakeholder and public consultation continued in the next phase of the project following the presentation of the draft version of the Environmental Report, in line with Regulation 7 of S.L. 549.61. The stakeholders listed in Table 2 were directly contacted via email to ensure their awareness of the public consultation process, and the stakeholders were invited to attend a stakeholder/public consultation session organised on 19th July 2022.

Feedback was received from the Environment & Resources Authority (ERA). The Environmental Report was subsequently finalised on the basis of the feedback obtained. The comments that emerged from the consultation stage are summarised in Table 3.

TABLE 3: COMMENTS RECEIVED FROM STAKEHOLDERS AND THE PUBLIC

ENTITY	CONTACT PERSON	COMMENT	RESPONSE
Environment & Resources Authority	Kevin Mercieca	<p>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. It is also recommended that suitable abatement measures are considered as part of the design of the development and its implementation, in order to minimise noise and air emissions.</p>	Noted and included as a recommendation in Section 8 of the Environmental Report.

ENTITY	CONTACT PERSON	COMMENT	RESPONSE
		<p>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.</p>	<p>Noted and included as a recommendation in Section 8 of the Environmental Report.</p>
		<p>ERA notes the comment in the Environment Report, which highlights that:</p> <p>"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)".</p>	<p>Noted. No changes necessary to the Environmental Report.</p>

3.1.3 Justification for the plan or programme as adopted

Comparing the proposed programme with alternative scenarios is a vital part of the SEA process since it allows the identification of potential recommendations and improvements which could mitigate any adverse impacts. This stage in the process focuses on identifying alternative approaches which could give better environmental conditions.

Three alternatives used in this SEA are:

- Alternative 0: Zero-option
- Alternative 1: Minimum scenario which satisfies the total financial allocations as per EMFAF Regulations 2021/1139
- Alternative 2: As proposed in the EMFAF Programme 2021-2027

The selection of these alternatives took into account that the budgets and priority areas are defined by the Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the EMFAF and amending Regulations (EU) 2017/1004 and the Partnership Agreement. The zero-option (Alternative 0) represents a theoretical alternative where no funds are allocated under these regulations. This Alternative is purely theoretical since the allocation of funds is required by legislation. Alternative 2 assumes full implementation of the policy according to the proposed measures in the draft programme and indicates that for climate change contribution, the EMFAF programme will exceed the requirements of the EMFAF Regulation 2021/1139 by allocating a significantly higher amount to climate change measures as opposed to 30%. The minimum intervention scenario (Alternative 1) represents a scenario in which the minimum funds are allocated to the environment.

The vast majority of the measures included in the EMFAF Programme 2021-2027 have either no effect or a positive effect on the environmental themes studied. The only measures which show an adverse effect on the environment are those which involve construction works (measures including the improvement and expanding of key fishing port/landing infrastructure on air quality, biodiversity, land uses & landscape, cultural heritage and waste management) and increase in WEEE from modernisation of the fishing fleet. Impacts from construction works should be assessed in detail as part of the EIA process, to identify project-specific impacts and applicable mitigation measures. Impacts from WEEE in relation to onboard investment can be mitigated by appropriate handling of the waste, including recycling wherever possible.³

Since the majority of the proposed measures yield positive impacts on the environment, the do-nothing scenario (Alternative 0) will have the least beneficial impact on the environment from the three possible scenarios. In the absence of the EMFAF programme (Alternative 0), the fisheries sector may not have the possibility to receive the funds/measures to invest in energy efficient equipment, thus resulting in further pollution and less climate consideration. Resources to assist the

³ Such measures may be subject to conditions as required through the call for applications and grant agreement.

aquaculture sector may not currently be available, preventing the sector from decreasing its carbon footprint and possibly lead to unsustainable practises that may have adverse effects on climate/environment.

Both the do-minimum scenario (Alternative 1) and the as-proposed scenario (Alternative 2) will give rise to positive impacts on the environment, particularly with regards to marine biodiversity. However, Alternative 1 offers less than half the budgets allocated for the fostering of efficient fisheries control and enforcement [including fighting against illegal, unreported and unregulated fishing (IUU) fishing and climate objectives] when compared to Alternative 2. This would mean that either the funds are obtained from national budgets, or some of the projects may not be implemented to the same extent or if at all. In the former case, Alternative 1 and 2 would yield the same environmental effects, while in the latter, the Alternative 1 scenario would therefore yield less beneficial effects on the environment than Alternative 2.

Alternative 2 is the most suited alternative since it will exceed the requirements of the EMFAF regulation by allocating a significantly higher amount towards climate change prevention measures. The fishing and aquaculture sector will benefit from interventions that support better energy efficiency and less harmful practises. The marine environment will also stand to gain from practices addressing marine litter and better habitat and ecosystem management. In the absence of the EMFAF programme (Alternative 0), the aquaculture sector may not have the necessary resources for marketing and development of quality products, knowledge etc.

3.2 ADDRESSING REGULATION 10(1)(C) OF S.L. 549.61

Periodic monitoring and review of the Programme is necessary to enable continued success of the strategy. The monitoring plan is set to reflect the changes in national patterns for all environmental themes, technology development and ongoing discussions at European level relating to the EMFAF Programme 2021-2027.

Measurable indicators are necessary to quantitatively assess the strategy's implementation success. In fact, such indicators have been used to predict how the five environmental themes will be affected by the realisation of the measures. Making use of the same indicators to monitor the effectiveness of the Programme would facilitate the interpretation of the results. Additional monitoring parameters have been proposed, particularly in order to monitor operations of the various facilities that may be funded by the programme.

In most cases, the monitoring parameters can be obtained from existing programmes/datasets gathered as a result of environmental permitting, environmental assessments and/or other national monitoring programmes which are associated with the implementation of environmental obligations. In this way, duplication of efforts is avoided. The aim of this monitoring programme is to have a consistent set of data upon which potential adverse environmental impacts can be identified, prevented and/or mitigated.

There are also project-level mechanisms that are in place to protect the environment, such as detailed EIAs in line with the EIA Regulations and environmental/industrial permitting. Such mechanisms should also be considered so as to ensure that the Programme measures are implemented without having, individually or cumulatively, significant adverse environmental impacts.

The following subsections outline the monitoring and measurements recommended for the implementation stage of the EMFAF Programme 2021-2027.

3.2.1 Air Quality

Monitoring of air quality during construction works may help to assess the adverse impacts arising from the measures relating to port infrastructure upgrades. The Programme's measures do not include the construction of new facilities which release atmospheric pollutants. In case such facilities are included, these facilities should be monitored through their operational permit conditions.

The chemical parameters considered as part of this SEA are regularly being monitored by the ERA in relation to national monitoring programmes; such data can be made use of for air quality monitoring purposes. Operational monitoring data should be obtained from the annual reporting requirements of the facilities' operational permits, as required on a case-by-case basis.

Monitoring parameters and data sources are outlined in Table 4.

TABLE 4: AIR QUALITY MONITORING PARAMETERS & DATA SOURCES

THEME	MONITORING PARAMETERS	DATA SOURCE
Air quality	National emissions (tonnage) of pollutants into the air, with regards to Malta's obligations under the NEC Directive 2016/2284	ERA
	Facility emissions (tonnage) of pollutants into the air, in line with the Environment Protection Act (CAP 549), Industrial Emissions (Integrated Pollution Prevention and Control) Regulations (S.L. 549.77), Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44), and/or Limitation of emissions of certain pollutants into the air from medium combustion plants regulations (S.L. 549.122) as applicable	Operational permit reporting

3.2.2 Biodiversity

Criteria for biodiversity ensure that the ecological status of Maltese waters is maintained and safeguarded. This is measurable by observing trends of parameters which are already being monitored in line with the MSFD and WFD. In this case, relevant parameters include the good environmental status of Malta's water bodies in terms of biodiversity (Descriptor 1), non-indigenous species (Descriptor 2),

commercial fish species (Descriptor 3), food webs (Descriptor 4), seafloor integrity (Descriptor 6), contaminants in seafood (Descriptor 9) and marine litter (Descriptor 10). Parameters include the contaminant levels in seafood and geographical distribution of indicator species such as *Posidonia oceanica*. Since these parameters are assessed through existing national monitoring programmes, such data is readily available from the ERA.

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. This exercise would help to more specifically identify biodiversity impacts and a monitoring programme at project-level. Such data can be obtained from the respective environmental impact assessments, appropriate assessments, as well as construction and operational monitoring.

Monitoring parameters and data sources are outlined in Table 5.

TABLE 5: BIODIVERSITY MONITORING PARAMETERS & DATA SOURCES

THEME	MONITORING PARAMETERS	DATA SOURCE
Biodiversity	Status of protected habitats and species of flora and fauna	ERA
		EIA/AA
		Construction/operational monitoring
	Status of other habitats, including valleys and watercourses	ERA
		EIA/AA
		Construction/operational monitoring
	Status of environmental factors, including coastal water, groundwater, geology and soil	ERA
		EIA/AA
		Construction/operational monitoring

3.2.3 Land Uses and Landscape

The developments being proposed by the Programme (notably the port infrastructural upgrades) are likely to have an adverse effect on the Maltese land use and landscape. Such impacts would arise both due to the presence of machinery during the construction works, and due to permanent structures during the operational phase. Although impacts on landscape are difficult to quantify, indicators such as the extent of Areas of Very High Landscape Sensitivity (AHLVs) can be indirectly used to monitor and measure these impacts; such data is readily available from the ERA. Reduced AHLVs indicate that the landscape has been negatively impacted.

Furthermore, sea uses can be monitored through the assessment of maritime traffic and through the implementation of a national maritime spatial plan, which has not yet been established by Malta. Such a plan should be detailed enough to designate certain zones which should be used for one or a few specific activities.

Monitoring parameters and data sources are outlined in Table 6.

TABLE 6: LAND USE & LANDSCAPE MONITORING PARAMETERS & DATA SOURCES

THEME	MONITORING PARAMETERS	DATA SOURCE
Landscape	Status of landform and topography, landscape, the natural beauty and scenic amenity of the landscape	ERA

3.2.4 Cultural Heritage

Maintaining the conservation status of cultural heritage can be achieved by protecting scheduled and designated areas from various threats such as take-up of virgin land and land reclamation which may damage archaeological features of national importance. Monitoring the success of this criterion involves the assessment of the number of complaints relating to features of cultural heritage affected by the measures, along with the archaeological monitoring of such developments to properly document any discoveries.

Monitoring parameters and data sources are outlined in Table 7.

TABLE 7: CULTURAL HERITAGE MONITORING PARAMETERS & DATA SOURCES

THEME	MONITORING PARAMETERS	DATA SOURCE
Cultural heritage	Number of scheduled sites	PA
	Status of scheduled sites	Archaeological monitoring during construction
	Number of complaints relating to cultural heritage damage	PA/SCH

3.2.5 Waste Management

Efficient resource management is achieved through the promotion of sustainable waste management by following the waste hierarchy. Measures which are expected to increase waste generation, such as construction works (port infrastructure upgrades) and measures which would generate WEEE (outdated hardware), should be monitored. Monitoring parameters to assess the success of waste management include measurement of waste generation of different streams, evaluating the recycling rates for WEEE, the volume of Construction & Demolition waste generated and disposed of (not reused). Such datasets are readily available from MEEE and Wasteserv.

Waste generated from the fishing and aquaculture industries, including discards and aquaculture offals, should also be monitored. This data would be available from reporting requirements from environmental permits, as well as data from the Department of Fisheries and Aquaculture.

Monitoring parameters and data sources are outlined in Table 6.

TABLE 8: WASTE MANAGEMENT MONITORING PARAMETERS & DATA SOURCES

THEME	MONITORING PARAMETERS	DATA SOURCE
Waste management	Waste generation (tonnage) by type	MEEE/Wasteserv/NSO/ Eurostat
	Waste generation (tonnage) of discards and aquaculture offals	Operational permit reporting
		Department of Fisheries
	Waste separation and recycling (tonnage)	MEEE/Wasteserv/NSO/ Eurostat
	Waste separation and recycling (tonnage) of discards and aquaculture offals	Operational permit reporting
		Department of Fisheries

4 CONCLUDING REMARKS

The draft EMFAF Programme 2021-2027 is available in the public domain. The final version of the Programme, which will incorporate the results from the SEA process, will be published by the beginning of 2023. The SEA included two stakeholder/public consultation periods, which included two stakeholder consultation workshops.

The Consultants put forward seven recommendations to boost the beneficial environmental effects of the Programme. The final version of the Programme will be revised on the basis of the environmental considerations and recommendations highlighted as part of the SEA process.