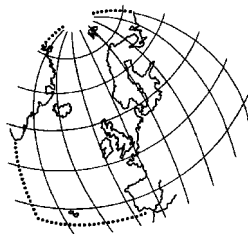


Environmental Impact of Oil and Gas Activities other than Pollution



**OSPAR Commission
2004**

The Convention for the Protection of the Marine Environment of the North-East Atlantic (the “OSPAR Convention”) was opened for signature at the Ministerial Meeting of the former Oslo and Paris Commissions in Paris on 22 September 1992. The Convention entered into force on 25 March 1998. It has been ratified by Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, Netherlands, Norway, Portugal, Sweden, Switzerland and the United Kingdom and approved by the European Community and Spain.

La Convention pour la protection du milieu marin de l'Atlantique du Nord-Est, dite Convention OSPAR, a été ouverte à la signature à la réunion ministérielle des anciennes Commissions d'Oslo et de Paris, à Paris le 22 septembre 1992. La Convention est entrée en vigueur le 25 mars 1998. La Convention a été ratifiée par l'Allemagne, la Belgique, le Danemark, la Finlande, la France, l'Irlande, l'Islande, le Luxembourg, la Norvège, les Pays-Bas, le Portugal, le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, la Suède et la Suisse et approuvée par la Communauté européenne et l'Espagne.

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1. Background

Annex V of the OSPAR Convention 1992 deals with the Protection and Conservation of the Ecosystems and Biological Diversity of the Maritime Areas. The Biodiversity Committee (BDC) and the Offshore Industry Committee (OIC) have assessed whether existing national regulations are sufficient to meet the goals set out in Annex V and in the Biodiversity Strategy, and considered the need for further work to implement both the Biodiversity Strategy and the Offshore Industry Strategy in respect of adverse impacts of the offshore industry other than pollution.

In order to enable discussions at BDC and OIC, Norway, as lead country circulated a questionnaire to collect information on the assessment of the effects on ecosystems and biological diversity of the existing and potential types of offshore installations, offshore pipelines and other pipelines that may be placed in the maritime area, together with cables that are related to oil and gas exploration and exploitation; the legislative and regulatory regimes in place in the relevant Contracting Parties to assess and control the environmental impact from the siting, placement and form of such installations. Answers were received from Denmark, the EC, Germany, Ireland, the Netherlands, Norway, Spain, Sweden and the United Kingdom.

This Background Document is based on the responses to this questionnaire.

2. Questionnaire

The questionnaire on the placement of structures, cables and pipelines for oil and gas exploration and exploitation included questions with regard to:

- a. Legislation and Regulation
- b. Assessment
- c. Consultation
- d. Monitoring
- e. Mitigation/Compensation
- f. Enforcement
- g. Research
- h. Impact

Contracting Parties were also invited to include comments on noise, heat, light and seismic activities whenever applicable, although it is recognised that the introduction of energy in any of these forms (or any other form) is capable of constituting pollution.

3. Compilation of the input from Contracting Parties

The replies to the questionnaire showed that:

- a. all Contracting Parties responding to the questionnaire have in place regulation and/or relevant legislation with respect to placement of structures, cables and pipelines in the intertidal zone, 0-12 nautical miles and 12-200 nautical mile zones. The relevant authorities were Ministries (Environment, Transport, Economy, Autonomous regions);
- b. strategic Environmental Assessments (SEAs) are not used with respect to this specific issue regarding potential impact of structures, cables and pipelines. EU Directives on this issue (31. May 2001/5. June 2001) state that member states shall implement the use of SEAs in national legislation within three years. Several countries inform that they will use SEAs for other and more generic purposes like evaluation of discharges, exploration and production, and management plans for larger areas;

environmental Impact Assessments (EIAs) are used on a broad scale when evaluating the effects both in the intertidal zone, 0-12 nautical miles- and 12-200 nautical miles off the coast. EIAs include consideration of all relevant factors, but specific EIAs for the structures themselves are usually not carried out;
- c. consultation is performed by all Contracting Parties at a national, regional and local level. NGOs and the public are consulted by means of hearings, publication in newspapers, websites and meetings. Additional relevant organizations or groups are consulted on a case to case basis.

The relevant responsible authorities try to resolve any significant differences of opinion. Usually there is a right of appeal on the decisions taken by the authorities;

- d. in most countries, specific environmental monitoring related to placement of structures, pipelines or cables has not been performed. National authorities may require such monitoring to be carried out during and/or after construction or placement in the marine area according to national regulations. Whether monitoring has to be carried out is decided on a case to case basis;
- e. mitigating and compensatory measures can be applied, often on a case by case basis;
- f. enforcement of requirements is performed by regulatory authorities or agencies by means of inspections, audits or other forms for supervision. Non-compliance can be followed up in a number of ways, from letters of warning to prosecution;
- g. research with respect to impacts of construction or placement of structures alone is rather uncommon. Two countries have presented possible websites of interest. (<http://www.mek.dtu.dk/php/english/index.php> and www.pip.ie). Norway has not in this work followed these leads. According to the returns from CPs, impacts from discharges from oil and gas production to the water column and the sea floor are addressed in numerous reports;
- h. impacts related to placement of structures, cables and pipelines for oil and gas has not been ascertained. Monitoring, for example site surveys before and after placement, can give indication of possible impact on fisheries and the biological and physical environment;

4. Conclusions from BDC 2004 and OIC 2004

On the basis of the compilation of the responses from Contracting Parties. BDC 2004 and OIC 2004 concluded that the adverse effects of oil and gas activities (other than pollution) were sufficiently covered by both international and national regulations and requirements, and that additional comprehensive work within BDC and/or OIC might not significantly increase the knowledge within this field.

In the light of this, OSPAR 2004 agreed that no further action needed to be taken at OSPAR level on the development of programmes and measures on this issue until new information was available.