

Environmental permissions for offshore wind power

Preben Boock
Oluf Damsgaard Henriksen
Flemming Pagh Jensen

Dept.: Nature and Aquatic environment

DDH-Consulting A/S
Ringstedvej 20
DK-4000 Roskilde
PB@hedeselskabet.dk

www.DDH.dk



Environmental permissions for offshore wind power



The noble art of
obtaining
environmental
permissions in the
jungle of local and
global rules,
directives, and
conventions

- within a
reasonable time





Bonn Convention

EU Habitats directive

Ramsar Convention

NATURA 2000

Environmental Permission

OSPAR Convention

EU SEA Directive

EU - EIA Directive

EU Birds Directive

Helsinki Convention

Bern Convention

The International Conventions



The **Ramsar** Convention (1971)



The global "Convention on Wetlands" provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources

The International Conventions

The **Bonn** Convention (1979)

The global “Bonn Convention on Migratory Species” is working towards the protection of threatened migrating species, incl. birds, fish, whales and bats.



The International Conventions



The AEWA Agreement (1999)



“The Agreement on the Conservation of African-Eurasian Migratory Waterbirds” (AEWA) (1999), following the work of the Bonn Convention, is working towards the protection of wetland dependant migrating birds in Africa, Europe, western Asia and the north eastern part of Canada.

The International Conventions

The **Bern** Convention (1979)

The pan-European “Bern Convention for the Conservation of the European Wildlife and Natural Habitats” is working towards protecting a large number of both animals and plants and their habitats.



The North European Conventions



The **OSPAR** Convention (1992):

The “OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic” is guiding the international cooperation on the protection of the marine environment of the North-East Atlantic.

It combines the Oslo Convention (1972) on dumping waste at sea and the Paris Convention (1974) on land-based sources of marine pollution.

The North European Conventions



The **Helsinki** Convention / **HELCOM** (2000)



The “Convention on the Protection of the Marine Environment of the Baltic Sea Area”, works to protect the marine environment of the Baltic Sea from all sources of pollution through intergovernmental co-operation between the Baltic states and the European Community.

The European Directives



The EU **Birds** Directive (1979)

The EU “Birds Directive” works for the conservation and protection of wild naturally occurring birds in the EU.

Appointment of Special Protection Areas (Natura 2000 areas).



The European Directives



The EU Habitats Directive (1992)



The EU Habitats Directive works to protect many species of plants and animals (other than birds) as well as habitat types. Appointment of Special Areas of Conservation, SACs (Natura 2000 areas)

Habitats Directive General Key Issues - § 6



Projects or not directly connected with Natura 2000 areas, but likely to have a significant effect hereon shall be subject to appropriate environmental assessments of its implications on the Natura 2000 area.

The competent national authorities shall agree to the projects only after having ascertained that the SAC will not be adversely affected

The European Directives



The EU SEA Directive

The **Strategic Environmental Assessments**

Directive ensures that environmental consequences of certain plans and programmes are identified and assessed **during** their preparation and **before their adoption**.

The European Directives



The EU **EIA** Directive

The **Environmental Impact Assessment** Directive commits all member states to adopt all measures necessary to ensure that, before consent is given, projects likely to have significant effects on the environment by virtue inter alia, of their nature, size or location are made subject to an assessment with regard to their effects

The ideal flow of the environmental permission process



1. Political Decision
2. Strategic Environmental Assessment
 - Screening
 - Scoping
 - Data collection
3. PQ > Qualification > Tendering > final concession
4. Environmental Impact Assessment
 - Screening
 - Scoping
 - Data collection / baseline
5. Environmental Permission
 - Conditional monitoring



The natural flow of the environmental permission process



1. Political Decision
2. Strategic Environmental Assessment
Screening
Scoping
Data collection
3. PQ > Qualification >
Tendering > final concession
4. Environmental Impact Assessment
Screening
Scoping
Data collection / baseline
5. Environmental Permission
Cont. baseline monitoring

General political decision on a governmental level

According to national energy strategy and policy

According to EU directives or EU resolutions



The natural flow of the environmental permission process



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Data collection / baseline
5. Environmental Permission
Cont. baseline monitoring

Responsible:

The relevant national authority

Phase:

To be carried out in the planning phase and seen in and overall perspective

Scale:

Scoping and subsequent screening at an overall regional level

Key points:

Nature – habitats, protected areas, species, fisheries

Infrastructure – sailing routes, harbours, cables, pipe lines, grid connection

Raw materials – oil, gravel, sand

Cumulative environmental effects:

Migration, feeding, resting, breeding

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Responsible:

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Responsible:

The contractor

Phase:

To be carried out after the tender phase

Scale:

Specifically in relation to the appointed site and project configuration.

Key points:

Baseline data – in relation to missing data known from the SEA, baseline for subsequent BACI based monitoring programme

Impact assessment – detailed description of potential impact from the specific project.

Mitigation measures – detailed suggestions of mitigation procedures, e.g. noise, breeding seasons, migration seasons, alternative construction site

Cumulative effects

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Cont. baseline monitoring

Responsible:

The Relevant national authority:
Permission
Contractor: Monitoring

Phase:

To be carried out after the tender phase

Scale:

Specifically in relation to the appointed site and project configuration.

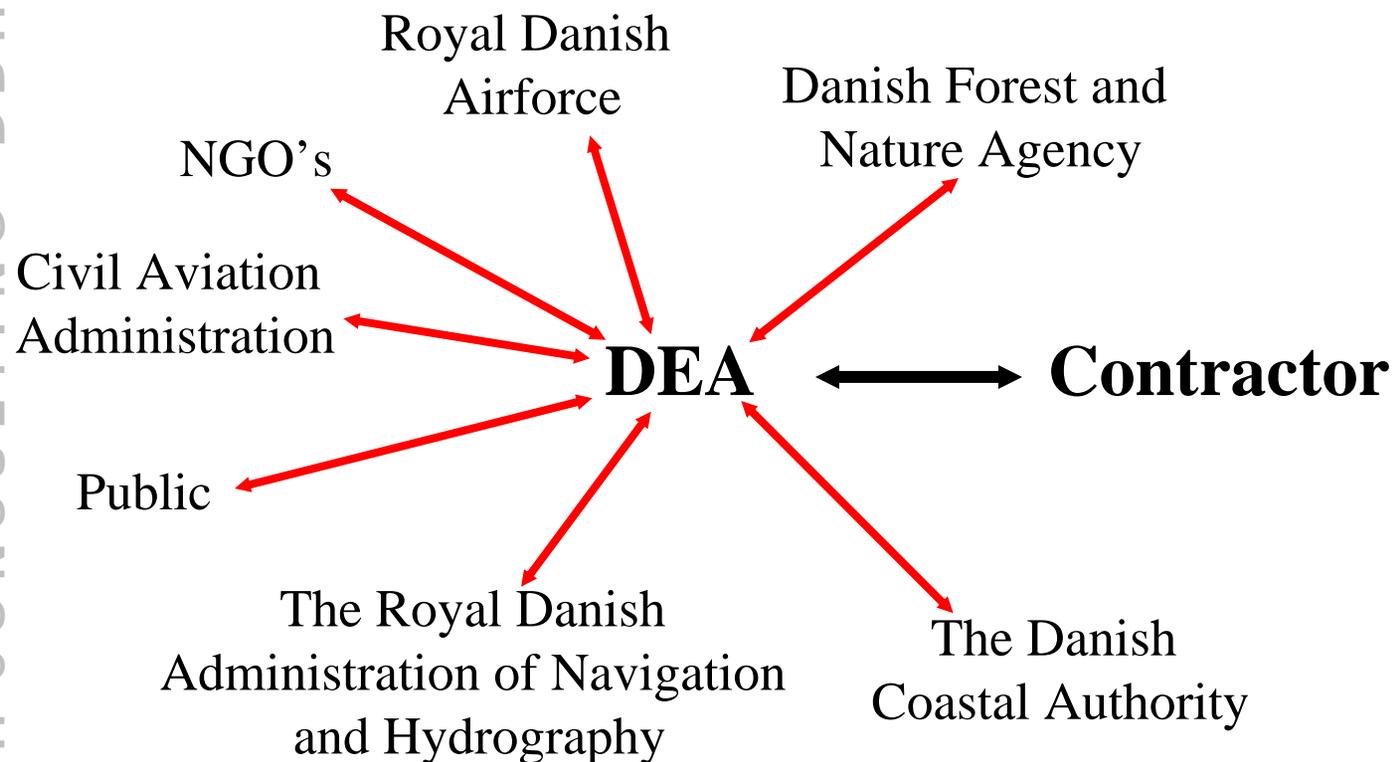
Key points:

Continuous monitoring
Mitigation measures – noise, migration, sediment spill....

National differences in the EIA procedure: Denmark



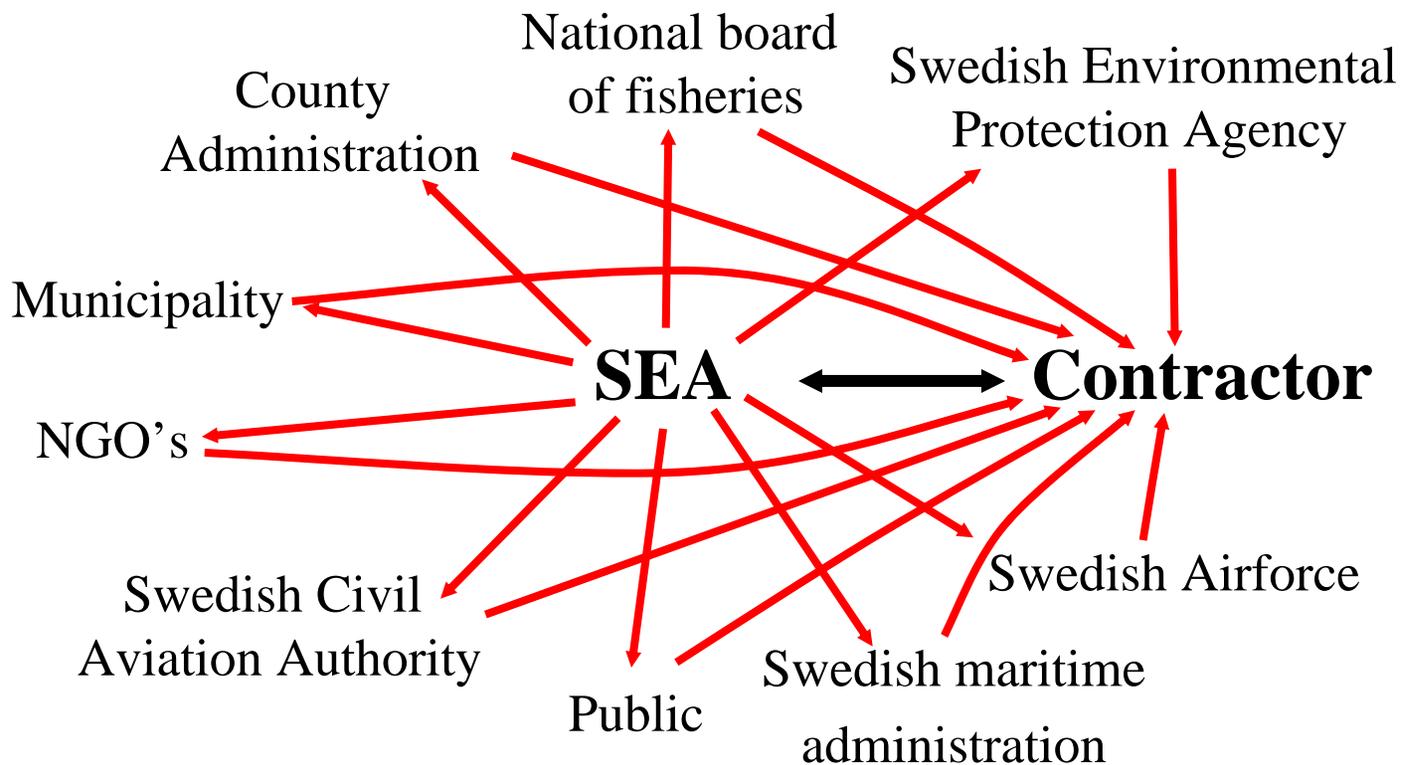
Relevant national authority:
Danish Energy Authority (DEA)



National differences in the EIA procedure: Sweden



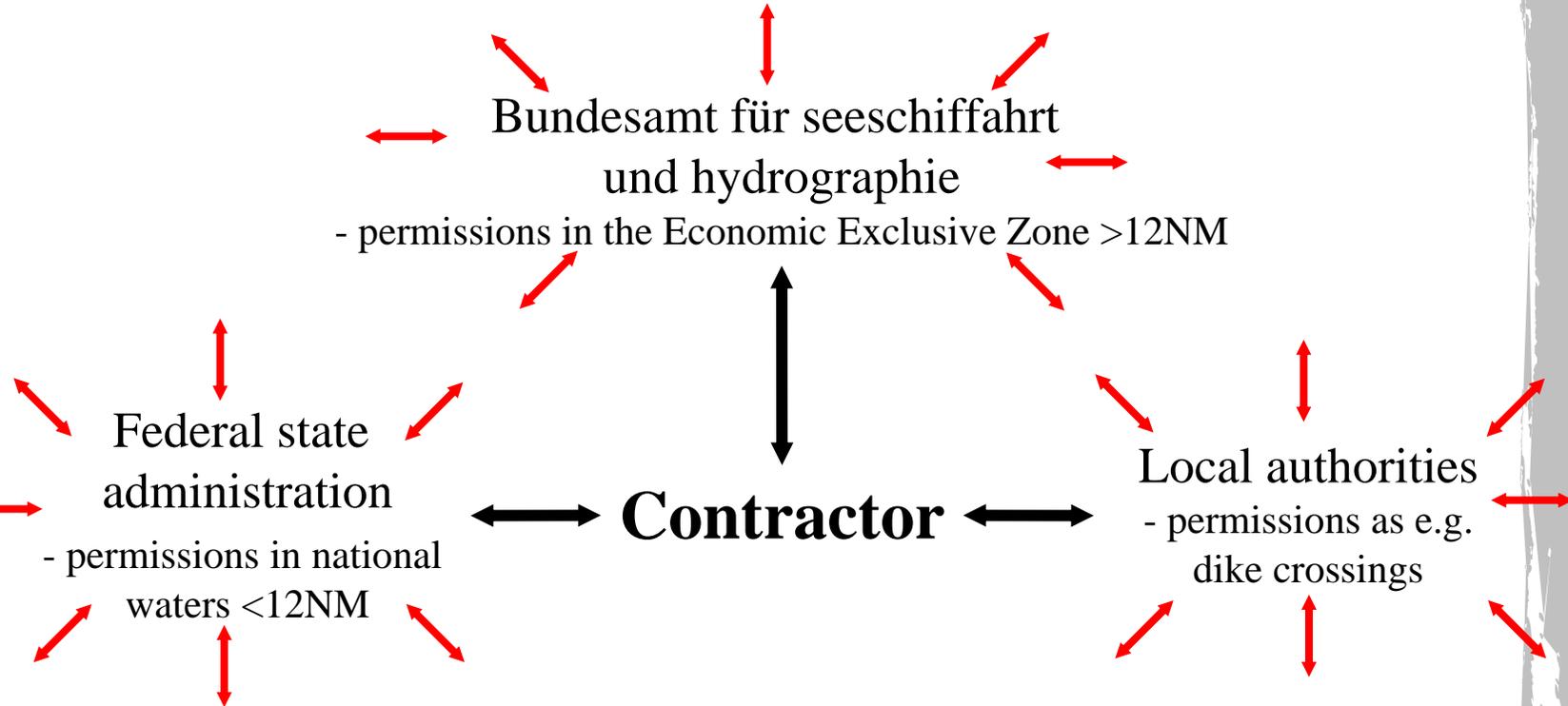
Relevant national authority:
Swedish Energy Agency (SEA)



National differences in the EIA procedure: Germany



Relevant national authority:



The natural flow of the environmental permission process



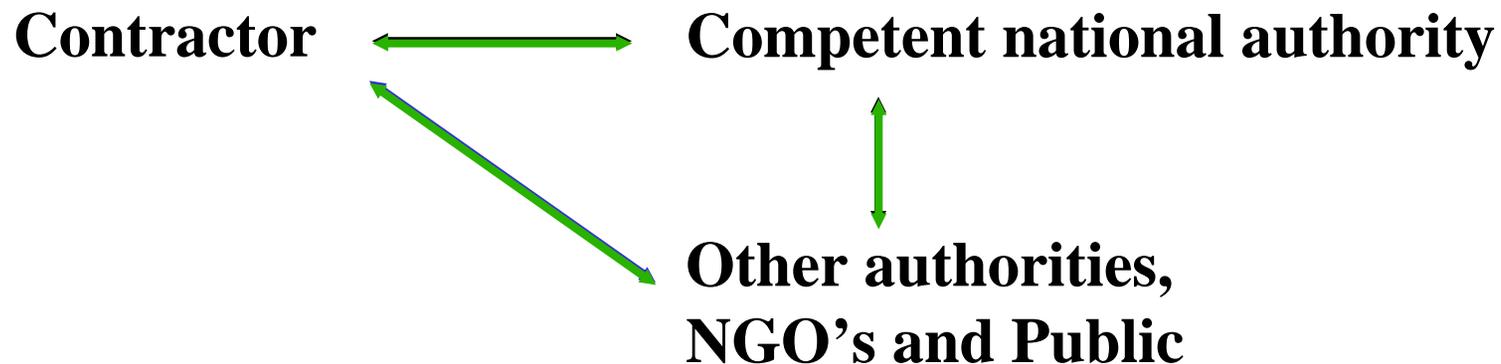
Standard procedure:

Relevant national authorities handle all contacts

Optimal procedure:

Direct contact between contractor, NGO's and other authorities

Transparency and coordination
=> **time- and cost effectiveness**



Special areas of concern



Sustainability

- Appointed site
- Local area
- International

Reversible v. non reversible activities

- Sediment spills, construction noise...
- Migration patterns, operational noise, artificial reefs...

Cumulative effects versus non cumulative effects

