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Athens, Greece, 27-28 June 2019

**Agenda item 3. Mediterranean Offshore Guidelines and Standards****c) Common Standards and Guidelines for Special Restrictions or Conditions for Specially Protected Areas (SPA) within the Framework of the Mediterranean Offshore Action Plan****Mediterranean Offshore Guidelines and Standards: Common Standards and Guidelines for Special Restrictions or Conditions for Specially Protected Areas (SPA) within the Framework of the Mediterranean Offshore Action Plan**

Draft

**This corrigendum has been issued in order to reflect comments and suggestions received on the text of the previously distributed version, following the meeting of the SPA/BD Thematic Focal Points (Portoroz, Slovenia 18-21 June 2019).**

For environmental and economic reasons, this document is printed in a limited number. Delegates are kindly requested to bring their copies to meetings and not to request additional copies.

## Note by the Secretariat

1. Article 23 of the Offshore Protocol provides for the formulation and elaboration of international rules, standards and recommended practices and procedures and the adoption of guidelines in accordance with international practices. In this context, the Mediterranean Offshore Action Plan, adopted by the Nineteenth Ordinary Meeting of the Contracting Parties (COP19) (Athens, Greece, 9-12 February 2016), provides, in its Specific Objectives 7 and 8, for the development and adoption of regional offshore standards and guidelines.
2. In accordance with the above-mentioned provisions of the Offshore Protocol and Action Plan, REMPEC, in close cooperation with the Secretariat and the Specially Protected Areas Regional Activity Centre (SPA/RAC) developed the Common Standards and Guidelines for Special Restrictions or Conditions for Specially Protected Areas (SPA) [or potential SPAs]<sup>1</sup> within the Framework of the Mediterranean Offshore Action Plan, presented in this document.
3. The objective of the present document is to propose to the Contracting Parties the definition of common standards and guidelines relating to special measures and conditions for Specially Protected Areas (SPAs) [and potential SPAs]<sup>2</sup>, with a particular focus on preventing and mitigating impacts of offshore activities on protected areas and valued species and habitats. The following steps were undertaken towards the development of the present guidelines:
  - [Assess the knowledge gaps regarding presence or absence of sensitive habitats within the offshore area where activities are planned;]<sup>3</sup>
  - overview of existing [and] planned [and potential]<sup>4</sup> SPAs;
  - review of existing standards and guidelines related to special restrictions and conditions;
  - review of publicly available documentation and best practices relating to offshore activities.
4. Descriptions of best practices and guidance documentation reviewed and the rationale underpinning the present guidelines and standards is provided in the information document Rationale for the Common Standards and Guidelines for Special Restrictions or Conditions for Specially Protected Areas (SPA) within the Framework of the Mediterranean Offshore Action Plan (UNEP/MED WG.476/Inf.6).
5. The present guidelines were submitted to the Meeting of the SPA/BD Thematic Focal Points (Portoroz, Slovenia 18-21 June 2019) for review and comments. They are currently submitted to the Meeting of the Barcelona Convention Offshore Oil and Gas Group (OFOG) Sub-Group on Environmental Impact, which is the competent MAP body to decide on their approval at a technical level and further submission to the Ecosystem Approach Correspondence Group and MAP Focal Points Meetings, as appropriate.
6. Changes on the text of the guidelines and comments that have been proposed by one Contracting Party (Israel) and one MAP Partner (IOGP) in written form following the Meeting of the SPA/BD Thematic Focal Points (Portoroz, Slovenia 18-21 June 2019) are presented in the text in

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<sup>1</sup> Insertion in square brackets proposed by Israel, considering that the majority of offshore oil and gas activities are performed in deep waters where there is a big knowledge gap regarding the presence or absence of sensitive or rare habitats, such as chemosynthetic communities. Therefore, these guidelines need to be able to protect new habitats that might be found during the oil and gas activities when the latter are not being done in previously designated SPAs. If agreed by the meeting, this change will apply on the title of the document and other parts of the text accordingly.

<sup>2</sup> Insertion in square brackets proposed by Israel (see footnote number 1).

<sup>3</sup> Insertion in square brackets proposed by Israel.

<sup>4</sup> Change in square brackets proposed by Israel (see footnote number 1).

square brackets, and highlighted, and/or with a footnote. On the basis of these comments, the Secretariat has included in the draft guidelines a number of changes whenever possible; comments and proposals which may require an in-depth substantive discussion by the present meeting are provided as footnotes only. Due to time constraints the present corrigendum is issued only in English.

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<sup>5</sup> The Table of Contents will be updated according to the changes to be introduced in the document by the present meeting.

## List of Abbreviations / Acronyms

<b>BWM Convention</b>	Ballast Water Management Convention
<b>EIA</b>	Environmental Impact Assessment
<b>IMO</b>	International Maritime Organization
<b>IPIECA</b>	International Petroleum Industry Environmental Conservation Association
<b>JNCC</b>	Joint Nature Conservation Committee (UK government advisory body)
<b>MARPOL</b>	International Convention for the Prevention of Pollution from Ships
<b>OSPAR</b>	Convention for the Protection of the Marine Environment of the North-east Atlantic. (Oslo Paris Commission)
<b>PAM</b>	Passive acoustic monitoring
<b>ROV</b>	Remotely-operated vehicle
<b>SPA</b>	Specially Protected Areas
<b>SPAMI</b>	Specially Protected Area of Mediterranean Importance
<b>[Potential SPA</b>	An offshore area where knowledge gaps exist regarding the presence or absence of sensitive habitats. Unless knowledge gaps have been fully addressed, all frontier offshore areas should be considered "potential SPAs"] <sup>6</sup>

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<sup>6</sup> Insertion in square brackets proposed by Israel (See footnote number 1).

## 1. Introduction

1. This present document provides guidelines for special restrictions or conditions to offshore activities for Specially Protected Areas (SPAs) with particular reference to the offshore oil and gas industry as an example of an exploration and exploitation industry relevant to the Offshore Protocol. They are drawn from a review of existing best practices and industry and statutory guidance that is already in place in countries with mature oil and gas industries and reflect a range of measures that have been implemented or recommended to mitigate for potential adverse effects of explorative and exploitative activities on valued habitats and species both in the Mediterranean and worldwide. [In case an activity is planned in an offshore area where there is a big knowledge gap regarding presence or absence of sensitive habitats, the area should be considered as a potential SPA, in which these guidelines apply.]<sup>7</sup>

2. The guidelines cover the full range of development life cycle stages of offshore activities including the initial geophysical survey, exploratory drilling, field development and decommissioning and contribute to the harmonisation of working practices across Contracting Parties in accordance with Specific objectives, 3, 7 and 8 of the Mediterranean Offshore Action Plan in the framework of the Protocol for the Protection of the Mediterranean Sea against Pollution resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Decision IG.22/3). The following guidelines are provided for key aspects of the different development phases of offshore developments.

## 2. Geophysical Survey

### 2.1. Permitting

3. Underwater sound produced during geophysical surveys has the potential to disturb protected marine species including mammals, reptiles and fish resulting in physiological damage or alterations in behaviour. Therefore, where proposed, geophysical surveys should be permitted and approved by the relevant Competent Authority using the most up to date knowledge of the spatial and temporal distributions and life cycle stages of protected species within the proposed area of investigation so that sensitive locations and periods can be avoided.

4. Geophysical surveys should be undertaken during the least sensitive period, in terms of spawning, nesting and migration of protected species and as agreed with the Competent Authority prior to the commencement of the survey. Peak spawning, nesting and migration periods should be avoided.

5. Prior to the issue of permits for geophysical survey, survey contractors or project proponents should adequately demonstrate to the Competent Authority the need for the conduct of the proposed geophysical survey and the alternatives considered.

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<sup>7</sup> Insertion in square brackets proposed by Israel (see also footnote number 1).

## 2.2. Conduct of the Geophysical Field Survey

6. IPIECA [OGP Report 436]<sup>8</sup> and Ballast Water Management Convention guidelines together with Strategic Priorities and Actions of the Mediterranean Strategy on Ship's Ballast Water Management should be adhered to during marine geophysical surveys and the following measures should be adopted:

- Local vessels should be used for the conduct of the geophysical survey [where possible]<sup>9</sup>. This includes the survey vessels used for the deployment of geophysical equipment as well as chase vessels which are used to protect seismic cables and other towed equipment;
- Vessels used during geophysical survey should be restricted to those which have documented non-native species capabilities, such as ballast water treatment and management systems, in accordance with the IMO's International Convention for the Control and Management of Ship's Ballast Water and Sediments;
- A review of marine species records for the presence of alien invasive species in ports that are to be used for the mobilisation and demobilisation of geophysical surveys should be undertaken prior to the commencement of the survey, the findings of which should be reported to the Competent Authority as part of the permit application;
- In light of species inventory data for mobilisation and demobilisation ports, the vessel non-native species capabilities, the vessel origin and the intended area of operation, a risk assessment of the potential for the introduction and spread of alien invasive species due to the intended survey should be conducted and reported to the competent authorities prior to the commencement of the survey and as part of the permit application. Risk assessments should refer to relevant emerging research on the relationships between vessel traffic and invasive alien species;
- IPIECA guidelines on minimising the risk of introducing and spreading alien species should be adopted and vessels should adhere to the requirements of the BWM Convention, as appropriate. Removal of biofouling from vessel hulls, equipment, rigs, and plant should be conducted at the source of the biofouling and in a way that does not increase the risk of the further spread of non-native species. Where appropriate the Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species (Biofouling Guidelines) (resolution MEPC.207(62)) shall be implemented.

7. Geophysical surveys should be conducted using the lowest sound intensities and over the smallest geographical area possible.

8. In the absence of national guidance, and for high seas areas beyond national jurisdictions, [JNCC Seismic Survey Guidance](#) for the mitigation of potential effects to marine mammals should be referred to. Certified observers should conduct searches from a sufficiently high platform to monitor a

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<sup>8</sup> Insertion in square brackets proposed by the IOGP, if this refers to the IPIECA OGP Report 436; Alien invasive species and the oil and gas industry guidance for prevention and management.

<sup>9</sup> Insertion in square brackets proposed by the IOGP, on the following reasoning: the use of a local vessel for the geophysical survey is not likely to be realistic. These are highly specialized vessels which operate globally. The availability of such vessels is highly variable. Further, vessels are chosen based on the combination of technological and economical advantage, and which vessel is selected will be dependent on a variety of factors such as their availability, overall suitability and extent of any contractual arrangements in place between Survey Contractors and Contracting entities.

mitigation zone of 500 m around the sound source for the presence of sensitive species for a minimum of 30 minutes in waters < 200 m deep or 60 minutes in waters > 200 m deep during each soft-start and prior to the noise emitting survey equipment operating at full energy. [Soft starts should recommence, with a 20 minute delay, in the event that a sensitive species is observed within the mitigation zone during the soft start procedure] [If marine mammals are detected within the mitigation zone during the pre-shooting search (visually or acoustically), the soft-start must be delayed until their passage, or the transit of the vessel, results in them being outside of the mitigation zone. There must be a minimum of a 20-minute delay from the time of the last detection within the mitigation zone and the commencement of the soft-start]<sup>10</sup>. Shooting may continue if a marine mammal is observed within the mitigation zone after shooting has commenced. Passive acoustic monitoring (PAM) equipment should be used by trained personnel to detect the presence of marine mammals during periods of darkness and poor visibility. Procedures for line turns should be agreed with the relevant Competent Authority, or as per 2017 JNCC advice. [Documentation of the soft start must be presented to the Competent Authority during and after the survey as proof of the soft start being done]<sup>11</sup>.

9. Turtles have the potential to become entangled in tail buoys during field surveys causing physiological damage and mortality. Therefore, guards should be fitted to all tail buoys used during field surveys in areas likely to support turtles i.e. near known turtle nesting and feeding sites. [Turtle entanglement preventing gear must be used by the survey vessel.]<sup>12</sup>

10. Vessels should comply with MARPOL guidelines for the control of oily discharges, recognising the extra levels of controls imposed under the IMO designation of the whole Mediterranean Sea as a Special Area.

### 3. Offshore Drilling Operations

#### 3.1. Permitting

11. Operations within SPAs [or potential SPAs]<sup>13</sup> are typically subject to a full EIA and may only be undertaken in accordance with individually assigned permit conditions.

12. Concentrations of all chemicals and substances proposed to be discharged should be identified, quantified and risk assessed in a permit application<sup>14</sup> prior to the commencement of offshore operations. The Competent Authority will review the permit application and only issue consent once satisfied no significant environmental effects will result from the planned operations, with particular consideration being given to the conservation objectives for which the SPA is designated.

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<sup>10</sup> Deletion and insertion in square brackets proposed by the IOGP in line with the relevant JNCC guidelines.

<sup>11</sup> Insertion in square brackets proposed by Israel.

<sup>12</sup> Insertion in square brackets proposed by Israel.

<sup>13</sup> Insertion in square brackets proposed by Israel (see also footnote number 1).

<sup>14</sup> The IOGP proposed to add a reference to the EIA guidelines that contain the chemical permitting recommendation.



### 3.2. Siting

13. Wells and other seabed infrastructure should be sited in areas that cause the least damage to sensitive habitats and species, as far as this is practicable, and in consideration of other potential seabed impacts, such as anchor positioning.
14. Wells and other seabed infrastructure should be sited in consideration of the potential interest features of specially protected areas that are likely to be designated in the future, for example proposed offshore SPAMIs, as far as is practicable.

### 3.3. Conduct of Drilling Activities

15. Exploratory drilling activities should be adopted or adapted for use in Mediterranean situations including the following measures:
- Use dynamic positioning rigs to avoid the use of mooring anchors in potential sensitive seabed areas;
  - Pre-lay anchors prior to the arrival of the rig to achieve accuracy in positioning of anchors and chains and to avoid corals and environmentally sensitive habitats;
  - Avoid grappling for pick-up of anchor chains and to employ ROV or pick up buoys for this purpose;
  - Replace anchor chains in part by fibre (nylon) wire and make buoyant by attaching buoys to the fibre wire to avoid interference with sensitive seabed features;
  - Use larger, heavier anchor or larger dimension anchor chain to reduce the chain length to reduce the footprint and add flexibility in anchor positioning.
16. Methods for monitoring drilling activities in specially protected areas should be specific to the features for which the site is designated and draw upon existing standards where suitable (e.g. PERSGA/GEF, 2004). [Monitoring programs should include methods for detecting previously unknown sensitive habitats that might be affected from the activity, for example side scan sonar and ROV surveys of sonar targets.]<sup>15</sup>
17. The Common Standards and Guidance on the Disposal of Oil and Oily Mixtures and the Use and Disposal of Drilling Fluids and Cuttings (UNEP/MED WG.476/4) provides guidance on the use and disposal of drilling fluids and cuttings and should be referred to when proposing offshore drilling activities. In particular, the environmental profile of drilling fluids and other chemical additives should be considered, and the least environmentally harmful alternatives should be chosen, where possible. The discharge of drill cuttings and non-aqueous (oil) based drilling fluids is prohibited in SPAs.
18. MARPOL guidance should be adhered to as a minimum standard regarding the control of wastes, oily discharges and ballast waters recognising the extra levels of controls imposed under the IMO designation of the whole Mediterranean Sea as a Special Area.
19. Dedicated spill response resources should be kept at a suitable onshore site if drilling occurs inside or close to a specially protected area, in accordance with the requirements of the Offshore

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<sup>15</sup> Insertion in square brackets proposed by Israel.

Protocol. Where appropriate, additional local resources should be considered to enhance oil spill resilience and contingency planning.

#### 4. Field Development

##### 4.1. Permitting

20. Discharge concentrations of all chemical additives proposed to be discharged should be identified, quantified and risk assessed in a permit application prior to the commencement of operations. The Competent Authority will review the permit application and only issue consent once satisfied no significant environmental effects will result from the planned operations<sup>16</sup>.

21. Any permit application for operations inside or close to a special protection area will require a scientifically robust environmental assessment.

[All sensitive habitats within at least 1 km of the drill site need to be mapped. Effects of discharges on these habitats needs to be assessed and mitigated.]<sup>17</sup>

##### 4.2. Offshore Activities

22. Contracting Parties should spatially or temporally restrict or prohibit discharges in sensitive areas or during important life cycle stages and should minimise flaring<sup>18</sup> during critical bird migration periods.

23. The environmental profile of chemical additives should be considered and the least environmentally harmful alternatives should be chosen, where possible.

24. All discharges to sea shall be monitored and reported to the Competent Authority, in line with consent conditions.

25. Use of biologically relevant species is recommended for ecotoxicological and bioaccumulation studies. A list of key indicator species should be developed and agreed for specific habitat types and regions for the purposes of condition monitoring, as necessary.

26. Incorporation of site-specific environmental monitoring campaigns with regional programmes should be considered, where appropriate, to allow for the interpretation of data within the wider context. Monitoring equipment should be appropriate to the habitat and species being monitored. Non-destructive sampling techniques, such as video and photography surveillance via remote or diver techniques is recommended in hard substrate areas, sea grass beds and areas where a high density of sensitive species occur.

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<sup>16</sup> The IOGP proposed to add a reference to the EIA Guidelines where the proposed chemical permitting system is described.

<sup>17</sup> Insertion in square brackets proposed by Israel.

<sup>18</sup> The IOGP proposed that it is not practical for Contracting Parties to minimize non routine flaring because it is usually conducted for safety reasons.

27. Pipelines, cables, coastal intakes and outfalls, jetties, moorings and other seabed structures should not directly impact on biologically sensitive species and habitats. Sediment plumes arising from seabed construction works should be minimised as far as practicable. Minimum separation zones or the use of turbidity curtains should be used where relevant to protect key habitats and species from predicted adverse sediment impacts, as agreed with the Competent Authority. [In cases where sedimentation due to dredging is suspected to reach a sensitive habitat, an Environmental Monitoring and Management Program (EMMP) needs to be established. The EMMP needs to include online monitoring of turbidity, with an ability to respond in the field when turbidity between the works and a sensitive habitat rises above ambient levels, so as to prevent the sedimentation cloud to reach the habitat.]<sup>19</sup>

28. Light emissions should be reduced as far as practicable in line with existing [OSPAR Guidance](#).

29. Dedicated spill response resources should be kept at a suitable onshore site if the development is within or close to a specially protected area, in accordance with the requirements of the Offshore Protocol. Where appropriate, additional local resources should be considered to enhance oil spill resilience and contingency planning.

## 5. Decommissioning

30. All platform structures should be removed from within the boundaries of specially protected areas unless there are over-riding and agreed reasons why these should remain in situ, in which case their suitability for conversion to a reef should be assessed.

31. All process fluids, fuel oils, produced solids and other chemicals and lubricating oils are to be drained or flushed from the decommissioned items and transported to shore for disposal.

32. Pipelines should be subject to a comparative assessment to determine the most suitable decommissioning options from those outlined in Article 20.2 of the Offshore Protocol.

33. Cuttings piles on the seabed should remain in situ on decommissioning unless there are significant over-riding reasons for removal.

34. The use of mechanical cuttings tools should be favoured over the use of explosives. If explosives are used, their use should be fully justified and supported by an assessment of the potential impact on protected and sensitive species and which should form part of the EIA and licence application. [JNCC Guidelines](#), or similar, should be used to mitigate effects on protected species.

35. Post-decommissioning environmental seabed surveys should be undertaken [until the state of the seabed returns to background levels]<sup>20</sup>. The scope and number of repeat decommissioning

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<sup>19</sup> Insertion in square brackets proposed by Israel.

<sup>20</sup> Deletion in square brackets proposed by the IOGP considering that it is not reasonable to request background levels for all parameters as this should be risk-based.

environmental surveys should be [risk-based and]<sup>21</sup> developed in consultation with the relevant Competent Authority.

36. Post-decommissioning debris search and removal surveys of the site should be conducted to ensure that no debris remains on the seabed. The surveys should cover an area of 500 m radius around the site of the decommissioned installation and 100 m either side of any decommissioned pipelines.

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<sup>21</sup> Insertion in square brackets proposed by the IOGP (see footnote number 8).