



Draft Strategic Roadmap **Key Recommendation 4.6:**

De-Risking Environmental Consenting through an
Integrated Programme of Measures

Work Package: Guidelines on the implementation of Environment Regulations on Ocean Energy Devices

Prepared for:

Forum Open Session Conference

23-24 February 2016, Edinburgh

OEF Session 4c

Day 2 Wed 24 February 2016 1200-1245hrs

Lowther Room Level -1

Ocean Energy Forum



Document produced by;	Ocean Energy Forum Environment & Consenting Workstream: Phil Gilmour (Marine Scotland) Chair and David Pratt (Marine Scotland) Co-Chair with Forum Secretariat - Patsy Falconer & Jon Rees (Cefas), Helen Smith (University of Exeter)
Document produced for;	Ocean Energy Forum Open-Session Conference Edinburgh 23-24 February 2016
Context;	<p>Following publication of the Forum's <i>Draft</i> Strategic Roadmap in October 2015 (where 6 key recommendations were outlined to help develop the ocean energy sector), the Forum has been tasked with producing action plans for each recommendation to help realise the aims and ambitions of the Roadmap. The actions plans will be reflected in the final Strategic Roadmap due to be published in November 2016.</p> <p>Key recommendation 4.6 - Guidelines Developers can be faced with multiple environmental regulations with ever increasing evidence thresholds in order to gain consents/licence(s). In Edinburgh, we will discuss and begin to develop a proposal on how to identify best European practice and devise a set of high-level guidelines that the European Commission, Member States and European regions could use to improve regulatory processes.</p>
About this Paper;	<p>This paper has been prepared to discuss and develop an action plan (project specification) that will help promote a pan-European approach to consenting / licensing ocean energy devices.</p> <p>The paper will be discussed at the Forum's open session conference in Edinburgh. All Forum members are welcome to participate and contribute to Session 4c discussion.</p>
Next steps for Forum Edinburgh event:	<p>Please consider:</p> <ul style="list-style-type: none"> • Specific elements of consenting procedures and regulations that are perceived to be holding back development and what you consider to be priority area(s) for focus • What practical steps can be undertaken to help de-risk the process <ul style="list-style-type: none"> ○ What is needed at the different stages of the licensing process ○ Benefits of one-stop shops and “deploy and monitor risk-based consenting strategies” ○ Development of a proportionate risk and scale-based approach ○ Current work and lessons learned – e.g. RiCore project • Estimate of associated costs, duration and phases to deliver and implement any practical steps
Issue Date;	17 February 2016, Forum Secretariat
Distribution;	Non-restricted – All Forum members



1. Context

This paper has been prepared to discuss and develop an action plan (project specification) that will identify best European practice and devise a set of high-level guidelines that the European Commission, Member States and European regions could use to improve regulatory processes.

Please consider:

- Specific elements of consenting procedures and regulations are perceived to be holding back development and what you consider to be priority area(s) for focus
- What practical steps can be undertaken to help de-risk the process
 - What is needed at the different stages of the licensing process
 - Benefits of one-stop shops and “deploy and monitor risk-based consenting strategies”
 - Current work and lessons learned – e.g. RICORE project
- Estimate of associated costs, duration and phases to deliver and implement any practical steps

2. Key Considerations for the Work Package:

- Development of a proportionate risk and scale-based approach
- Providing a high-level framework (guidelines) for developers and regulators

3. Background to the Work Package:

Developers can face multiple Environmental regulations with ever increasing evidence thresholds in order to gain their consents/licence(s). Furthermore, historically various different National and local government departments and agencies have managed the regulatory processes.

The purpose of this work package is to identify best European practice and develop a set of high level guidelines so that European Commission, Member States and European regions can improve regulatory processes to aid ocean energy developers to step through the consenting processes in a considered, measured and efficient manner. The resulting project will provide advice to regulators to help streamline and de-risk the processes for developers as well as



enable confidence that progress is proportionate, efficient and decisions made are sound and joined-up. The report will discuss the benefits of “one-stop shops” and “deploy and monitor” risk based consenting strategies.

In particular, the project will recognise the work of the RiCore Project which seeks to build the ‘survey, deploy & monitor’ approach into a licensing tool applicable across the EU. Further to this, the project should seek to consider where demonstration strategies could be used to take lessons learned / applicable consenting conclusions to make efficiencies in other early projects.

The development of a proportionate risk and scale-based approach to consenting should be a primary goal of this project with cognisance given to other consenting regimes adopting such practices e.g. USA. Moreover, the ultimate aim of this work should be to ensure the pragmatic interpretation of the Habitats Directive requirements to ensure development can progress within risk based approaches.

4. Expected Outcome(s):

A single document (guidelines) promoting a pan-European approach to consenting/licensing ocean energy devices which addresses the critical issues outlined above. The guidelines document will be high-level providing a framework for developers and regulators. It will cover all stages of the licensing process from scoping through EIA/AA to review of monitoring results from demonstration strategies to provide empirical data gathering to develop assessment tools.

5a. Considerations / input **in developing** the Work Package:

- Who: Forum, Others?
- What:
- When: (deadlines)
- Existing evidence / University of Exeter Roadmap Evidence Review:

5b. Considerations for the Project Specification:

- Timeline and Duration of project:

Ocean Energy Forum



- Costs / Funding for project:
- Length of project spec.: (number of pages): *how comprehensive spec. needs to be*

6. Suggested Milestones for the Work Package:

- M1 – Meeting with the Commission 13 January 2016
- M2a – Scoping document initiated 21 January 2016
- M2b – Scoping document outline accepted by DG MARE 31 January 2016
- M3 - Roundtable discussion with DG MARE, DG ENV, developers and planners 19 February 2016
- M4a – Discuss scoping document at OEF Edinburgh Conference 23-24 February 2016
- M4b – Agree overall direction and key areas of focus for Work Package at Edinburgh
- M4c – Agree next steps to develop project specification at Edinburgh
- M5 - Post-conference discussion with DG MARE on next steps w/c 07 March 2016
- *M6 – Advise plans to Forum members / Steering Committee as required and follow-through on next steps*

Future milestones tbc – e.g. Paris Steering Committee meeting input. Suggestions are made below but timings of requirements are currently unknown until after the Forum Edinburgh event

- *M?? – First Draft project specification to DG MARE by XXXX*
- *M?? – Final Draft project specification to Steering Committee by XXXX (e.g.) 16 May 2016*
- *M? – Steering Committee meeting 16 June 2016 Paris*
- *M? - Updates for final Strategic Roadmap by 31 July 2016*
- *M? – Presentation of final Strategic Roadmap 08 November 2016 Brussels*

7. AOB