



**GOVERNMENT OF GIBRALTAR**  
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## **PRESS RELEASE**

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### **GOVERNMENT RE-STATES ITS POSITION ON EAST SIDE BUNKERING**

The Government is surprised by the press reports issued by a coalition of organisations, including the environmentalist group ESG and GONHS, following the submission to the Chief Minister, on the possible expansion of bunkering in the east side of Gibraltar, on 31 May 2011.

The Government wish to inform the coalition of organisations, that during the Budget Session of Parliament, Deputy Chief Minister, Joe Holliday addressed the submission made to the Chief Minister by stating that the Gibraltar Port Authority was currently considering proposals to allow bunkering activities on the east side of Gibraltar and that an Environmental Impact Assessment (EIA) to assess the impact of such activity was currently being undertaken. Mr Holliday explained that *"...the consultation and technical process to consider and study the viability, as well as identifying the likely potential impact of the proposal commenced in September 2010. The Gibraltar Port Authority engaged Gifford's (Gibraltar) Ltd, a specialist engineering firm, to conduct a Screening and Scoping Study to identify whether a full EIA was required under the Town Planning (EIA) Regulations 2000 and the Nature Protection Act.*

*During the time that the Study was being undertaken, consultation was being carried out with the Department of the Environment, GONHS, the Nature Conservancy Council, Gibraltar Museum, Sub-Aqua Club, Environmental Safety Group and the Gibraltar Federation of Sea Anglers. The Study determined that an EIA was required and it identified the protocols for a consultation process with those stakeholders which have an interest in the area and took into account the proximity of the proposed east side bunkering to the Southern Waters of Gibraltar's Special Area of Conservation".*

Minister Holliday also confirmed that *"the Government is conscious of the views expressed by the various consultees and the interest of the bunkering Industry.*

*Therefore the Government wishes to announce that when the EIA is completed, this will be published and it will encourage a public debate on this issue. A Government decision will be taken thereafter”.*

A report on this issue was published in the Gibraltar Chronicle on Thursday 7<sup>th</sup> July 2011.

The Government confirms that any commercial activity taking place within the Southern Waters of Gibraltar Special Area of Conservation (SAC), an EU Protected Area, must meet the requirements of the Habitats Directive and if any significant impact is identified during the EIA the proposals will be subjected to an Appropriate Assessment (AA). An AA evaluates in detail the potential impacts the proposed activity will have on the ecological features of the Site.

As confirmed by Minister Holliday, as a first step Government had already requested that a full Environmental Impact Assessment (EIA) be carried out. This EIA is being conducted in line with the requirements of the Town Planning (Environmental Impact Assessment) Regulations 2001. This process has not yet concluded. During the EIA a ‘Screening’ i.e. a ‘Test of Likely Significance’ will be conducted to establish and consider any impacts the proposal may have on the SAC. In the event that no significant impacts on the SAC are identified, a “Finding of No Significant Effects Report” would be compiled and the matter referred to the Ministry of the Environment who in consultation with the relevant Authorities, such as the Nature Conservancy Council, will consider and verify the report.

If any significant impacts on the SAC are identified then it will trigger the need to conduct a full AA under the Nature Protection Act 1991, which transposes the Habitats Directive. An AA is required to ensure that appropriate steps are taken to avoid the deterioration of natural habitats of species as well as the disturbance of the species for which an EU protected area has been designated in so far as such impacts could be termed significant. The AA, a requirement under Section 17BB of the Nature Protection Act 1991, consists of several stages and each Stage is reviewed by the Ministry of the Environment and the Nature Conservancy Council.

In many cases, such as with this situation, a proposal might be caught by both the EIA and AA processes. The EIA is the more general assessment which considers all the elements of the environment and the AA is a more focused assessment which considers the features and conservation objectives of the SAC.

The current EIA will identify if there are any significant effects and whether there is a need for a full AA and what problems there may be and what systems, facilities etc will have to be put into place in order to safeguard our marine SAC. The EIA will also identify the potential benefits of the proposal, such as economic activity and

reduced risks of the operation in the west side of Gibraltar and these will be taken into account in the decision making process.

The designation of the Southern Waters of Gibraltar as a marine SAC does allow commercial activities to be conducted therein. However, what Government is currently doing is ensuring that all the required and necessary assessments are conducted in accordance with Gibraltar Laws and European Directives.

The Deputy Chief Minister Joe Holliday said, "Whilst it is understandable for various environmental groups and others to be concerned about any impact that Bunkering on the east side may have on the marine SAC, they may rest assured that this will not be allowed to proceed, until the Government has fully considered the results of the EIA once completed. The Government will publish the EIA when completed and will encourage a public debate on this issue. A Government decision will be taken thereafter."