

Falklands Conservation



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Initial views on Sea Lion Environmental Impact Statement (EIS)

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Summary Statement:

The International Energy Agency has stated that no new oil and gas fields should be opened if we are to achieve net zero emissions by 2050. This would be necessary to keep temperature rises under the safe 2°C limit. Opening a new oil field in the Falkland Islands would not align with this, therefore Falklands Conservation (FC) is not supportive of this decision.

FC has made an initial assessment of the Environmental Impact Statement (EIS) for the proposed Sea Lion oil field project. You can find below a number of our concerns that may be of interest if you are looking into the document.

Whether members of the community wish to take these views into account or not, we encourage people to respond to the consultation for this development that will change our Islands and the wider environment.

What happens if Falkland Islands Government say yes to this EIS?

FC believes the EIS sets out an avoidable and clearly environmentally damaging development proposal. The Environmental Impact Statement is clear that the development would create serious environmental damage and is a project that could be avoided.

We believe that there is significant corner-cutting in both the gathering of evidence and in the proposed commitments to address environmental impacts. In particular, it fails to provide a firm commitment to offsetting all carbon emissions – the millions of tonnes produced during the development and the more than 100 million tonnes from burning of Falklands oil. Regrettably, the EIS and proposed development is inconsistent with best practice standards, global climate targets and non-polluting developments.

Unfortunately, we also believe that Falkland Islands Government (FIG) has not made the promised progress in three key areas of environmental policy that would help ensure that environmental impacts are minimised and would therefore help guide any Environmental Impact Statements.

Below, we have included a list of environmental concerns around the development in more detail.

1. Carbon emissions and missed offsetting opportunities

The EIS lists CO₂ emissions from oil production at approximately 9 million tonnes (p.825 of EIS). Emissions from the burning of Falklands Sea Lion field oil (a legitimate inclusion in the Statement¹) are listed as more than 150 million tonnes if production were to be maximised. The developers have also indicated that further development phases could more than double production of Phases I and II. These are very large amounts of CO₂ and would make the Falkland Islands the highest per capita carbon emitting country in the world – but could be avoided as offsetting is a viable option right now. The EIS currently fails to provide a firm commitment to offsetting all carbon emissions. There needs to be a solid commitment in the EIS to offset all emissions.

We are concerned that the current approaches contradict good environmental assessment principles and global commitments, while also having negative reputational impacts for the Islands. Given that the amount of carbon emissions is presented as small in global terms, it is even more important that FIG ensure a real and viable commitment to offsetting all emissions within the EIS.

¹ Key oil project must count full climate impact – court: www.bbc.com/news/articles/cxwwzmn12g9o

2. Impacts on our wildlife

The Falkland Islands are well known for its globally significant marine wildlife. Yet, essential information on key animal groups – which we need to understand impacts – are missing, in particular seabirds.

The presented seabird data is more than 20 years old. It is well-known that climate change is rapidly changing the distribution of seabirds and their prey at sea. Good practice in places such as the North Sea would expect data to be collected within five years. Projects are expected to provide comprehensive data on bird distributions and movements over a two-year period at considerable cost, before submitting consent applications. This is done ahead of projects being approved, and with all the associated risks of having to change the development. We would consider that this Environmental Impact Statement has cut corners in this potentially expensive aspect of data collection.

3. Environmental commitments and Falkland Islands legislation

Commitments

The Environmental Impact Statement presents a set of very significant environmental impacts, and it is therefore necessary for MLAs to compare policies and commitments that have been undertaken. We believe that the impacts are inconsistent with several key commitments:

The Islands Plan 2022-2026:

- “We will carry out work to measure and reduce our carbon emissions, in order to ensure we act as a responsible global citizen.” (p. 8) ²

Falkland Islands Environment Strategy:

- “Vision 2040: Renewable energy has been embraced, we play our role in tackling the climate emergency, and are able to understand and adapt to global change at a local level.” (p.18)³
- “Our Strategic objectives: to reduce our carbon emissions through transitioning to using renewable (low carbon) energy sources for power generation” (p. 7)³
- “Our Strategic objectives: to conduct the extraction of non-renewable resources, including any hydrocarbon development, in a way that values and conserves our unique biodiversity and ecology, supported by effective regulation” (p.8)³

The International Energy Agency has stated that no new oil and gas fields should be opened if the world is to achieve ‘net zero’ emissions by 2050.⁴ This would be necessary to keep temperature rises under the safe 2°C limit. We all use oil in our everyday lives. However, if we are to move to a net-zero emissions world, it is important that we all try to play our part in making that transition safe.

² Islands Plan 2022-2026 – <https://assembly.fig.gov.fk/jdownloads/The%20Islands%20Plan/2022-2026%20Islands%20Plan.pdf>

³ Falkland Islands Environment Strategy 2021-2040 – <https://www.falklands.gov.fk/policy/downloads?task=download.send&id=110:falkland-islands-environment-strategy-2021-2040&catid=3>

⁴ Net Zero by 2050 – <https://www.iea.org/reports/net-zero-by-2050>

Falkland Islands laws and policies are not 'oil-ready' (legislation)

FIG should have put in place rules before an Environmental Impact Statement. For good environmental protection and for Environmental Impact Assessments to work to the best standards, it is important to have a consolidated set of policies and laws to identify what elements of the environment should be protected strictly or to lesser degrees, and how projects can operate within the law.

It is also important, so that if rules are infringed, reliable court challenges are possible. This is important for MLAs to know that they are making safe decisions when consenting projects – but also for potential investors in projects in order to see if their investments are safe.

Before 2020, FIG recognised this and committed to updating standards in:

- the Conservation of Wildlife and Nature Ordinance 1999⁵
- establishing clear liability rules for polluters
- introducing a form of technical environmental protection rules called 'environmental case'.

Regrettably, none of these standards were completed before the Sea Lion Environmental Impact Statement was submitted. If MLAs give a green light to the Environmental Impact Statement before legislation is put in place, it makes the legal reliability of the agreement uncertain in case of any infringements and puts the government at risk of being sued if trying to impose standards later.

4. Robust decommissioning commitments needed

Several studies have called into question how long certain oil developments can continue if the world is to meet international climate change goals which restrict warming to below 2°C. If these studies are correct, then there is a risk that many new oil projects will become uneconomical after a period of time. It is therefore important that the Sea Lion Environmental Impact Statement include decommissioning commitments up front with consent for the project. Commitment to clean and environmentally friendly decommissioning of the Sea Lion project is essential to avoid the 'cheapest option' being chosen once the economics have been agreed upon. This would avoid potential problems like those which have been seen with the decommissioning of FIPASS.

Conclusion

Falklands Conservation has given a lot of time and thought into the aforementioned areas and intends to submit a more detailed response to FIG's public consultation around these themes by 13th August 2024.

Whether members of the Falkland Islands community wish to take FC's views into account or not, we strongly encourage them to respond to the public consultation for this development as it could change our Islands and the wider environment for generations to come.

If you have any questions around the views of Falklands Conservation in respect of the Sea Lion Environmental Impact Statement, please direct your queries to FC Communications Officer, Darnell Christie via email (marketing@conservation.org.fk).

⁵ Conservation of Wildlife and Nature Ordinance 1999 – <https://www.legislation.gov.fk/view/whole/inforce/2018-07-30/fiord-1999-10#:~:text=AN%20ORDINANCE%20to%20repeal%20the,wildlife%20in%20the%20Falkland%20Islands.>

How to submit a consultation:

To take part in the consultation, simply submit your views in writing or by email, no later than 4:30pm on 13th August 2024.

Representations on the EIS may be submitted to:

Director of Mineral Resources,
P.O. Box 893,
Ross Road, Stanley,
Falkland Islands

or emailed to: EIS@mineralresources.gov.fk

You can also consult the Falkland Islands Government website for further information, including a copy of the Environmental Impact Statement if you need it.

<https://www.falklands.gov.fk/mineralresources/regulatory/environment/environmental-impact-statement-navitas>

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