



Netherlands Commission for  
Environmental Assessment

# Comments on SEA draft reports

Memorandum by the NCEA

May 2012/November 2012



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## Advice of the Secretariat of NCEA

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**To** SEA team responsible for the SEA for the oil and gas sector (Environmental Protection Agency, Ministry of Energy in Ghana, Ghana National Petroleum Corporation, National Development Planning Commission)

**Attn** Mrs. Christine Asare (EPA, SEA team coordinator)

**From** Secretariat of the Netherlands Commission for Environmental Assessment (NCEA) : Ineke Steinhauer

**Date** May 2012/November 2012

**Subject** **Comments on SEA draft reports**

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Advice 2012-04

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### 1. Introduction

5 Since 1999, the NCEA has contributed to SEA and EIA capacity development in Ghana. The latest major activity started in 2009, when discussions were held with EPA, the Netherlands Embassy, the NCEA and the Norwegian Oil for Development Program on assistance to Ghana on EIA and SEA in the oil and gas sector. The NCEA and Norway jointly reviewed an EIA for the Jubilee offshore oil field and started cooperation with Ghana on SEA in the oil and gas sector in 10 2010. This assistance consisted of coaching/backstopping of the SEA team in undertaking the SEA. Late 2011, the draft Process part of the SEA was finalized, followed by the draft Contents part of the SEA mid 2012. On both documents, NCEA gave extensive comments. Based on those, the SEA team met internally to produce final versions of part I on process and part II on contents. 15 These were reviewed by NCEA (desk review at secretariat level). The SEA team is working currently on a short version of about 30 p. for easy access and wide distribution. Subsequently, the SEA team, the international consultant and NCEA plan to meet In February 2013 to finalize the SEA. The results will be shared at a High level meeting with main stakeholders. 20

### 2. Comments on draft process report (May 2012)

25 1) The structure of the report is sometimes not really logical, e.g. the capacity building study tours, and IAIA attendance etc. now forms part of Chapter 1, description of Preparatory activities

5 2) Chapter 4 and 5 deal with stakeholder and community consultations. It thus looks as if consultation activities only took place after the assessment phase, but in reality these kind of consultations, focus group meetings, etc. have taken place during the whole SEA process, starting from 2009 to now. Perhaps this should be better clarified, doing justice to all the efforts made by the SEA team.

10 3) It should be emphasized somewhere, eg. in Chapter 1, that this SEA is done by an SEA team with assistance from local/international consultants and that therefore this SEA is not based on a ToR which was then executed by a consultant, but rather a participative process with a whole series of SEA team meetings and subsequent activities.

15 4) The process report is almost 90 pages and will probably be even more, because some parts are still missing. A 5 p. summary of events (attached as appendix 1) might help to more easily read the 'story' of this particular SEA. It also gives in the boxes an overview of reports/ products that are available/have been made as part of this SEA. At the end of this summary a 2 p. overview is included with timeline, to better 'visualise' the process. It gives easy insight into:

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- when and where meetings took place
  - the number and availability of minutes of SEA team meetings
  - the reports/products that have been produced
  - and a separate column indicating when participation/consultation events took place.
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This would form a nice basis for a kind of 'SEA brochure'/'SEA in pictures'/'SEA case description' of the SEA oil and gas Ghana.

30 Furthermore still missing are:

- Acknowledgements
  - Summary and
  - Chapter 5 presenting the summary of the overall SEA process including activities, outputs and outcomes as well as lessons learnt during the process that will inform the development of SEA in Ghana.
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Detailed minor (editing) comments in draft Process report itself (with track changes).

### 3. Comments on draft contents report (May 2012)

Overall comments:

5 – The report still needs quite some editing to eliminate overlap (with the SEA contents report, but also between the different Chapters of the SEA report itself)

10 – The structure of the report is not very clear: in essence the contents report could be divided in three main parts: 1) scoping and its results (identification of the 24 key issues), 2) assessment of key issues and relation to PPPs 3) conclusions and recommendations for planning and decision making. The contents report now consists of 10 chapters. It is recommended to greatly reduce Chapters 1–4 in terms of pages, because 1 and 2 are already covered in the process report and 3 and 4 are in fact less relevant for the SEA, that is, it is unclear how this information is used or made a difference in/for the SEA (and not so much work done by the SEA team, but partly taken from the Jubilee EIS).

15 – The most interesting parts of the Contents report are Chapters 5–10, so it is recommended to pay a lot more attention to explaining the methodology and approach, so that the reader (policy makers) can understand much better how the SEA was done.

20 – and of course invest in carefully drafting the conclusions and recommendations part, because this is where the initial objectives of the SEA can be achieved!!!

25 Concluding: the SEA process report is almost done (90%), but that there still needs to be done quite some work on the Contents report to make it a show case for other oil and gas SEAs, but more importantly, to make sure that results of the SEA will somehow be used in planning and decision making in Ghana's oil and gas sector. It is recommended to try and make a very nice version of both reports, not only for the international public, but especially for key decision makers, planners, politicians in Ghana itself. It would be really a pity, that now that the SEA team is nearly there, with so much effort done over the last two years, that they would not pay sufficient attention anymore to the finishing touch!! All the information is there, it is (just :) a matter of finding an easily understandable structure for the report (a logical story line) and eliminating ballast information (or putting this in annexes).

35 Detailed observations in the Contents report (with track changes)

#### 4. Comments to the final draft of the Process and Content Report (November 2012)

Comments process report November 2012

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p. 2 Chapter 1.0

Last paragraph should also refer to Process report

P. 7 The SEA Process report

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Needs to be adapted, now 6 parts are mentioned, while there are 8 in Total

P. 21–36 Part 2 The Policy, Legal and Regulatory framework

Has been taken out of Content Report and copied into Process report:

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Earlier observations on this chapter are still valid (see comments from May 2012 on draft Contents report). It is not clear why these have not been taken into consideration: lack of time?

In general: insert introduction in Part 2, explaining what this chapter is about and why it has been placed in between Part 2 on Screening and Part 4 on Scoping (does not seem logical now).

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Such an introduction needs to explain the reason for providing this information, what all these policies mean for strategic planning and decision making in the oil and gas sector, including an analysis of its implications for the SEA for oil and gas. See example in the Abridged version of scoping report, where in 1 sentence these policies etc. were summarized.

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P. 37–45 Part 3 Baseline information

Has also been taken out of Content Report:

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Earlier observations on this chapter are still valid (see comments from May 2012 on draft Contents report).

Also here: insert introduction in Part 3, explaining what this chapter is about and why it has been placed in between Part 2 on Screening and Part 4 on Scoping and how it has been used in the SEA.

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This kind of baseline information as presented here, is merely background information on the offshore area. It is not very useful providing all this baseline information without knowing how this will serve strategic planning and decision making. One of the activities of the SEA was Identification of Data Sources for the SEA Baseline (see 2.3 of Content report City escape). For each of the 24 key issues identified as a result of scoping, the data sources and owners were identified. The whole purpose of scoping was to identify those key issues: first to all to be able to link these to PPP's but also to make sure that you only collect baseline information you need. In summary: not collect-

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ing all kind of info you can find, but try to carefully think first: which kind of info do I really need?

P.56 ?? 17–37 Part 4 Scoping process

5 Something goes wrong with page nrs. here

Earlier observations on this Chapter are still valid, although only minor editing issues (see comments from March 2012 on draft Process report). Some parts are still yellow, red or green, it is not clear why these have not been taken into consideration: lack of time?

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P. 36–41 and P. 84– 142 Part 5 Identification of key issues

Something goes wrong with page nrs. here also

15 Earlier observations on this chapter are still valid (see comments from May 2012 on draft Contents report). Also this part has been taken out of the Content Report and has been copied in the Process report, causing quite some overlap with Part 4– Scoping process. This should be carefully checked again and overlapping texts and tables should be deleted.

20 Also it is not clear which information sources have been used? And they are partly overlapping the 24 key issues, but not al?. E.g. on natural resources, the issue accidental spillages and incidents is lacking. Where do these list with bullets come from? Also several texts appear twice.

25 P. 143– 151 Part 6– Assessment Process

OK

P. 152–159 Part 7– Community dissemination and feedback

OK

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P. 160– 165 Part 8 – Summary of the SEA process

OK, good quality! this (new) chapter

Annexes

35 Give overview of what can be found in annexes

Annex 1: list of sector working session participants; still missing

Annex 2: matching is issues of SEA with GSGDA issues on oil and gas (May 2011). Group results of 1) health and social vices, 2) fisheries group, 3) maritime group, 4) tourism and 5) employment and local content group

40 Annex 3: idem, September 2011, similar exercise with planning officers.

Comments to the New Contents report in track changes (not included here!!)

## Appendix: SEA for oil and gas in Ghana, overview of events and documents/products

5 In May 2009, during IAIA held in Accra, discussions were held with EPA, the Netherlands Embassy, the NCEA and the Norwegian Oil for Development Program (by Norad) on possible assistance to Ghana on EIA and SEA in the oil and gas sector. This resulted in two visits to Norway to prepare for strategic co-operation between the NCEA and Norway. As a first activity, the NCEA and Norway jointly reviewed an EIA for the Jubilee oil field and started co-operation to Ghana in the field of environmental management in the oil and gas sector.

### Products

- Draft ToR by EPA for the SEA oil and gas sector (March 2009)
- Advisory report by the NCEA secretariat on Jubilee EIA. No 09-03 (Oct. 2009)
- Comment on quality of environmental permit issued by EPA for Jubilee (Nov.09).

20 During a **Needs assessment workshop on environmental management of oil and gas in December 2009** in Accra, discussions were held with the EPA on the envisaged SEA for the oil and gas sector.

25 An 'SEA of the oil and gas sector screening report' had been prepared by EPA and was handed over to Norway, NCEA and NREG partners. This is a compilation of earlier work on ToR for the SEA prepared by EPA, some elements out of the NCEA key sheet on oil and gas, some elements out of the SEA review work done by Jan Joost Kessler c.s. (Feb. 2009) and the results of public hearings held in 6 districts (back to back with public hearings held during the review of the Jubilee EIS). Also a meeting was held at the EPA offices with Norway and NCEA to define next steps (and also to discuss how to satisfy NREG requirements).

30 At the request of EPA, NCEA and Norway agreed to arrange for a follow-up meeting at the offices of NCEA to discuss further details on how to shape the design of the SEA and the division of roles and tasks. The suggested approach has been presented early 2010:

### Products

- SEA screening report, prepared by EPA (Nov. 2009)
- Advice by NCEA/Norway 'Approach for the Ghana SEA for the oil and gas sector' Advice 2010-01

Subsequently, in **February 2010, a three day workshop to prepare for an SEA for the oil and gas sector** in Ghana was held in Accra. The workshop was chaired by the Ghanaian Environmental Protection Agency (EPA) and comprised of the members of the EPA SEA team, representatives from the Ministry of Energy, Ghana National Petroleum Corporation, National Development Planning Commission, altogether 12 – 14 people. One of the purposes of the workshop was to produce a Preliminary Scoping Report for the SEA, containing also a description of the further process towards a final SEA report by end of 2010. This preliminary scoping report would be discussed at a scoping workshop with all main stakeholders and will be held from 23–25 March. The SEA team had been formally installed on February 5.

#### **Products**

- Report Pre-scoping meeting 9–11 February 2010
- Outline for the SEA, including check against Ghanaian SEA requirements, budget, management etc. March 1, 2010
- Preliminary scoping report (co-production of Ghanaian SEA team, NCEA and Norwegian consultant), March 5 2010

This preliminary scoping report served two purposes: The first one was meeting requirements under the NREG program (the SEA was put there as a so-called ‘trigger’). Donor parties in NREG were satisfied with the progress made which made budget release possible for 2010. The second purpose of the preliminary scoping report was to serve as a basis document for discussion in two scoping workshops with key stakeholders. The preliminary scoping report contains three scenarios for oil and gas development.

These **scoping workshops took place on March 23 in Takoradi, the second one on March 25 in Accra.** The workshops started with presentations on workshop objectives, outline and context of the SEA of the Oil and Gas Sector (EPA), overview of the Oil and Gas Sector (Ministry of Energy), the SEA process and link to planning (NCEA) and Oil and Gas development scenarios (Oil for Development, Bjorn Kristofferson). The presentations were followed by a Q&A session and continued thereafter with group work (4 groups), answering a couple of questions. The scoping workshops were a good way of providing information on the oil and gas sector and the SEA initiative and getting feed back from stakeholders. There was good participation and the expectations of the SEA are high..

After the scoping workshops, the SEA core team met with NCEA and Ofd on the finalization of scoping report, the link with gas master plan (timing of input), how to identify main issues to deal with in the SEA report and next steps



and other issues (e.g. budget). This issues were again discussed in further detail in a meeting in Geneva (IAIA 2010).

**Products**

- Report scoping workshops March 23 and 25, (materials available also 5 power-point presentations (held during scoping workshops), input from Ghana Health Services and WHO on preliminary scoping report, Booklet from KITE: 'Ghana's emerging petroleum industry, what stakeholders need to know' March 2010, results of group work and participants list.
- Notes meeting SEA team during IAIA Geneva, April 8, 2010

The final scoping document was completed mid 2010 after more in depth consultations with the fisheries, the oil and gas industry, health authorities, the tourism industry, the spatial planning/land use interests, key MDAs and NGO's. The SEA team worked on a review of existing information on the Oil and Gas sector, determination of stakeholder opinions and interests and analyses and conclusion of key issues. This is reflected in the final scoping report which was thereafter sent by the SEA team to NCEA and Ofd for observations.

**Products**

- Final draft scoping report (co-production of Ghanaian SEA team, NCEA and Norwegian consultant), June 26, 2010
- Final scoping report with NCEA comments, August 2010
- Recordings of key issues raised during stakeholder consultations (?)

Thereafter the SEA slowed down because the SEA team members representing the Ministry of Energy had been sent to other Government Agencies. Early January 2011, discussions were held with the Deputy Minister of Energy and this led to the appointment of three new SEA team members for the Ministry of Energy. Their participation is crucial in terms of buy-in and commitment.

Having the SEA team complete again, it was agreed to have a **planning meeting in February 2011 for the follow up and detailed discussion and definition of the scope of work for the finalization of the SEA process** in 2011. This took place in Accra between 22 and 25 Feb. 2011. Participants in this meeting were the SEA core team, the Local Consultant, the International Consultant and NCEA. Issues discussed were the status of the Scoping report, the ownership of the SEA of the oil and gas, the status of GNPC in the SEA team, integrating climate change issues into the SEA, interaction with other on-going PPPs, Health Impact Assessment, Spatial planning issues, detailed work plan and

methodology for the SEA process, status of Steering Committee, co-operation with others and capacity building as part of this SEA.

**Products**

- Report on SEA team meeting; revitalization of SEA, 22–25 Feb. 2011
- Final approved scoping report, March 2011

In **April 2011, a first Steering Committee meeting** was held, with the presence of the Deputy Minister of MEST, Dep. Minister of Energy (represented by director of Petroleum), Director General NDPC, Director of Operations and Exploration, GNPC and Acting director EPA. The need for SEA was explained including a presentation on the SEA and what has been done until now. Two national newspapers reported on it.

Also in **April 2011, another SEA team meeting** took place. Issues discussed this time were a.o. an up-date on the progress of SEA of the oil and gas, discussion on the results of the baseline information collection, feed back on meeting with TCPD (spatial planning). Working sessions took place on reviewing state of affairs of oil and gas related plans, and the methodology for the analysis phase (issues response matrices etc.)

**Products**

- Report on SEA team meetings, Accra and Dodowa, 11–14 April 2011, including overview of identification of data sources, as table with the 24 key issues, including data sources and indicators, a table with the status of oil and gas related PPPs, a table with the issue–response matrix format and a strategy and cost breakdown for public consultation
- Abridged version of the SEA scoping report.

After the Dodowa meeting in April 2011, the SEA team continued working on filling in the issues–response matrices but found that all PPPs they checked did not really deal with oil and gas. Therefore they decided to focus on the Ghana Shared Growth and Development Agenda 2010–2013 (drafted by NDPC in Dec. 2010) for two reasons: 1) this GSGDA is scoring best in terms of issues–response (there is a specific Chapter on oil and gas in this document) and 2) this document sets the framework for all sector plans and districts plans for the period 2010–2013 in terms of priorities and budget allocations. Its is current Governments policy.

On May 13, the SEA team prepared for a **Sector Workshop which was held on May 19** (report available). This preparatory meeting resulted in a table comparing the 23 issues mentioned in the Oil and Gas chapter of the GSGDA with

the 24 scoping issues identified in the SEA scoping report. They found that a great amount of issues were matching.

At this sector meeting, around 80 people were invited, and around 50 finally participated, including NGO's (e.g. oil and gas platform) and private sector (e.g. Kosmos, Tullos and INI). The participants were divided in 5 groups: 1) Health and Social Vices Group, 2) Employment and local content group, 3) Fisheries Group, 4) Maritime group and 5) Tourism and Wildlife Group. They were asked to identify the gaps between the issues in the GSGDA and the SEA issues.

They found out that 8 SEA scoping issues had not been addressed by the GSGDA. The issues that were mentioned in the GSGDA that were NOT addressed by the SEA scoping issues, were added to this list of issues. Then, participants were asked to develop policy options, strategies and recommendations to put in Advisory notes for their specific sector. They were also asked to propose indicators for monitoring each issue.

By working together, it also helped to raise awareness amongst participants on the SEA issues in relation to the oil and gas sector.

#### Products

- Report on outcomes of Sector workshop, May 19 2011, Accra

As part of the SEA, the SEA Team accompanied by a representative of MEST and the local and international consultants visited the Netherlands as hosts of NCEA in May, 2011. The main purpose of this **Study tour (22–28 May)** was for the team to be introduced to a range of Dutch SEA experiences in relation to oil and gas, which included a visit to the Wadden sea, the Netherlands Oil Company (NAM) and the offices of the NCEA. Thus the team would have a chance to discuss lessons learned from these experiences with colleagues in the Netherlands. The team then continued onwards to Norway. The study tour/field trip to Norway was under the auspices of the Norwegian Government's Oil for Development initiative and hosted by Petrad – (International program for petroleum management and administration). The purpose of the program was to arrange direct contact between the SEA Team and the Norwegian petroleum sector in a wide sense. The SEA delegates met with key Norwegian institutions and the international petroleum industry to learn about challenges and co-operation connected to the establishment and operations of the petroleum industry in Norway and which are relevant for the Ghanaian situation.

Directly after the Study Tour to The Netherlands and Norway, some team members continued to Mexico, to attend the IAIA'11 conference in Puebla, Mexico.

**Products**

- Reports on SEA team study tour to Netherlands/Norway

5 As the GSGDA is used for the development of district plans as well, the next steps of the SEA were a **series of consultations in the Western Region** and selected districts in the Voltaian region. From this, video recordings and minutes are available. The aim of this round of consultations was to brief them again on SEA developments (after the initial round during Screening in Nov. 2009), and to inform them on oil and gas activities on the ground, to hear their concerns and expectations, but also highlighting opportunities.

**Products**

- Report on community consultations in Half Assini (Jomoro District), Esiam (Elembelle District), Axim (Axim Municipality), Shama (Shama District), Saltpond, Winneba, Accra and Keta (including onshore).

15 In **September 2011, the SEA team met again** to make an overview of all activities since May 2009 and to determine a contents table for the SEA process report, the SEA contents report and the executive summary. Also it was made sure that all information was complete and available to start drafting the final SEA report. The team discussed the expected SEA outputs and next steps were decided.

20 With the help of NDPC, a meeting with sector planners had to be called soon with the aim to inform sector planning and budgeting officers on the May 19 sector meeting outcomes. First of all to check whether they have been briefed by their staff and second to have their opinion and input to the recommendations that were made. These planners are important, because they will start budgeting for next year, but also have the possibility to review their plans annually. So this is an important opportunity for the SEA to have influence in planning.

25 The team started preparing for the workshop to be held with the Policy, Planning, Monitoring and Evaluation officers. First a list of invitees was made and agreed upon, making a division in planners and observers (total 47 people). It will be a 1 day workshop, tentatively planned for October 11. It will be at NDPC. Steering committee members will also be invited. Then the team discussed the agenda, program and objectives of the workshop and drafted an invitation letter.

**Products**

- Report on SEA team meeting, 5–7 September 2011, including invitation letter to PPME meeting in October
- Outcome NDPC meeting October (?)

The local consultant with the help of the international started working on the SEA process reports in Sept. and Oct. This has resulted in **a first draft SEA process report in Nov.**