

# Regulations concerning protection of Ossian Sars Nature Reserve

*Laid down by Royal Decree on 26 September 2003 pursuant to sections 12, 17, 21 and 22 of the Act of 15 June 2001 No. 79 relating to the protection of the environment in Svalbard (Svalbard Environmental Protection Act). Submitted by the Ministry of the Environment.*

## **Section 1. Protection**

Ossian Sarsfjellet by Kongsfjorden in Svalbard is protected as a nature reserve under the name of Ossian Sars Nature Reserve.

## **Section 2. Delimitation and extent**

The protected area comprises the whole of Ossian Sarsfjellet, delimited by the coastline of Kongsfjorden to the west and arms of Kongsbreen to the north, east and south.

The nature reserve comprises a land area of approximately 11.4 km<sup>2</sup> and affects land registration No. 1.

The boundaries of the nature reserve are shown in the appended map on a scale of 1:75 000, issued by the Ministry of the Environment in September 2003. The bending points shall be determined by coordinates.

The protection regulations with appended maps shall be kept by the Governor of Svalbard, the Directorate for Nature Management and the Ministry of the Environment.

## **Section 3. Purpose**

The purpose of the protection is to conserve an almost undisturbed natural area, Ossian Sarsfjellet, with lush vegetation including a number of rare and demanding plant species, and to secure the area as an area of scientific importance.

## **Section 4. Protection provisions**

### *1. Landscape and natural environment*

1.1 Activities must not be carried out that may affect the natural environment, such as erection of buildings, construction of installations including tank facilities and fixed installations, setting up portable cabins and the like, laying leads and cables, extracting, filling, moving and storing deposits, levelling the ground, constructing roads, quays, airstrips, etc., dredging the seabed or scraping the ground, drainage measures, drilling, blasting or the like and extraction of minerals, oil and fossils.

### *2. Plants and animals*

2.1 The vegetation is protected against damage and destruction of any kind not brought about by permitted traffic.

2.2 Plant species including genetically modified species and varieties must not be introduced.

2.3 Wildlife is subject to chapter IV of the Svalbard Environmental Protection Act and decisions made pursuant to the Act.

### *3. Cultural remains*

3.1 The cultural remains in the area are subject to chapter V of the Svalbard Environmental Protection Act and decisions made pursuant to the Act.

#### 4. *Traffic (non-motorised and motorised)*

- 4.1 All traffic shall be conducted in a manner that does not damage or otherwise impair the natural environment or cultural remains or result in unnecessary disturbance of human beings or wildlife.
- 4.2 Camping activities are subject to the Svalbard Environmental Protection Act and regulations issued pursuant to the Act.
- 4.3 All use of motorised all-terrain vehicles is prohibited.
- 4.4 Landing of aircraft is prohibited. Flying closer than one nautical mile from known large concentrations of mammals and birds is prohibited.
- 4.5 The Directorate for Nature Management may by regulations prohibit or regulate all access throughout or in parts of the nature reserve if deemed necessary in order to avoid wear and tear on vegetation or plants.

#### 5. *Pollution*

- 5.1 All air, water and soil pollution that involves or may involve damage or nuisance to the environment is prohibited with the exception of pollution owing to permitted motor traffic.
- 5.2 Disposing of or emptying waste is prohibited.
- 5.3 Substances and objects that may be harmful to plants and animals, that are unsightly or that may constitute a pollution hazard must not be stored or left behind.

#### **Section 5. *General exception***

The provisions of section 4 shall not preclude

- operations by the fire, police or rescue services and inspection or supervision pursuant to sections 77 and 87 of the Svalbard Environmental Protection Act.

#### **Section 6. *Exemptions and permits***

When scientific or other special grounds so indicate, the administrative authority may grant exemptions from the protection provisions laid down in section 4 provided this does not conflict with the objectives of the protection regulations and would not have a significant impact on the conservation value of the area.

In an exemption or permit, the grounds for the decision shall include an account of how the administrative authority has evaluated the impact that the exemption or permit may have on the environment and the weight that has been attached to this.

#### **Section 7. *Maintenance***

The administrative authority or the body so authorised by the administrative authority may implement maintenance measures to further the objectives of the protection. A plan may be drawn up providing more detailed guidelines for implementation of such measures. The plan shall be approved by the Directorate for Nature Management in consultation with the Directorate for Cultural Heritage.

#### **Section 8. *The administrative authority***

The Governor of Svalbard is the administrative authority pursuant to these Regulations.

**Section 9. Penal provisions**

Any person who wilfully or negligently violates provisions laid down in or pursuant to these Regulations shall be liable to fines or imprisonment for a term not exceeding one year. If a risk of substantial environmental damage has occurred or been caused or if there are especially aggravating circumstances, a term of imprisonment not exceeding three years may be imposed. Any person who aids and abets such an offence shall be liable to the same penalty.

**Section 10. Entry into force**

These Regulations shall enter into force immediately. From the same date, the Regulations of 17 February 1984 No. 434 concerning protection – Ossian Sars plant protection area in Svalbard shall be repealed.

**Map**

