

Our ref: A355671 : IDRMS:2664
Contact: David Christensen: (08) 6188 8793
Email: David.christensen@nopsema.gov.au

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information

Bight Petroleum Pty Ltd
GPO Box 1884
ADELAIDE SA 5001

**ENVIRONMENT PLAN SUBMISSION – REQUEST FOR FURTHER WRITTEN INFORMATION –
LIGHTNING 3D MARINE SEISMIC SURVEY (BIGHT BASIN) ENVIRONMENT PLAN**

I write with regard to the Lightning 3D Marine Seismic Survey (Bight Basin) Environment Plan (Revision 0, dated 21 March 2014), submitted to NOPSEMA on 21 March 2014 by Bight Petroleum Pty Ltd. An assessment of the environment plan has been undertaken in accordance with NOPSEMA's assessment policies.

Subregulation 9A(1) of the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (the Environment Regulations) allows NOPSEMA to request the titleholder to provide further written information about any matter required by these Regulations to be included in an EP.

Prior to making a decision on whether to accept the plan, NOPSEMA requests that further written information is provided in relation to each matter outlined in Attachment 1. Please provide this information no later than 30 days from the date of this letter. If Bight Petroleum Pty Ltd requires a longer period of time, it must advise NOPSEMA in writing within 14 days of receipt of this letter with an alternative date for provision of the information.

In accordance with paragraph 10(1)(c) of the Environment Regulations, NOPSEMA is unable to make a decision in relation to the EP within 30 days of submission. NOPSEMA proposes to provide you with an assessment decision within 14 calendar days of receiving the requested further written information.

NOPSEMA's preferred method for the submission of electronic documents is through the secure website: <https://securefile.nopsema.gov.au/filedrop/submissions>. Guidance on the use of the submission system and support contacts may be found on the information page: <http://www.nopsema.gov.au/secure-file-transfer>.

In accordance with subregulation 9A(3), all information provided becomes part of the EP and NOPSEMA must have regard to the information as if it had been included in the submitted EP.

Should you require further information or clarification of the information contained in this letter, please contact David Christensen, the lead assessor for your submission, on Tel: (08) 6188 8793

Yours sincerely,



Sonya Krishnan

Manager Assessment and Compliance

7 May 2014

Attachment 1 – Environment Plan Response Note - request for further written information



Environment Plan Response Note

(Request for further written information)

NOPSEMA File No:	A355671	NOPSEMA Obj ID:	RMS:2664	NOPSEMA Activity ID:	RMS: 959
Activity name:	Lightning 3D Marine Seismic Survey	Titleholder:	Bight Petroleum Pty Ltd		
Submission Title:	Lightning 3D Marine Seismic Survey (Bight Basin) Environment Plan	Rev:	0		
Document ID:	N/A	Date:	21 March 2014		

Date of Request:	5 May 2014
Specified Period:	30 Days
Date information due:	4 June 2014

Pursuant to regulation 9A of the Commonwealth Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009, further written information about each matter required by the regulations to be included in an environment plan (EP) is requested from the titleholder, as detailed in the table below. Please note that information provided in response to this request becomes part of the EP and NOPSEMA must have regard to the information as if it had been included in the submitted EP.

Matter number	Section of Submission	Environment Regulation	Further written information requested	Response from Titleholder	NOPSEMA Status (To be completed by NOPSEMA)
1	Section 3	Regulation 13(2)	<p>Further information is requested on EPBC Act listed species in the operational area, noting the EPBC Act Protected matters search identified approximately 80 species potentially found in the area, and not all of these have been identified and described.</p> <p>Other environmental features for which further information is requested include values and sensitivities of Eyre Peninsula; Neptune Islands; and Lincoln National Park; little penguins; benthic fauna in the operational area; and details of the spawning seasons of site attached benthic fauna.</p> <p>In responding to this point, please note that:</p> <ul style="list-style-type: none"> • Details and an evaluation of impacts and risks may need to be undertaken. • Details of the control measures (if any) that will be used to reduce impacts and risks to ALARP and acceptable should be supplied. • Impacts and risks must be demonstrated to be reduced to ALARP and acceptable levels. • The demonstration and selection of controls (if any) must be 		

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2	Section 5.5.1	Regulation 13(5)	<p>supported.</p> <p>The activity area overlaps with a biologically significant upwelling, which is detailed as occurring 2 to 4 times a year each over 3 to 10 days. What is the likelihood of the upwelling occurring during the activity?</p> <p>Further, are any measures proposed to be utilised to detect the presence of the upwelling; and/or mitigate impacts of the activity on feeding aggregations of fishes, seabirds and seals or other fauna that may occur in the upwelling area in the event that this occurs?</p> <p>In responding to this point, please note that:</p> <ul style="list-style-type: none"> • Details of the control measures (if any) that will be used to reduce impacts and risks to ALARP and acceptable should be supplied. • Impacts and risks must be demonstrated to be reduced to ALARP and acceptable levels. • The demonstration and selection of controls (if any) must be supported. 		
3	Section 5.5.1	Regulation 13(5)	<p>What are the impacts and risks to tourism attributed to acoustic disturbance from the array?</p> <p>In responding to this point, please note that:</p> <ul style="list-style-type: none"> • Details of the control measures (if any) that will be used to reduce impacts and risks to ALARP and acceptable should be supplied. • Impacts and risks must be demonstrated to be reduced to ALARP and acceptable levels. • The demonstration and selection of controls (if any) must be supported. 		
4	Section 5.5.1	Regulation 13(5)	<p>What are the details of the aerial survey that will be undertaken by the spotter aircraft, including survey timing, duration, methods, data</p>		

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			<p>recording and observation personnel used?</p> <p>What is the definition of whale “feeding” that will be used to inform decisions about commencement locations for the survey? For example, how many whales are required to be present and how often would feeding behaviours need to be observed? Further, given that the consultation records state that [REDACTED] where will the survey commence in the event whales are observed feeding in the southern racetrack in March?</p>		
5	Section 5.5.1, 5.5.2/5.7.7 and section 6.6.1	Regulation 13(5)	<p>What systems, practices and procedures will be implemented to manage impacts and risks from the activity to pinnipeds? Further, when interactions with pinnipeds occur, will these be recorded?</p> <p>In providing a response to the above, consideration should be given to the EPBC Act Recovery Plan for Sea Lions that includes recovery actions relating to vessel strike, oil spills and cumulative impacts of human interactions.</p>		
6	Section 5.5.2/5.7.7	Regulation 13(5)	<p>Will EPBC Regulations 2000 (Part 8) be applied for managing survey and support vessel interactions with dolphins and porpoises? Will interactions be recorded? In responding to this point, please note that:</p> <ul style="list-style-type: none"> • Details of the control measures (if any) that will be used to reduce impacts and risks to ALARP and acceptable should be supplied. • Impacts and risks must be demonstrated to be reduced to ALARP and acceptable levels. • The demonstration and selection of controls (if any) must be supported. 		
7	Section 5.7.1	Regulation 13(5)	<p>What are the impacts and risks to tourism in the event of a spill? In responding to this point, please note that:</p> <ul style="list-style-type: none"> • Details of the control measures (if any) that will be used to 		

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			<p>reduce impacts and risks to ALARP and acceptable should be supplied.</p> <ul style="list-style-type: none"> Impacts and risks must be demonstrated to be reduced to ALARP and acceptable levels. The demonstration and selection of controls (if any) must be supported. 		
8	Section 8	Regulation 14(8D)	Noting the described emergency response arrangements with AMSA relating to operational monitoring, further information is requested regarding what specific arrangements are proposed for monitoring of impacts to the environment in the event that operational monitoring detects oil at levels, and in proximity to environmental features, that may cause an impact.		
9	Section 5.5.1 and section 6.4	Regulation 13(5) and 14(5)	<p>How is the passive acoustic monitoring going to be an effective control?</p> <p>Specifically, what is the sensitivity of the system, how will the range distance of sounds received be determined, at what distances and levels of sound detection will power downs and shut downs occur, and what arrangements are in place to ensure employees or contractors have the appropriate competencies and training to effectively undertake the monitoring?</p>		
10	Section 2.1	Regulation 15	What is the Bight Petroleum Pty Ltd ACN?		
11	Appendix C	Regulation 16(b)	<p>Further information is requested on the consultation undertaken in the course of preparing the environment plan. Specifically, further information to support an assessment of merits of the objections and claims about adverse impacts of the activity made by the following relevant persons.</p> <p>s 22 - consultation record excluded by agreement</p>		

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			<p>[REDACTED]</p> <ul style="list-style-type: none"> ○ Potential for octopus and squid to be impacted by seismic surveys. ○ [REDACTED] ○ That the secretariats of international conventions (e.g. JAMBA, CMS) are 'relevant persons' and should be consulted with. ○ Requests for: <ul style="list-style-type: none"> a. Actual dB re 1µPa2.s and frequencies used across a staggered array cycle. b. Number of array cycles/per minute/s. c. Operating envelope of sound pressure levels and frequencies at different depths and water temperatures. d. Specifications (including age) of the equipment to be used. e. Name of the vessel conducting the survey. ○ Suggestions for visual monitoring of species other than cetaceans. ○ [REDACTED] ○ The suggested use of ramp-up/ soft-start protocols for all EPBC listed species (not just cetaceans). ○ [REDACTED] ○ Cumulative seismic survey impacts. ○ Other cumulative impacts e.g. ship noise masking. ○ [REDACTED] ○ Not being consulted with regarding new dates, detail and 		

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			<p>information.</p> <ul style="list-style-type: none"> o Potential deterrence of migrating whales to key habitats. [REDACTED] o Timing of upwelling should be considered. 		
12	Appendix C	Regulation 16(b)	<p>Further information is requested regarding the consultation undertaken to demonstrate that an appropriate assessment of merits of objections and claims about adverse impacts of the activity has been made by Bight Petroleum Pty Ltd.</p> <p>s 22 - consultation record excluded by agreement [REDACTED]</p> <ul style="list-style-type: none"> o A claim is raised regarding the risk of loss of reputation through real or perceived impact from the seismic survey or a spill, resulting in significant impact to the tourism industry. However, the merits of this claim have not been assessed appropriately. [REDACTED] o A claim is raised that there is high potential for substantial [REDACTED] 		

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			<p>impact upon tourism activities, including recreational fishing, and ecotourism. The assessment of merits compares Kangaroo Island to other petroleum activity locations around Australia to infer low or no impact. However, this has not been appropriately justified and supported.</p> <ul style="list-style-type: none"> ○ The claim is raised that research and associated research tourism activities could be affected by the seismic survey. The assessment of merits states 'implausible'. However, this has not been appropriately justified and supported. 		

