



8th August 2019

The Secretary
Exola DAC
Airfield House
Airfield Park
Dublin 4

**Permission to undertake a seabed debris clearance, environmental baseline and habitat
assessment site survey on SEL 1/11**

Dear Secretary,

I am directed by the Minister of State at the Department of Communications, Climate Action and Environment to refer to an application by Exola DAC, for permission to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey over the area of the Barryroe field within SEL 1/11, which application includes the following documents:

- Application letter seeking consent to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey;
- Environmental Risk Assessment (EIA Screening) Report;
- Appropriate Assessment Screening Report (AA)/Natura Impact Statement (NIS)
- Pre-Survey Fishery Assessment

Having considered the application pursuant to:

- The Petroleum and Other Minerals Development Act, 1960, as amended;
- Standard Exploration Licence 1/11;
- The Licensing Terms for Offshore Oil and Gas Exploration, Development and Production 2007;
- Rules and Procedures Manual for Offshore Petroleum Exploration and Appraisal Operations;
- Directive on the assessment of the effects of certain public and private projects on the environment (Directive 2011/92/EU) as amended by Directive 2014/52/EU ('the EIA Directive');
- European Union (Environmental Impact Assessment) (Petroleum Exploration) Regulations 2013 (S.I. No 134/2013), as amended by the European Union (Environmental Impact Assessment) (Petroleum Exploration) (Amendment) Regulations 2019 (S.I. No 124/2019);



- Directive 2009/147/EC on the conservation of wild birds (commonly referred to as the Birds Directive);
- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (commonly referred to as the Habitats Directives);
- The European Communities (Birds and Natural Habitats) Regulations 2011-15 as amended.

And having regard to:

- The information, advice and recommendations as set out in the submission to the Minister of State by officials of the Department of Communications, Climate Action and Environment dated the 1 August 2019.
- The EIA Screening Determination, of 23 July 2019 made by the Environment Advisory Unit ("EAU") of the Department, which has concluded that the application to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey can be completed without significant effects on the environment, subject to attachment of specified conditions.
- The AA Determination of 22 July 2019, made by the EAU, which has concluded that the application to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey can be completed without adverse effects on the integrity of Natura 2000 sites with respect to Articles 6(3) and 12 of the Habitats Directive (specifically Regulation 42 of the European Communities (Bird and Habitats) Regulations 2011), subject to attachment of specified conditions.
- The policy objectives in respect of offshore oil and gas exploration, as stated in the Government's White Paper *"Ireland's Transition to a Low Carbon Economy Future 2015-2030"*.
- The technical assessment of the application undertaken by Petroleum Affairs Division Technical Section, who indicated that the technical elements of the proposed activity to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey are acceptable and that the proposals provided by Exola DAC meets the Department's requirements, subject to conditions.
- The observations made by relevant State Bodies.



Having regard to the foregoing and having first satisfied himself it is appropriate to grant the application for the following reasons:

1. As set out in detail in the EIA Screening Determination of 23 July 2019, the application to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey within SEL 1/11 can be completed without significant effects on the environment, subject to attachment of specified conditions;
2. As set out in detail in the AA Determination of 22 July 2019, the application to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey within SEL 1/11, would not adversely affect the integrity of a European site (whether individually or in combination with other plans or projects), subject to attachment of specified conditions;
3. The technical elements of the proposals are acceptable and meet the Department's requirements. It is considered that information delivered from such activity will underpin greater geological understanding of the basin subsurface in a frontier unexplored part of the Irish offshore;
4. The development of Ireland's indigenous oil and gas resources has the potential to deliver significant and sustained benefits, particularly in terms of enhanced security of supply, import substitution, fiscal return, national and local economic development and technology learning;

The Minister of State at the Department of Communications, Climate Action and Environment has decided to grant permission to Exola DAC to undertake a seabed debris clearance, environmental baseline and habitat assessment site survey over the area of the Barryroe field within Standard Exploration Licence 1/11.

The consent is subject to the conditions set out below, and is to take effect from the date of this letter.

Please note that the validity any decision made on these applications may be questioned by judicial review under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986), as amended. Any application for leave to apply for judicial review must be made promptly and in any event within three months from the date of this decision. Practical information on the review mechanism can be obtained from Citizens Information at your local [Citizens Information Centre](#), by phone on 0761 07 4000 or online at citizensinformation.ie.



Yours sincerely,

Bill Morrissey

Bill Morrissey
Principal Officer
Petroleum Affairs Division

Conditions:

1. Compliance with the conditions outlined in the attached Table 1: Mitigation measures required to be specified in any Consent that may be granted, following the EAU's EIA Determination.
2. Compliance with the conditions outlined in the attached Table 2: Mitigation and Management measures committed to by the Applicant, following the EAU's AA Determination.
3. All operations shall be conducted in compliance with the provisions of the Rules and Procedures Manual for Offshore Petroleum Exploration Operations ("RPM") and shall be carried out between 1 August and 30 November 2019 or between 1 February and 30 November 2020.
4. In accordance with Section 2.2.4 of the RPM a Fisheries Liaison Officer (FLOP) and Marine Mammal Observer (MMO) must be on board the vessel for the duration of the survey.
5. Gardline Ltd is required to arrange for a radio navigational warning to be broadcast and ensure that daily position reports are sent to the Irish Coast Guard, MRCC Dublin along with a notification of number of persons on board. The Irish Coast Guard, MRCC Dublin, the Marine Survey Office of the Department of Transport, Tourism and Sport and the Department of Communications, Climate Action and Environment (DCCA) must be notified on the start and completion of operations.
6. The Department is to be informed on the commencement and completion of the survey. Daily reports should be sent to DCCA via secure website or by posting to a designated secure website or by emailing (addresses to be advised separately). Gardline Ltd is required to make the daily progress reports available to DCCA before noon each day for the duration of the survey. The final progress report should be sent to the DCCA.



7. The Department is to be provided with tabulated data on impulsive noise events to be added to the Department of Housing, Planning and Local Government (DHPLG) Impulsive Sound Register. Data to include;
 - Source properties (Hz; SPL, dB re 1 μ Pa @1m; SEL, dB re 1 μ Pa²s @1m);
 - Cumulative hours of active source;
 - Daily/weekly acquisition details (to include line number and date of acquisition);
 - Daily acquisition maps (to include line numbers).

8. Consented activities are to be carried out within the working areas as delineated by a blue line in Figure 1 and as set out in the application documents and maps submitted by Exola DAC on February 21st, 2019. This is with the exception of the control point marked K.

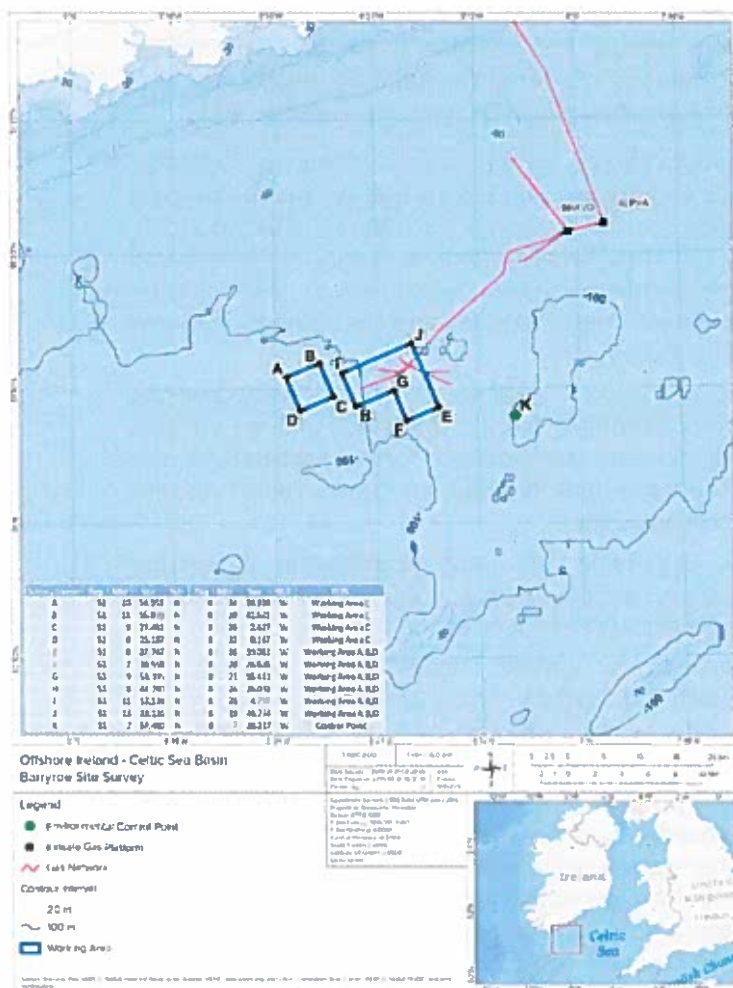


Figure 1: North Celtic Sea Basin Site Survey Location Map



Table 1: Mitigation measures required to be specified in any Consent that may be granted

Discipline	Mitigation Measure Proposed	Industry Standard	Project Specific Condition Recommended
Physical Presence	Risk of collision with vessels reduced through the use of positioning and automatic identification systems, notice to mariners also. Contractors with good HSE performance will be used.		X
	Benthic sample stations will be investigated prior to sampling using high-resolution video or stills photography.		X
Interactions with Other Sea Users	For interactions with fishermen, the project proposes the use of a Fisheries Liaison Officer (FLO), submitting a notification to "regular runners" and Notice to Mariners. In the Fishery Assessment it is recommended that a French speaking person ashore with a working knowledge of both the fishing industry and offshore operations should be available if liaison with foreign vessel owners is required. It would be envisioned that this person would work in conjunction with the FLO		X X
Underwater Noise	Exola and its survey contractor will adhere to the DAHG Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters (DAHG, 2014). Of note is that these measures apply specifically to marine mammals, however, observations shall also be undertaken for marine reptiles and the same procedures applied where possible.		X
	Two qualified Marine Mammal Observers (MMOs) will be appointed to monitor marine mammals and log all data according to the standardised forms provided in the DAHG Guidance and provide an MMO report to the regulatory authorities.		X
	Acoustic surveying will not commence if marine mammals are detected within a 500 m radius around the acoustic sources (referred to as the Monitored Zone).		X
	Sound-producing survey activities will only be commenced in daylight hours where effective visual monitoring, as determined by the MMO, can be achieved.		X
	For sound-producing activities, as water depths across the proposed survey area are less than 200 m, pre-start-up monitoring will be conducted by the MMO at least 30 minutes before any activity using the acoustic sources is due to commence. Sound-producing survey activity using the acoustic sound sources will not commence until at least 30 minutes have elapsed with no marine mammals detected within the Monitored Zone by the MMO. This		X



Discipline	Mitigation Measure Proposed	Industry Standard	Project Specific Condition Recommended
Discharges to the Sea	<p>Solid waste stored on-board and handled with the Waste Management Hierarchy, MARPOL and the Sea Pollution (Prevention of Pollution by Garbage from Ships). Garbage Management Plan will be developed. Contractors must use authorised waste contractors.</p> <p>Adherence to IMO and Irish Regulations and guidance on ballast water management.</p> <p>All discharges will be treated and discharged according to the MARPOL Convention and any additional IMO requirements.</p> <p>Survey vessel will have a SOPEP in place in accordance with Annex I of MARPOL.</p> <p>Spill kits on board the vessel deck to clean-up spills of utilities hydrocarbons or chemicals before they can enter the sea.</p> <p>Refuelling of the survey vessel to be undertaken in port, thus reducing potential for collision or spillage at sea</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	



Discipline	Mitigation Measure Proposed	Industry Standard	Project Specific Condition Recommended
Archaeology	<p>Using geophysical data to ensure no marine archaeology sites are disturbed.</p> <p>Investigation of benthic grab sample sites using video/photos The services of a suitably qualified and suitably experienced maritime archaeologist, to include experience in the interpretation of marine geophysical data, shall be engaged in advance of any such survey to undertake the UAIA so as to inform on the cultural potential of the area and advise on the known or potential location of any shipwrecks or other UCH within the specified survey area. This is particularly relevant where grab samples, etc. are being carried out.</p> <p>The Underwater Archaeological Impact Assessment (UAIA) should comprise detailed desktop study and archaeo-geophysical interpretation of all geophysical survey results as well as assessment of the results of all sampling.</p> <p>The UAIA shall be licensed by the Department of Culture, Heritage and the Gaeltacht and a detailed method statement shall accompany the licence application by the archaeologist.</p> <p>Ideally the archaeologist would be on board the survey vessel to view the geophysical data in real time and identify known or potential UCH as it is encountered. If this is not possible the results of all marine geophysical survey undertaken shall be made available to the archaeologist for assessment and interpretation, and to inform on any potential submerged cultural heritage or submerged palaeo-landscape evidence.</p> <p>The UAIA report shall be forwarded to the Underwater Archaeology Unit of the Department of Culture, Heritage and the Gaeltacht for consideration and further comment in advance of any site investigation/sampling works taking place.</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>



Discipline	Mitigation Measure Proposed	Industry Standard	Project Specific Condition Recommended
General	<p>Should the applicant change the survey vessel or equipment they should be required to seek approval from DCCAIE and that as part of that process DCCAIE should expect to see evidence that the vessel, equipment and methodology proposed are not materially different from the assumptions used to inform the applicant's assessment of potential effects.</p> <p>Appropriate steps will be taken regarding the use and handling of substances that could be harmful to human health or the environment, in accordance with Regulations and best practice.</p> <p>Solid waste will be stored appropriately on the vessel and returned to shore for handling in accordance with the Sea Pollution (Prevention of Pollution by Garbage from Ships) Regulations 2012.</p> <p>Garbage Management Plan will be in place in accordance with MARPOL Annex V.</p>	<p>X</p> <p>X</p> <p>X</p>	<p>X</p>



Table 2: Mitigation and Management Measures

Commitment proposed	Additional notes
Exola and its survey contractor will adhere to the DAHG Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters (DAHG, 2014).	None
Two qualified Marine Mammal Observers (MMOs) will be appointed to monitor marine mammals and log all data according to the standardised forms provided in the DAHG Guidance and provide an MMO report to the Regulatory Authorities	None
Acoustic surveying will not commence if marine mammals are detected within a 500 m radius around the acoustic sources (referred to as the Monitored Zone)	None
Sound producing survey activities will only be commenced in daylight hours where effective visual monitoring, as determined by the MMO, can be achieved	If a break in sound output occurs during the hours of darkness, the survey will be suspended until daylight when effective visual monitoring, as determined by the MMO, can be completed before start up.
For sound producing activities, as water depths across the proposed survey area are less than 200 m, pre-start-up monitoring will be conducted by the MMO at least 30 minutes before any activity using the acoustic sources is due to commence. Sound producing survey activity using the acoustic sound sources will not commence until 30 minutes have elapsed with no marine mammals detected within the Monitored Zone by the MMO. This pre-start monitoring will be followed by the soft-start procedure	None
Commencement of sound producing activities will be undertaken using a 'soft-start' (ramp up and gradual increase in energy/noise source) procedure for any equipment where the output peak SPL exceeds 170 dB re 1 μ Pa at 1 metre. The build-up of acoustic energy output will occur in consistent stages to provide a steady and gradual increase in power (over a period of 20 minutes). Where the power of the acoustic noise source cannot be increased gradually, due to operational parameters of the device, the device will be switched "on"	None



and "off" in a consistent sequential manner for a period of 20 minutes prior to commencement of the full necessary output	
Where a soft-start procedure is employed, the delay between the end of the soft-start and the start of the survey will be minimised to prevent unnecessary high-level sound introduction	None
Where there is a break in sound output (i.e. in the event of equipment failure, shut down etc.) from the acoustic sources for more than 30 minutes, all soft-start procedures must be undertaken before the activity can recommence	None
Full reporting on MMO operations and mitigation measures must be provided to the Relevant Authorities in accordance with the DAHG Guidance	None
Should the applicant change the survey vessel or equipment they should be required to seek approval from the DCCAIE and that as part of that process DCCAIE should expect to see evidence that the vessel, equipment and methodology proposed are not materially different from the assumptions used to inform the applicant's assessment of potential effects.	None
The services of a suitably qualified and suitably experienced maritime archaeologist, to include experience in the interpretation of marine geophysical data, shall be engaged in advance of any such survey to undertake the Underwater Archaeological Impact Assessment (UAIA) so as to inform on the cultural potential of the area and advise on the known or potential location of any shipwrecks or other underwater cultural heritage (UCH) within the specified survey area. This is particularly relevant where grab samples, etc. are being carried out.	None
The (UAIA) should comprise detailed desktop study and archaeo-geophysical interpretation of all geophysical survey results as well as assessment of the results of all sampling.	None
The UAIA shall be licensed by DAHG and a detailed method statement shall accompany the licence application by the archaeologist.	None



<p>Ideally the archaeologist would be on board the survey vessel to view the geophysical data in real time and identify known or potential UCH as it is encountered. If this is not possible the results of all marine geophysical survey undertaken shall be made available to the archaeologist for assessment and interpretation, and to inform on any potential submerged cultural heritage or submerged palaeo-landscape evidence.</p>	<p>None</p>
<p>The UAIA report shall be forwarded to the Underwater Archaeology Unit of DAHG for consideration and further comment in advance of any site investigation/sampling works taking place.</p>	<p>None</p>
<p>The Underwater Archaeology Unit is happy to liaise with the applicant's archaeologist, once engaged, to assist with discussions on archaeological assessment already carried out and any new areas requiring assessment for the current application.</p>	<p>None</p>

