

Initial Guidance regarding NTL 2007-G02 (26 Apr. '07)

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Subject: NTL 2007-G02 Seismic Mitigations

ATTENTION - PLEASE DISTRIBUTE

There have been numerous questions regarding the new seismic NTL (<http://www.gomr.mms.gov/homepg/regulate/regs/ntls/2007NTLs/07-g02.pdf>). I wanted to highlight relevant sections of the NTL to be sure **ALL** seismic observers and seismic companies are clear on the intent and direction of the NTL. Any deviations from the mitigations below require a written request to MMS and will be approved or denied in writing by MMS. If additional written guidance is provided by MMS it should be made available to all seismic observers on relevant vessels/permits.

Any attempts to circumvent the direction and intent of the seismic mitigations in the NTL without prior approval in writing from MMS will result in noncompliance. There should NOT be any instances where individual MMO companies are "interpreting" the NTL differently, the mitigation measures are defined and are not open to individual interpretation.

Written requests and questions regarding the NTL should only be sent to the following people:

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A few key points directly from the NTL:

Regarding night time operations:

Do not initiate ramp-up procedures at night or when you cannot visually monitor the exclusion zone for marine mammals and sea turtles if your minimum source level drops below 160 dB re 1 μ Pa-m (rms). Altering the vessel's course to shallower water depths (< 200m in the Central and Western Planning Areas) to circumvent ramp-up requirements of the 200 meter isobath will be considered noncompliant.

The minimum sound source level **is not to be used to allow a later ramp-up after dark** or in conditions when ramp-up would not otherwise be allowed.

Ramp-up cannot begin unless conditions allow the sea surface to be visually inspected for marine mammals and sea turtles for 30 minutes prior to commencement of ramp-up (unless the method described in the section entitled "Experimental Passive Acoustic Monitoring" is used). Thus, **ramp-up cannot begin after dark** or in conditions that prohibit visual inspection (fog, rain, etc.) of the exclusion zone.

Regarding sound cessation and the mitigation source:

You may reduce the source level of the airgun array, using the **same shot interval** as the seismic survey, to maintain a minimum source level of 160 dB re 1 μ Pa-m (rms) for the duration of certain activities. By maintaining the minimum source level, you will not be required to conduct the 30-minute visual clearance of the exclusion zone before ramping back up to full output. Activities that are appropriate for maintaining the minimum source level are: (1) all turns between transect lines, when a survey using the full array is being conducted immediately prior to the turn and will be resumed immediately after the turn; and (2) unscheduled, unavoidable maintenance of the airgun array that requires the interruption of a survey to shut down the array. The survey should be resumed immediately after the repairs are completed. There may be other occasions when this practice is appropriate, but use of the minimum source level to avoid the 30-minute visual clearance of the exclusion zone is only for events that occur during a survey using the full power array. The minimum sound source level **is not to be used to allow a later ramp-up after dark** or in conditions when ramp-up would not otherwise be allowed.

In recognition of occasional, short periods of the cessation of airgun firing for a variety of reasons, periods of airgun silence **not exceeding 20 minutes** in duration will not require ramp-up for the resumption of seismic operations if: (1) visual surveys are continued diligently throughout the silent period (**requiring daylight** and reasonable sighting conditions), and (2) no whales, other marine mammals, or sea turtles are observed in the exclusion zone.

Use of Passive Acoustics (PAM):

Inclusion of passive acoustic monitoring does **not** relieve an operator of any of the mitigations (including visual observations) in this NTL **with the following exception:** Monitoring for whales with a passive acoustic array by an observer proficient in its use **will allow ramp-up and the subsequent start of a seismic survey** during times of reduced visibility (**darkness**, fog, rain, etc.) when such ramp-up otherwise would not be permitted using only visual observers.

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