

From: [REDACTED]
Sent: Fri, 28 Feb 2025 00:49:36 +0000
To: [REDACTED]
Subject: Re: Regia MSS EP - Meeting 1 Prep - Acceptable Levels, EPOs and ALARP
Attachments: Regia MSS - Meeting 2 Prep - Cultural features, penguins, plankton.docx

No problem [REDACTED]

Please find attached the queries for the second meeting next week (Wednesday - cultural features, penguins, plankton) for distribution to relevant team members. Again, these will likely serve to direct discussion and we'll let things flow from your responses.

Have a great long weekend.

Regards,

[REDACTED]
From: [REDACTED]@nopsema.gov.au>
Sent: Friday, February 28, 2025 08:22
To: [REDACTED]@klarite.com.au>; [REDACTED]@cgg.com>; [REDACTED]
[REDACTED]@cgg.com>; [REDACTED]@nopsema.gov.au>
Subject: RE: Regia MSS EP - Meeting 1 Prep - Acceptable Levels, EPOs and ALARP

Hi [REDACTED]

Thanks, I appreciate you taking the time to prepare this. I'll share with the team and look forward to some productive discussion next week.

Kind regards,

[REDACTED]

[REDACTED]
Regulatory Operations | Geophysical Survey and Installation



NOPSEMA

Australia's offshore
energy regulator

National Offshore Petroleum Safety and Environmental Management Authority

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Acknowledgement of Country

NOPSEMA recognises the First Peoples of this nation and their ongoing connection to land and sea Country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

From: [REDACTED]@klarite.com.au>
Sent: Thursday, 27 February 2025 11:06 AM
To: [REDACTED]@nopsema.gov.au>; [REDACTED]@cgg.com>;
[REDACTED]@cgg.com>; [REDACTED]
[REDACTED]@nopsema.gov.au>
Subject: Regia MSS EP - Meeting 1 Prep - Acceptable Levels, EPOs and ALARP

Good morning [REDACTED]

Please find attached some preliminary questions for NOPSEMA on the topics for our first meeting next week. These should serve as useful prep for your team and are designed to deepen our discussion and make the most effective use of time. I expect there will be follow-ups based on your teams responses.

As soon as we've internally finalised the queries for the subsequent meetings, I'll send those through in separate emails. I hope to provide you with the preliminary questions for our second meeting by COB today. The questions for the meetings in a fortnight will likely come through next week.

Regards,
[REDACTED]

Meeting 2: Cultural features, little penguins, zooplankton

5 March 2025

Topic	Cultural features
Letter Items	4.2
CGG Queries	<p>CGG first assessed cultural values and sensitivities in Appendix E1 – Physical Presence. In this assessment the defined acceptable level was <i>“The activity is carried out in a manner that does not interfere with activities of another person to a greater extent than is necessary for the reasonable exercise of the rights and performance of the duties of the titleholder.”</i></p> <p>This level was set having consideration of s280 of the OPGGSA.</p> <p>CGG acknowledges that the EPO’s subsequently narrowed this to <i>“no collisions with other marine users”</i> and for <i>“no commercial marine users will be worse off because of the activity”</i>.</p> <p>Within the CGG methodology an EPO would logically occur in the Physical Presence appendix (E1). Alternatively, or in addition, the EPO could arise because of the additional assessment completed in Appendix F3 and would be an outcome from the further assessment.</p> <p>Is the defined acceptable level in E1 (quoted above) adequate provided that an EPO is then set following the comparison of the predicted impacts? Or would NOPSEMA recommend CGG set a more specific acceptable level of impact and risk for cultural values and sensitivities?</p> <p>Could NOPSEMA provide advice on how other titleholders have defined an acceptable level of impact and risk to cultural values and sensitivities and set appropriate EPOs?</p>
Letter Items	1.8
CGG Queries	<p>CGG decided to list any species that had been explicitly identified in our research and include some level of aggregation to the assessment such that <i>“various”</i> other species are also covered. This was done to respect that there may be other species that might have cultural significance that might have been inadvertently missed.</p> <p>The letter point seem to drive toward a conclusive list of cultural features which may or may not change over time. Whilst CGG can remove some of the uncertainties NOPSEMA has identified with more precise drafting, it is always possible that the cultural value of something only reveals itself in the future. In such cases, CGG would be relying on its management of knowledge and change processes.</p> <p>Can NOPSEMA confirm what level of uncertainty in the cultural features assessment, if any, can be tolerated and whether CGG’s approach to managing this uncertainty is likely to be appropriate?</p>
Letter Items	1.9
CGG Queries	

	<p>CGG will be reviewing and updating, where needed, the description of the environment in each aspect chapter (D1-4 and E1-9). Our process would then have us reconsider the defined acceptable levels, the prediction of impact/risk, and the appropriateness of EPO's, control measures, and so on.</p> <p>This would likely result in an update to the cultural features assessment in F3 such that each feature would be clearly linked to a previously completed assessment (i.e. in D1-4 and E1-9) by listing the possible cause effect pathways for impact/risks to that feature. This would be in an update to the table in F3 – Cultural Features.</p> <p>Can NOPSEMA confirm that if CGG ensure any updates to the description of the environment are carried through the rest of the assessment that it is likely to meet the findings/reasons outlined in the letter point?</p>
Letter Items	1.11
CGG Queries	<p>CGG acknowledge the potentially contradictory statements made with other parts of the EP. Also, it wasn't clear that the 'further assessment' was the assessment completed in Appendix F3. Therefore, can NOPSEMA confirm if this request is likely to be met by resolving any contradictions and being clearer that the further assessment was completed in F3?</p> <p>Note: F3 may also be updated depending on the work we complete in addressing the above points.</p>

Topic	Little Penguins
Letter Items	3.3
CGG Queries	Notwithstanding the requirement for CGG to make the case, does NOPSEMA agree that in relation to underwater sound effects on little penguins, TTS and behavioral effects to little penguins could be demonstrated to be an acceptable level of impact?
CGG Queries	To what degree has recent third-party correspondence about little penguins influenced the items raised in this letter point? I.e. if we address those concerns in full and make the necessary edits to the EP, would that likely be sufficient to address the points in the letter?
CGG Queries	a. "The impact assessments (Appendix E5 and F3) describe the little penguin colonies and populations at Deen Maar, Middle Island and London Bridge. The assessments should also clarify the population status of other past/present little penguin colonies" Could NOPSEMA clarify the relevance of describing past colonies to the Regis MSS impact assessment?
CGG Queries	d. Analysis in Appendix F3 considers the amount of time and proportion of core foraging habitat that the Regia MSS "seismic area" will intersect with but does not adequately consider the amount of time and proportion of core foraging habitat that potential behavioural disturbance effects intersect, a concern raised by relevant persons (Person ID 716). Linked to point 1 here, are behavioral impacts acceptable??

	Given the modelled distances, penguins may be behaviorally impacted up to 77km from the source. This work was undertaken to try to help a relevant person understand the survey will not be close to foraging penguins for the entire duration of the survey. Could NOPSEMA clarify what is meant by this point?
CGG Queries	e. "The impact assessment does not adequately consider indirect effects of sound to the distribution and availability of key prey, which includes sound-sensitive Clupeid fish species (e.g. sardines)." CGG has considered impacts to Fish in Appendix E3 and impacts to little penguin prey in discussed in F3, is there something we have missed here?
Letter Items	3.5
CGG Queries	"Appendix E5: 'Diving birds can continue critical life-cycle behaviours without injury (PTS)'. This example is not appropriate as limiting effects to PTS discounts other (e.g. behavioural) effects to birds such as little penguins, which have the potential to lead to impacts to critical life-cycle behaviours that may not be tolerable." CGG is unsure whether this defined acceptable level is unacceptable because of phrasing i.e. would "critical life-cycle stages " be more appropriate? Or are NOPSEMA implying that behavioral impacts are not acceptable as they relate to little penguins?

Topic	Zooplankton
Letter Items	1.4
CGG Queries	Can NOPSEMA confirm if they are simply looking for the calculations that support the quoted paragraph? Further study of the Otway region indicates a complex current regime across depths and variations with temperature. This will all be explained in the modified EP. However, the result is that there is no prevailing or consistent current such that line orientation will significantly reduce effects to plankton communities. – Following on from that: would NOPSEMA be satisfied if the surveys line orientation accounts for the theorized directionality of krill identified in the limited literature specifically? CGG has assessed the report provided by a relevant person and has provided a comprehensive review of the modelling approach. In conclusion the report has no merit and no relevant material, all of which will be included in the consultation records. Can NOPSEMA advise on options for and the extent to which CGG should include this analysis in the EP?