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Island  
Att.: Marianne Helene Rasmussen

**SYSSELMANNEN  
PÅ SVALBARD**

**THE GOVERNOR OF SVALBARD  
ГУБЕРНАТОР СВАЛБАРДА**

*Our date:*  
30.06.2021

*Our reference*  
21/01275-5

*Your date:*  
24.06.2021

## **Reply to 4 research applications - RIS-ID 11715, RIS-ID 11716, RIS-ID 11718, and RIS-ID 11714 - Arctic Sense sailing expedition**

We refer to your applications, RIS-IDs 11714, 11715, 11716, and 11718, dated 24.06.2021. The applications deal with various field activities in Svalbard during the sailing expedition Arctic Sense. The fieldwork will be performed in the period 23.06.2021 to 19.08.2021.

### **The applications**

The fieldwork will be conducted from a 37-foot sailing vessel. The planned field-activities described in the applications are:

- 1) RIS-ID 11714: Use a towed hydrophone to characterise cetacean occurrence and diversity in the deep waters west of Svalbard. A single hydrophone (C57, Cetacean Research Technology) will be towed from a 37- foot sailing vessel at a distance of 50 m. It is a passive listening device.
- 2) RIS-ID 11715: Characterize the extent and form of macro-plastic pollution at coastal sites around Svalbard using an unoccupied aerial vehicle. The plan is to survey three sites, Brucebukta, Breibogen and Isflakbukta, cf. figure 1. 2 km of coastline will be surveyed at each site (30-100 m height).
- 3) RIS-ID 11716: Collect aerial images of individual humpback whales and other baleen whales in Svalbard waters, using an unoccupied aerial vehicle. The vessel will not deliberately approach within 200 m of target animals and the UAV will remain a minimum of 20 m above each whale, approaching the animal from behind. Following collection of three images (max.), the UAV will be immediately be recovered. In addition to humpback whales, aerial images of other baleen whales will be opportunistically collected.
- 4) RIS-ID 11718: Deploy a bottom-moored hydrophone (ST500 SoundTrap) at approximately 50 m depth Southwest of Spitsbergen for two months (cf. UTM-coordinates in figure 1). An acoustic release system (Sonardyne) will be used for hydrophone retrieval. Anchors will consist of biodegradable jute bags, sand and/or concrete blocks. These anchors will remain on the sea floor following deployment. The deployed equipment will protrude approximately 2 m from the seafloor.



**Figure 1:** Field-locations applied for

## Regulations

The Svalbard Environmental Protection Act of 15 June 2001 apply. According to the Act section 25 all species of flora and fauna, including their eggs, nests and lairs, are protected. Both terrestrial and marine flora and fauna are covered by the Act, cf. section 24. Section 37 give the Governor the authority to grant exemptions for scientific purposes or when other special reasons so indicate.

The field work is planned within Sør-Spitsbergen national park where the Regulation relating to the national parks South-Spitsbergen, Forlandet and North West - Spitsbergen, on the nature reserves North-East-Svalbard and South East-Svalbard, and on the nature reserves for birds on Svalbard apply. According to the Regulation section 9, plants and fossils are not to be removed, and shall be protected against damage and disturbance of every kind that is not caused by regular traffic. It is prohibited to litter and to leave objects which may harm flora or fauna or seem unsightly, cf. section 7. Furthermore, section 6 determines that these areas are protected against all measures that can impact landscape, terrain, or disturbance of the environment, included different installations.

According to § 11 d in the Regulation, the Governor may grant exemptions for scientific purposes if this does not conflict with the purpose of the national park.

The Regulation relating to pollution and waste in Svalbard, FOR-2020-07-03.1517 apply. According to the regulation section 2-5 it is prohibited to dump litter or any material in the sea without a permission. Permission to dumping requires a special application, cf. the regulation §2-8.



## **The Governor's considerations**

### *RIS-ID 11718*

Deploying a hydrophone connected to anchors in the sea for two months entails, as we consider, minor risk of noticeable impact to fauna or flora in the sea. The purpose of the measure is scientific, the impact is temporary, and it will affect a minor seabed area. Leaving the hydrophone anchors in the sea after use will however be considered as dumping, and is prohibited, cf. the Regulation relating to pollution and waste in Svalbard. A scientific measure cannot as we consider, justify a permission for dumping or littering in Svalbard in general, and especially not in protected areas, cf. the regulation relating to the national parks and nature reserves sections 6, 7 and 11. Consequently, you must make sure that the entire installation, including the anchors, can be retrieved from the sea after use. On this condition, the Governor consider that we can grant a permission for temporary deploying a hydrophone connected to anchors.

### *RIS-ID 11714, 11715, and 11716*

The Governor of Svalbard consider that the other fieldwork activities described in the applications has minor environmental impact and do not require any special permission according to the regulations relating to the Svalbard Environmental Protection Act of 15 June 2001 No. 79 or any of the regulations relating to protected areas.

Flying with drones does not require a special permission from the Governor itself. In accordance with The Svalbard Environmental Protection Act it is however prohibited to disturb birds and animals. More detailed information is given in attachment 1.

Regarding your plan to characterize the extent and form of macro-plastic pollution at Brucebukta, we will point out that part of this beach is included in surveys for OSPAR and MOSJ. We ask you not to remove macro-plastic from this area. See attached information.

## **The Governor's decision**

The Governor has considered your application and made the following decision:

**Under the provisions of the Svalbard Environmental Protection Act of 15 June 2001, § 37 and the Regulation for bird sanctuaries and larger nature protection areas on Svalbard of 1 June 1973, § 11 d, The Governor grants University of Iceland's Research Center in Húsavík by project owner Marianne Helene Rasmussen permission to deploy a hydrophone connected to anchors in Sør-Spitsbergen national park as described in the application. The permission is valid from 30<sup>th</sup> of June – 19<sup>th</sup> of August 2021.**

### **The Governor's permission is granted on the following conditions:**

- The entire hydrophone installation, including the anchors, shall be removed by the end of the permit, at the latest 19<sup>th</sup> of August 2021.
- The project owner shall provide for the immediate reporting of possible accidents/irregularities to the Governor.
- The project shall submit a report from the field work by **1<sup>st</sup> of November 2021**. The template for this report can be found on the Governors web pages.
- All equipment you bring during the field trip, and all waste items, are to be removed and brought back to a waste station. Waste shall not be burned, except clean untreated wood.



- When carrying out the projects, the researchers shall show consideration towards other users of the areas in such a way that the research does not seem provoking or negatively impact people's wilderness experience.
- These exemptions are only valid for the people included in the projects.
- A copy of this permission must be brought along during the fieldwork.

**Duty of care**

The Governor calls attention to the duty of care in the Svalbard Environmental Protection Act § 5 first sentence, *"Any person who is staying in or operates an undertaking in Svalbard shall show due consideration and exercise the caution required to avoid unnecessary damage or disturbance to the natural environment or cultural heritage."*

**Travel notification**

Please notice that your planned field work outside Management Area 10 requires notification to the Governor according to the regulation FOR-1991-10-18-671 on travel in Svalbard (the Tourism Regulation). The notification form is available here: [Notification of travel plans](#).

**Right to complain**

According to Norwegian law you are entitled to complain about the present decision. Written complaints must be submitted within three weeks of receiving this letter. The complaint must be submitted to the Governor.

As we can see, the applications have been submitted the day after your planned start-up of fieldwork. This is unfortunate. We kindly request that future applications are submitted in due time, preferably a minimum of 8 weeks prior to the planned field work.

Regards

Håkon Larsen  
Acting Head of Environment Protection

Ingunn Løvdal  
Advisor nature management

<i>This document is approved and expedited electronically without signature</i>
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**Copy**

Miljødirektoratet

**Attachments**

Regulations of the use of drones on Svalbard, english  
Clean up Svalbard 2021