UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT

_____
(Insert Appropriate BOEM Office)

PERMIT FOR GEOLOGICAL PROSPECTING, AUTHORIZATION FOR NONCOMMERCIAL GEOLOGICAL EXPLORATION, OR PERMIT FOR SCIENTIFIC RESEARCH RELATED TO MINERALS OTHER THAN OIL, GAS, AND SULPHUR ON THE OUTER CONTINENTAL SHELF

In consideration of the terms and conditions contained herein and the authorization granted hereby, FORM BOEM-0136 is entered into by and between the United States of America (the Government), acting through the Bureau of Ocean Energy Management (BOEM) of the Department of the Interior (the Department), and

_____
(Your Name)

_____
(Number and Street)

_____
(City, State, and Zip Code)

PERMIT OR AUTHORIZATION NUMBER: _____ **DATE:** _____
(Assigned by BOEM)

FORM BOEM-0136 is entered into pursuant to the authority of the Outer Continental Shelf Lands Act, as amended, (43 U.S.C. 1331 et seq.), hereinafter called the "Act," and Title 30, Code of Federal Regulations (CFR) Part 580 (Prospecting for Minerals Other Than Oil, Gas, and Sulphur on the Outer Continental Shelf (OCS)), as applicable. You must conduct all activities in compliance with the terms and conditions of this permit or authorization, including the "Stipulations," "Environmental Protective Provisions," and the approved "Application," which are attached to and incorporated into this permit or authorization. You must conduct all geological prospecting, noncommercial exploration, or scientific research activities in compliance with the Act, the regulations in 30 CFR Part 580, as applicable, and other applicable statutes and regulations whether such statutes or regulations are enacted, promulgated, issued, or amended before or after this permit is issued or authorization granted.

Certain geological activities may cause incidental "taking" of animals under the Marine Mammal Protection Act (16 U.S.C. 1361 et seq.) or the Endangered Species Act (16 U.S.C. 1531 et seq.). Any such incidental taking is not authorized by BOEM, and only the National Marine Fisheries Service or U.S. Fish and Wildlife Service may do so.

Paperwork Reduction Act of 1995 (PRA) Statement: This form refers to information collection requirements contained in 30 CFR Part 580 regulations, as applicable. The Office of Management and Budget (OMB) has approved those reporting requirements under OMB Control Number 1010-0072.

Section I. Authorization

The Government authorizes you (as defined in 30 CFR 580.1) to conduct:

☐ Geological prospecting for mineral resources by means other than a deep stratigraphic test, as defined in 30 CFR 580.1. This activity uses geological and geochemical techniques, including, but not limited to, gas sniffing, various bottom sampling methods, and shallow test drilling.

☐ Noncommercial geological exploration for sand, gravel, or shell resources for potential use in a beach nourishment, coastal restoration, or federally-funded or constructed projects.

☐ Geological prospecting for mineral resources or scientific research by means of a deep stratigraphic test, as defined in 30 CFR 580.1, or scientific research to develop data and information for proprietary use or sale.

This authorizes you to conduct the above geological activity during the period from

_____ to _____ in the following area(s):

_____

You shall not conduct any geological operation outside of the authorized area specified herein even if no data is collected or obtained from such operations. Extensions of the time period specified above must be requested in writing. The initial time period plus any time extensions, except for a deep stratigraphic test, will be limited to a period of not more than 5 years from the original issuance date. The duration of a permit for a deep stratigraphic test will be controlled in accordance with 30 CFR 251.7 and 551.7. Participation in test drilling activities, bonds, inspection and reporting of geological exploration activities, suspension and cancellation of geological exploration or scientific research activities under permit, and penalties and appeals must be carried out in accordance with 30 CFR 251.7, 551.7 (as warranted), 580.23 through 580.28, 580.32, and 580.33, as applicable. The authority of the Regional Director, or equivalent, may be delegated to the Regional Supervisor for Resource Evaluation, or equivalent, for the purposes of this permit or authorization.

Section II. Type(s) of Operations and Technique(s)

A. You will employ the following type(s) of operations:

_____

_____

and will use the following instruments and/or technique(s) in such operations:

_____

_____

B. You will conduct all activities in compliance with the terms and conditions of this permit or authorization, including the "Stipulations," "Environmental Protective Provisions," and the approved "Application," which are attached to and incorporated into this permit or authorization.

C. You will conduct all prospecting, noncommercial exploration, or scientific research activities in compliance with the Act, the regulations in 30 CFR 580, as applicable, and other applicable statutes and regulations whether such statutes and regulations are enacted, promulgated, issued, or amended before or after this permit or authorization is issued. Some of the provisions of 30 CFR Part 580, as applicable, are restated in this permit or authorization for emphasis. All provisions of 30 CFR Part 280 apply if this form is issued as a permit.

Section III. Reports on Operations

A. Status Reports

1. In the Gulf of Mexico and Atlantic OCS Regions:

As applicable, you must submit status reports every **two months** in a manner approved or prescribed by the Regional Supervisor, Resource Evaluation or Chief, Marine Minerals Division (here after referred to as Supervisor). The report must include a map of appropriate scale showing sampling locations, OCS protraction areas, OCS blocks, OCS block numbers, and the Submerged Lands Act boundary (if map scale permits). The map should be a cumulative update for each status report and clearly illustrate planned sampling locations (one color) and those locations that have already been sampled (a second color). The map should be submitted in digital format as a PDF. ArcGIS files (gdb-feature classes or shapefiles and metadata) should be provided. All maps and data must be submitted in NAD 83.

2. In the Alaska and Pacific OCS Regions:

Unless specified otherwise, you must submit status reports **weekly** in a manner approved or prescribed by the Supervisor. The report must include a map of appropriate scale showing sampling locations, OCS protraction areas, OCS blocks, OCS block numbers, and the Submerged Lands Act boundary or other important boundaries as specified by BOEM. The map should be a cumulative update for each status report and clearly illustrate planned sampling locations (one color) and those locations that have already been sampled (a second color). The map should be submitted in digital format as a PDF. ArcGIS (gdb-feature classes or shapefiles and metadata) should be provided. All maps and data must be submitted in NAD 83.

B. Submit a Final Report to the Supervisor within 30 days after the completion of operations. The Final Report is a stand-alone document containing all the pertinent information regarding the permit or authorization. The Final Report must contain the following:

1. In the Gulf of Mexico and Atlantic OCS Regions:

i. A *brief* description of the work performed including the total number of samples acquired, as well as coring, drilling, and sampling methods including depth of penetration;
ii. A *brief* daily log of operations. A suggested format for the daily log of operations would include, but is not limited to, a table that provides the name of the survey, a date column, and an operations column. Preferably, the date column would reflect the date in which the vessel begins to transit to the authorized area and end on the date in which the vessel either transits away from the authorized area, or when operations pertinent to the authorized activity are completed. The corresponding operations column would contain a *brief* description of the operations for each day listed in the date column noting activities such as the major work stoppages and other pertinent activities. This may be submitted as a digital Word document, or as an Excel spreadsheet;
iii. A PDF or GeoPDF map, and ArcGIS gdb-feature classes or shapefiles (with metadata) (see vii), depicting the location and extent of any prospecting, noncommercial exploration, or scientific research activities conducted;
iv. The start and finish dates on which the actual geological prospecting, noncommercial exploration, or scientific research activities were performed;
v. A narrative summary of any: (a) hydrocarbon slicks or environmental hazards observed, (b) adverse effects of the geological prospecting, noncommercial exploration, or scientific research activities on the environment, aquatic life, archaeological resources, or other uses of the area in which the activities were conducted, and (c) safety incidents. Include (d) a compilation of all PSO or watch reports if applicable;
vi. The estimated date on which the processed or analyzed data or information will be available for inspection by BOEM;
vii. Digital file(s) containing available geological data and sample locations in both latitude/longitude

degrees and in x, y coordinates. The data should also be submitted as ArcGIS gdb-feature classes or shapefiles (with metadata) illustrating the location of all geological data collection;

viii. Identification of the projection and datum, including geocentric ellipsoid (NAD 83) used as a reference for the geological data or sample locations; and,

ix. Such other descriptions of the activities conducted as may be specified by the Supervisor.

2. In the Alaska and Pacific OCS Regions:

i. A *brief* description of the work performed including the total number of samples acquired, as well as coring, drilling, and sampling methods including depth of penetration;

ii. A *brief* summary of operations that provides, but is not limited to, the name of the survey, the date, the number of samples collected each day, and a discussion of any operational or environmental issues that occurred (e.g., major work stoppages, no data acquired, safety incidents, mitigation measures employed, and other pertinent activities). Provide the date for the start of operations and the end date when operations pertinent to the permitted activity are completed.

iii. A PDF map, and ArcGIS gdb-feature classes or shapefiles (with metadata) (see vii), depicting the location and extent of any prospecting, noncommercial exploration, or scientific research activities conducted. You must clearly indicate the location of the activities so that the data produced from the activities can be accurately located and identified;

iv. The start and finish dates on which the actual geological prospecting, noncommercial exploration, or scientific research activities were performed;

v. A narrative summary of any: (a) hydrocarbon slicks or environmental hazards observed, (b) adverse effects of the geological prospecting, noncommercial exploration, or scientific research activities on the environment, aquatic life, archaeological resources, or other uses of the area in which the activities were conducted and (c) a compilation of all PSO or watch reports;

vi. The estimated date on which the processed or analyzed data or information will be available for inspection by BOEM;

vii. Digital file(s) containing a *single*, final edited navigational data file, coded in ASCII, and all of the geological data and sample locations in latitude/longitude degrees and in x, y coordinates. The data should also be submitted as ArcGIS gdb-feature classes or shapefiles (with metadata) illustrating the location of all geological data collection;

viii. Identification of projection and geocentric ellipsoid (NAD 83) used as a reference for the geological data or sample locations;

ix. Such other descriptions of the activities conducted as may be specified by the Supervisor; and,

x. Digital copy of all weekly reports, including all PSO or watch reports.

Section IV. Permit or Notice Requirements for Shallow Test Drilling

Before any shallow test drilling begins for prospecting for mineral resources or for scientific research, the Supervisor may require for permits, or recommend for notices, the gathering and submission of geophysical data and information sufficient to determine shallow structural detail across and in the vicinity of the proposed test. Data and information may include, but are not limited to, seismic, bathymetric, side-scan sonar, and magnetometer systems, across and in the vicinity of the proposed test. Regulations at 30 CFR 251.7, 30 CFR 280, and 551.7, as applicable, will apply to permits issued for shallow test drilling.

Section V. Permit Requirements for a Deep Stratigraphic Test

A. No deep stratigraphic test drilling activities may be initiated or conducted until a Drilling Plan is submitted to the Supervisor and, if necessary, an Application for Permit to Drill is submitted and approved by the BSEE Regional Director (BSEE-RD). The Drilling Plan must include:

1. The proposed type of sequence of drilling activities to be undertaken together with a timetable for their performance from commencement to completion;

2. A description of the drilling rig proposed for use, unless a description has been previously submitted to the Supervisor, indicating the important features thereof, with special attention to safety features and pollution prevention and control features, including oil spill containment and cleanup plans and onshore disposal procedures;

3. The location of deep stratigraphic test to be conducted, including the surface and projected bottomhole location of the borehole;

4. The types of geological and geophysical instrumentation to be used for site surveys;

5. Geophysical data and information sufficient to evaluate seafloor characteristics, shallow geologic and man-made hazards, and structural detail across and in the vicinity of the proposed test to the total depth of the proposed test well. Data and information from side-scan sonar and magnetometer surveys must be submitted as required, at the option of the Supervisor; and,

6. Other relevant data and information as the Supervisor may require.

B. At the same time you submit a Drilling Plan to the Supervisor, an Environmental Report must be submitted. The report must be in summary form and should include information available at the time the related Drilling Plan is submitted. Data and information which are site-specific, or which are developed subsequent to the most recent Environmental Impact Statement or other environmental analyses in the immediate area, must be specifically considered. You must summarize and provide references for data, information, and issues specific to the site of drilling activity in the related plan, and in other environmental reports, analyses, and impact statements prepared for the geographic area. Any material based on proprietary data which is not itself available for inspection should not be referenced. The Environmental Report must include the following:

1. (a) A list and description of new or unusual technologies that are to be used, (b) the location of travel routes for supplies and personnel, (c) the kinds and approximate levels of energy sources to be used, (d) the environmental monitoring systems that are to be used, and (e) suitable maps and diagrams showing details of the proposed project layout;

2. A narrative description of the existing environment. This section must include the following information on the area: (a) geology, (b) physical oceanography, (c) other uses of the area, (d) flora and fauna, (e) existing environmental monitoring systems, and (f) other unusual or unique characteristics which may affect or be affected by the drilling activities;

3. A narrative description of the probable impacts of the proposed action on the environment and the measures proposed for mitigating these impacts;

4. A narrative description of any unavoidable or irreversible adverse effects on the environment that could be expected to occur as a result of the proposed action; and

5. Other relevant data and information as the Supervisor may require.

C. Any revisions to an approved Drilling Plan must be approved by the Supervisor.

D. All BSEE regulations relating to drilling operations in 30 CFR Part 280 apply, as appropriate, to drilling activities authorized under this Permit.

E. At the completion of the test activities, the borehole of all deep stratigraphic tests must be permanently plugged and abandoned by the permittee prior to moving the rig off location in accordance with the requirements of the BOEM regulations at 30 CFR Part 551 and BSEE regulations in 30 CFR Part 280.

Section VI. Submission, Inspection, and Selection of Geological Data and Information

A. You must notify the Supervisor, in writing, when you have completed the initial analysis, processing, or interpretation of any geological data and information collected under permit that involves developing data and information for proprietary use or sale, or under permit or authorization for public distribution and use. If the Supervisor asks if you have further analyzed, processed, or interpreted any geological data and information collected under a permit or authorization, you must respond within 30 days. If the data or information are further analyzed or reprocessed, you are responsible for keeping the most current interpretative results and products available in the event the Supervisor requests the current status of data analysis or processing. At any time, the Supervisor may request that you submit for inspection and possible retention all or part of the geological data, analyzed geological information, processed geological information, and interpreted geological information.

B. In the event that a third party obtains geological data, analyzed geological information, processed geological information, or interpreted geological information from you or from another third party by sale, trade, license agreement, or other means:

1. The third party recipient of the data and information assumes the obligations under this section, except for notification of initial analysis, processing, and interpretation of the data and information, and is subject to the penalty provisions of 30 CFR 580.32-580.33, as applicable, and 30 CFR Part 550, Subpart N (OCS Civil Penalties) as administered by the BSEE;

2. You or any third party that sells, trades, licenses, or otherwise provides the data and information must advise the recipient, in writing, that accepting these obligations is a condition precedent of the sale, trade, license, or other agreement;

3. Except for license agreements, you or any third party that sells, trades, or otherwise provides data and information to a third party, must advise the Supervisor in writing within 30 days of the sale, trade, or other agreement, including the identity of the recipient of the data and information; and

4. With regard to license agreements, you or any third party that licenses data and information to a third party, within 30 days of a request by the Supervisor, must advise the Supervisor, in writing, of the license agreement, including the identity of the recipient of the data and information.

C. Each submission of geological data, analyzed geological information, processed geological information, and interpreted geological information must contain, unless otherwise specified by the Supervisor, the following:

1. An accurate and complete record of geological (including geochemical) data, analyzed geological information, processed geological information, and interpreted geological information resulting from each operation;

2. Dating results or paleontological reports identifying microscopic fossils by depth, and/or washed samples of drill cuttings used for paleontological determination;

3. Copies of well logs and charts: one paper copy, one copy on a reproducible stable base, and copies of composite digital well logs on magnetic tape or other suitable medium in a format approved by the Supervisor;

4. Data and results obtained from formation fluid test;

5. Analyses of core or bottom samples, or a representative cut or split of the core or bottom sample;

6. As applicable, detailed descriptions of any hydrocarbons or hazardous conditions encountered during operations, including near losses of well-control, abnormal geopressure, and losses of circulation; and,

7. Other geological data, analyzed geological information, processed geological information, and interpreted geological information specified by the Supervisor. Copy of the processing reports outlining all processing steps and sequences used to prepare the final processed data. This may include position, vertical control, and other processing or post-processing correction information.

Section VII. Reimbursement

A. After the delivery of geological data, analyzed geological information, processed geological information, and interpreted geological information requested by the Supervisor in accordance with subsection VI of this permit or authorization, and upon receipt of a request for reimbursement and a determination by BOEM that the requested reimbursement is proper, BOEM will reimburse you or any third party for the reasonable costs of reproducing the submitted data and information at your or a third party's lowest rate or at the lowest commercial rate established in the area, whichever is less.

B. You or a third party will not be reimbursed for the costs of acquiring, analyzing, or interpreting geological information.

Section VIII. Disclosure of Data and Information to the Public

A. BOEM will make data and information submitted by you available in accordance with the requirements and subject to the limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the requirements of the Act, and regulations in 30 CFR Part 580, as applicable, and those cross-referenced in 30 CFR Part 550 Subpart A and Subpart N (Oil and Gas and Sulphur Operations in the OCS) and 30 CFR Part 552 (OCS Oil and Gas Information Program).

B. Except as specified in this section, or Section X, or in relevant provisions in 30 CFR Part 580, as applicable, no data or information collected under permit or authorization and determined by BOEM to be exempt from public disclosure under A of this section will be provided to any affected State or be made available to the executive of any affected local government or to the public, unless you or a third party and all persons to whom you sold, traded, or licensed the data or information under promise of confidentiality agree to such an action.

Data and information collected under an authorization that may enable noncompetitive use of OCS sand, gravel, and shell resources in beach nourishment, coastal restoration, or federally-funded or authorized construction projects may be made publicly available at BOEM's discretion. This type of noncommercial exploration must be undertaken by a state or local government agency and or their contractor representatives

C. Geological data, analyzed geological information, processed geological information, and interpreted geological information submitted under a prospecting permit, and retained by BOEM will be disclosed as follows:

1. The Director, BOEM, will immediately issue a public announcement when any significant hydrocarbon and/or mineral occurrences are detected, or environmental hazards are encountered on unleased lands during drilling operations. In the case of significant hydrocarbon occurrences, the Director will announce such occurrences in a form and manner that will further the national interest without unduly damaging the competitive position of those conducting the drilling. Other data and information pertaining to the permit will be released according to the schedule provided in subsection D and paragraphs 2 and 3 of this subsection;
2. BOEM will make available to the public all processed geological data, analyzed geological information, processed geological information, and interpreted geological information (except geological data, analyzed geological information, processed geological information, and interpreted geological information obtained from drilling a deep stratigraphic test) 10 years after the date of issuance of the geological prospecting permit under which the data and information were obtained; and
3. BOEM will make available to the public all geological data and information related to a deep stratigraphic test at the earlier of the following times: (a) 25 years after the completion of the test, or (b) for a lease sale held after the deep stratigraphic test well is completed, 60 calendar days after the Department of the Interior executes the first lease for a block, any part of which is within 50 geographic miles (92.6 kilometers) of the site of the completed test.

D. All other information submitted as a requirement of 30 CFR 580.41, as applicable, and determined by BOEM to be exempt from public disclosure will be considered "PROPRIETARY" for geological prospecting activities. Such data and information will not be made available to the public without your consent for a period of 10 years from the date of issuance of the permit as addressed in 30 CFR 580.71; unless the Director, BOEM, determines that earlier release is necessary for the proper development of the area permitted. The executed geological prospecting permit will be considered "NONPROPRIETARY" and will be available to the public upon request.

E. The identities of third party recipients of data and information collected under a geological prospecting permit will be kept confidential. The identities will not be released unless you and the third parties agree to the disclosure.

Section IX. Disclosure to Independent Contractors

BOEM reserves the right to disclose any data or information acquired from you to an independent contractor or agent for the purpose of reproducing, analyzing, processing, or interpreting such data or information. When practicable, BOEM will advise you who provided the data or information of intent to disclose the data or information to an independent contractor or agent. BOEM's notice of intent will you a period of not less than 5 working days within which to comment on the intended action. When BOEM so advises you of the intent to disclose data or information to an independent contractor or agent, all other owners of such data or information will be deemed to have been notified of BOEM's intent. Prior to any such disclosure, the contractor or agent will be required to execute a written commitment not to sell, trade, license, or disclose any data or information to anyone without the express consent of BOEM.

Section X. Sharing of Information with Adjacent States

A. BOEM will make proprietary data, information, and samples submitted to BOEM available to adjacent State(s) upon request by the Governor(s) in accordance with the following:

1. The person who submitted the data and information will be notified and will have at least 5 working days to comment on the action;

2. When the Regional Director advises the person who submitted the data and information, all other owners of the data or information will be considered to have been so notified; and

3. Before disclosure, the Governor must sign a written commitment not to sell, trade, license, or disclose data or information to anyone without the Regional Director's consent.

B. Disclosure will occur only after the Governor and the Secretary have entered into an agreement providing that:

1. The confidentiality of the information shall be maintained;

2. In any action commenced against the Federal Government or the State for the failure to protect the confidentiality of proprietary information, the Federal Government or the States, as the case may be, may not raise as a defense any claim of sovereign immunity or any claim that the employee who revealed the proprietary information, which is the basis of the suit, was acting outside the scope of the person's employment in revealing the information;

3. The State agrees to hold the United States harmless for any violation by the State or its employees or contractors of the agreement to protect the confidentiality of proprietary data and information and samples; and

4. The materials containing the proprietary data, information, and samples will remain the property of the United States.

C. The data, information, and samples available to the State(s) pursuant to an agreement will be related to leased lands.

D. The materials containing the proprietary data, information, and samples must be returned to BOEM when they are no longer needed by the State or when requested by the Director, BOEM.

E. Information received and knowledge gained by a State official under paragraph (D) of this section are subject to applicable confidentiality requirements of:

1. The Act; and

2. The regulations at 30 CFR Parts 580, 581, 582, 583.

Section XI. Fishermen's Contingency Fund

For deep stratigraphic test drilling activities described under Section V of this geological prospecting permit, you must meet the requirements of establishing an account with the Fishermen's Contingency Fund for the drilling activities area pursuant to Title IV [Subsection 402(b)] of the Act and pay assessment as required in 50 CFR 296.3 (Chapter 11 - National Marine Fisheries Service; Subchapter J - Continental Shelf). The amount of the assessment is specified by the Secretary of Commerce, collected by the Director, BOEM, and deposited in the fund to be appropriate account.

Section XII. Modifications

The Department will have the right at any time to modify or amend any provisions of this permit or authorization, except that the Department will not have such right with respect to the provisions of Sections VIII, IX, and X hereof, unless required by an Act of Congress.

IN WITNESS WHEREOF the parties have executed this FORM BOEM-0136 and it will be effective as of the date of signature by the Supervisor.

YOU:	**THE UNITED STATES OF AMERICA:**
_____	_____
(Your Signature)	**(Supervisor Signature)**
_____	_____
(Print Name)	**(Print Name)**
_____	_____
(Title)	**(Date)**
_____	
(Date)	