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UST202105-053/I.M.B.  
09.06.01

**Subject: Permit for filming in Látrabjarg nature reserve**

The Environment Agency of Iceland has received an application from Plimsoll Productions, dated May the 5<sup>th</sup> 2021 for filming with a drone, installing a camera on the cliff and filming from a boat within Látrabjarg nature reserve during the period 10<sup>th</sup> June -19<sup>th</sup> July 2021.

Látrabjarg is protected as a nature reserve, cf. regulation no. 300/2021. Operating an unmanned aircraft within the protected area is subjected to a permit from the Environment Agency of Iceland. Overnight stay or camping is not allowed within the nature reserve. Disturbance to vegetation and wildlife is prohibited both on land and in the sea. Disturbance to geological formation is prohibited except with permission from the Environment Agency of Iceland. Permission must be obtained from the Environment Agency of Iceland for organized events and projects that need facilities, labour force or use of equipment within the protected area such as filming, events and ceremonies. All traffic and landing from sea within the nature reserve is prohibited apart from the exemptions listed in the regulation which do not cover traffic for filming.

According to art. no. 41 in Act no. 60/2013 on nature protection, the Environment Agency of Iceland can grant exemption from regulations for protected areas after having received review from the Icelandic Institute of Natural History and the municipalities' nature conservation committee.

***Description of the project:***

The project applied for is for filming guillemots hatching and fledging in Látrabjarg using a camera that is attached to the cliff's face using a slider approx. 20cm x 150cm, filming with drones and filming the cliffs from below by boat.

In order to create a stable platform for the camera attached to the cliff's face, metal screws will be drilled into the rock to attach the slider for the camera. The work will be performed by a fully qualified Icelandic rope access technician and the use of sleeved anchor screws will ensure that all materials are removed upon completion of filming. The applicant seeks permission for the rope access technician to descend via a rope (anchored at top of cliff) to place the camera within the bird colony. To reduce the impact on the nesting birds it is hoped to keep the rope access working days to a minimum (i.e. one rigging / de-rigging day at start / end of shoot). The cliff will be accessed via footpaths from the light house to access the filming locations approx. 700-800m from the light house. Once the camera is installed it can be operated from a safe distance. If it becomes apparent that the birds do not become accustomed to the camera it will be removed immediately. The crew may use a small birdwatching/filming hide when working closely to the birds to reduce disturbance of their natural behaviour.

It is applied for permission to sail with two small vessels from Breiðavík to the landslide Hrútanef and to other locations if possible, to film the cliff from below and to land. The captains of the vessels are locals.

It is applied for a permission to film with a drone. The take-off and landing will be from the car park. The drone will be elevated to 120m and taken out to 200m away from the cliff and maximum 480m to east along the cliff. A map showing the flightpath was sent in by the applicant.

It is also applied for permission to film with a small aircraft (10cm x 10 cm) at a closer distance than 200m.

The dates and times for the drone filming will be weather dependent but it is estimated to fly on about seven days during the four weeks period. Flight times will be a maximum of about 20 minutes and will be limited to 3 flights per drone a day (based on the number of batteries). In the process of organizing this project the applicant has consulted landowners and advisors from the Northeast Iceland Nature Research Centre in order to assess where and how to work most safely around the local bird populations.

No restrictions will be imposed on pedestrian or motorized traffic. No props or sets will be necessary.

***Review:***

In accordance to art. 41. in Act no. 60/2013 on nature protection the Environment Agency of Iceland requested a review from the Icelandic Institute of Natural History and the nature conservation committee in Vesturbyggð on the 28<sup>th</sup> of May 2021 regarding the request for sailing within the nature reserve. The Icelandic Institute of Natural History was also asked for review regarding the request for exemption from the rule of flying a drone in closer proximity than 200 m during nesting season from the bird habitat in the cliffs.

The review from Icelandic Institute of Natural History was received on the June 7, 2021. The Icelandic Institute of Natural History does not consider it sensible to allow smaller aircrafts for filming closer to the cliff than 200m during nesting. Since there is limited knowledge about the possible effects of usage of such aircrafts near bird's cliffs and therefore it cannot be asserted about whether and how the effects of the usage of the aircrafts would be. In cases such as this where there is lack of full knowledge on the environmental effects of the project the cautionary rule of art. no. 9. of the nature protection act no 60/2013 applies.

In regard of the nature an importance of Látrabjarg and the protection in force the Icelandic Institute of Natural History assesses that it would be significant risk by allowing the usage of a small aircraft.

The Institute does not have any comments regarding sailing with locals within the nature reserve for filming.

No review from the nature conservation committee in Vesturbyggð was submitted to the Environment Agency of Iceland.

***Impact assessment:***

Although not a scientific study but wildlife photography, the knowledge gathered with the project must be considered as valuable as insight into the life cycle of the birds in Látrabjarg is beneficial to their protection.

Regarding filming with a camera attached to the cliff face: Filming may possibly have a negative short-term effect on the nesting of individual birds near the camera, however since the camera will be removed if the birds do not get used to it, it is unlikely invasive.

Regarding filming from sea: filming from carefully navigated boats underneath the cliffs with the assistance of landowners is not considered to have a significant disruptive effect on the birds, as landowners know the conditions in the area particularly well and are, according to the protection terms for Látrabjarg, authorized to sail within the boundaries of the nature reservation.

Regarding filming from unmanned aircraft: The Icelandic Institute of Natural History recommends that aircraft flying within 200 m of the cliff face during nesting season should not take place. The Institute considers the possible risk of disturbance as significant, particularly with regards to the fact that a few frightened birds may cause a chain reaction resulting in mass disturbance within a large area of the cliff wall. As there is little experience and knowledge of the use and true effect of such aircraft in bird cliffs in Iceland, it is not possible to state whether and what effect the flight might have. In accordance with Art. 9 of the Act on Nature Protection no 60/2013, a lack of scientific knowledge may not be the cause of ecological cost when it comes to administrative decisions regarding nature. In this case, the possible environmental impact is not known and therefore this precautionary rule applies. The Environment Agency agrees with the views of the Institute of Natural History in this matter and can therefore not grant a permit for aircraft flying within a distance limit of 200 m from the cliff face at Látrabjarg.

### ***Conclusions and conditions:***

The application for flying small aircraft closer than 200m to the cliff is **declined**.

The Environment Agency of Iceland hereby grants Plimsoll Productions permission on its behalf to install a camera to Látrabjarg's cliff face, fly drones in 200m distance from the cliffs as described above and to go by two small boat vessels from Breiðavík to Hraunsnef within Látrabjarg nature reserve as described above during the period 10<sup>th</sup> June – 19<sup>th</sup> July 2021 on the following conditions.

### ***Conditions:***

- Keep this letter with you on site during the project. The permit conditions should be introduced to the staff of the project before work begins.
- If the project dates or description changes the Environment Agency of Iceland shall be notified as soon as possible.
- When it is necessary to go off-path, extra care must be taken not to cause damage to terrain, including vegetation, soil and geological formation. All traces of activity must be removed afterwards.
- The crew must follow rules of conduct that apply to the area.
- Every measure must be taken not to cause damage to the site and limit the area of the filming site.
- All traces of the work must be removed carefully from the site by the end of the project.
- If any complications occur during the project, please contact the ranger or the Environment Agency of Iceland, tel. +354 591 2000.
- All traces of the project must be removed once the project is finished.

- The crew should be conscious of other guests on the site and make sure that filming causes as little disturbance as possible to other visitors. If the material is meant for public viewing it must be noted in the video/subtext that permission from the Environment Agency was obtained for the filming/photography.
- An unmanned aircraft should never be flown near people. Please take precaution not to disturb people's experience, their safety or personal privacy nor the general peace of the protected areas being filmed.
- Flight time should be kept to a minimum and flight should be avoided during the area's busiest times of the day.
- If the use of unmanned aircraft causes disturbance to wildlife in the area, its use should be ceased at once.
- The conductor of the unmanned aircraft is responsible for the aircraft within the protected area. This includes taking responsibility of any possible risk of harm to people, fauna and nature and leaving no permanent marks on the site in question. Should the aircraft crash, all components from it must be collected and removed from the area.
- For safety reasons, the pilot of an unmanned aircraft must wear marked clothing so that he can be identified.
- According to Icelandic law it is forbidden to fly close to cliffs where birds nest. An unmanned aircraft should never be flown near animals or birds, neither in nesting areas nor during nesting season or any other seasonal time when animals or bird habitats are considered vulnerable.
- It is forbidden to fly drones next to bird cliffs in a closer proximity than 200 meters during nesting season. For rest of the year it is not allowed to fly in a closer proximity to bird cliffs than 50 meters, if birds are in the cliffs.
- All disturbance to animals and wildlife is strictly prohibited.
- Off-road driving in Iceland is strictly prohibited.
- The project's staff is required to prevent all disturbance to the environment and make sure that all litter is removed from the sites.

If the developer causes damage to nature, according to art. 87 in the Nature Conservation Act no. 60/2013, the Environment Agency of Iceland can, according to the Nature Conservation Act, f.e. order the licensee to fix damage to nature and vegetation and/or stop the project.

The Environment Agency of Iceland can according to art. 89 in the Nature Conservation Act no. 60/2013 change conditions of the permit, add new conditions or withdraw the permit in order to prevent damage to nature if environmental conditions change.

According to art 89. in the Nature Conservation Act no. 60/2013, the Environment Agency can withdraw the permit if conditions of the permit are not complied to.

Unmanned aircraft should take off and land in a safe distance from other visitors according to regulation 990/2017 on unmanned aircrafts.

The usage of a drone shall be according to regulation no. 990/2017 on the operation of remotely piloted aircraft (<https://www.icetra.is/aviation/drones/>).

Please note that according to the regulation all drones used for commercial flight need to be registered at the Icelandic Transport Authority.

A permission from the landowners and/or the municipality might be needed for the project.

The decision may be appealed to the Ministry for the Environment and Natural Resources according to art. 26 of Act no. 37/1993 on Administrative Procedures, based on Art. 91 of Act no. 60/2013 on Nature Conservation within three months from the date of this letter.

***Permission fee:***

Environment Agency of Iceland charges a fee for processing applications for permits in protected areas based on Article 92 of Act no. 61/2013 on Nature Conservation. The fee for cinematography and/or photography is 52.600 ISK according to art. 24. b. in the agency's tariff no. 535/2015.

***Supervision:***

The Environment Agency will supervise the project. The supervisor will be a ranger from the Environment Agency.

Sincerely

Hildur Vésteinsdóttir,  
*director*

Edda Kristín Eiríksdóttir,  
*advisor*