



March 9th, 2018

Kelly Hammerle  
National Program Manager  
Bureau of Ocean Energy Management  
U.S. Department of Interior  
45600 Woodland Road  
Mailstop VAM-LD  
Sterling, VA 20166

**RE: Comments for the 2019-2024 Draft Proposed OCS Oil & Gas Leasing Program, BOEM-2017-0074.**

Dear Ms. Hammerle,

The Surfrider Foundation is a grassroots environmental organization dedicated to the protection and enjoyment of the world's oceans, waves, and beaches for all people. On behalf of our 400 supporters, activists, and members in Washington State, the 5 Surfrider Foundation Washington chapters submit the following comments and information recommendation on the 2019–2024 OCS Oil and Gas Leasing Program.

**The Surfrider Foundation Washington chapters opposes new oil and gas drilling off the Atlantic Coast, Pacific Coast, Eastern Gulf of Mexico, and Alaska in the 2019-2024 OCS Oil and Gas Leasing Program, due to the severe threats it poses to the marine environment and industries like coastal tourism and recreation. Specifically, we oppose the inclusion of oil and gas leases on the OCS in and adjacent to Washington State (Washington/Oregon Planning Unit – Pacific Region).**

Our nation's ocean, waves and beaches are vital recreational, economic and ecological treasures that will be polluted by an expansion of offshore oil drilling. Instead of advocating for transient and environmentally harmful ways to meet America's oil needs, we should seek a comprehensive and environmentally sustainable energy plan that includes energy conservation. Offshore oil drilling and oil spills have the potential to critically impact pristine marine ecosystems and lead to the industrialization of our coastlines. While there are numerous environmental problems associated with oil drilling, there are also negative economic impacts that we simply cannot afford.

Pursuant to the Outer Continental Shelf Lands Act (OCSLA), an oil and gas leasing program shall consist of a schedule of proposed lease sales indicating, as precisely as possible, the size, timing, and location of leasing activity which the Secretary of the Interior (Secretary) determines will best meet national energy needs for the five year period following its approval or reapproval.<sup>1</sup>



With conservation and alternative renewable energies, there simply isn't a need to open up such a broad swath of our Outer Continental Shelf (OCS) to oil and gas leasing, and the risks it brings, as is proposed in BOEM's Draft Proposed Program (DPP).

Management of the OCS must be conducted in a manner which considers explicit principles, including the economic, social, and environmental values of the renewable and nonrenewable resources within the Outer Continental Shelf (OCS), and the potential impact of oil and gas exploration on other resources values of the OCS, including the marine, coastal, and human environments.<sup>2</sup> In selecting the locations to be included within a program, the Secretary shall, "to the maximum extent practicable," obtain a proper balance between the potential for environmental damage, the potential for the discovery of oil and gas, and the potential for adverse impact on the coastal zone.<sup>3</sup>

Offshore oil and gas development in new areas would require seismic surveys, drilling operations, oil transport by tankers, and the installation of platforms, pipelines, and other infrastructure. Collectively these activities would significantly damage the environment, marine wildlife, and coastal economies and ways of life. New offshore drilling would also expose the marine environment and coastal communities to the risks of another catastrophic oil spill. As set forth in more detail herein below, considering each of the foregoing principles and considering the potential for environmental damage, economic losses, and adverse impacts on the coastal zone, (including economic losses), versus the potential for discovery of oil and gas, it is clear that the 2019-2024 Program should not include the proposed planning areas in the Pacific, Atlantic, Arctic, and Eastern Gulf of Mexico.

### **Economic Resources and Potential Impacts on the Human Environment**

Industries that rely upon a healthy marine ecosystem, including tourism and recreation, generate billions of dollars for coastal states and the nation as a whole.<sup>4</sup> Coastal recreation and tourism accounts for 83 percent of establishments and 71 percent of employment opportunities for coastal communities in the United States.<sup>5</sup> Additional studies by the Surfrider Foundation and our partners to inform ocean planning efforts in the Northwest,<sup>6,7</sup> Northeast<sup>8</sup> and Mid-Atlantic<sup>9</sup> have documented the extensive public participation and economic impacts of non-consumptive ocean and coastal recreation.

In 2014, Washington residents took an estimated 4.1 million trips to the Washington coast, with nearly 60% saying the primary purpose was for recreation. Average respondents spent approximately \$111.14 per trip, translating to an estimated \$481 million in direct trip expenditures. Beach going, sightseeing/scenic enjoyment, wildlife viewing, and photography were the most popular activities coastwide.

Whale watching and wildlife viewing is one of the most popular recreational activities along the Washington coast. Killer whales are extremely vulnerable, and are known to visit areas in close proximity to river mouths and salmon are especially important for



their diet and their survival. “One major oil spill will tip the Southern Resident population of Killer Whales to extinction” Don Noviello, Washington Department of Fish and Wildlife, personal communication Nov. 16<sup>th</sup> 2015.<sup>10</sup>

These coastal recreation opportunities depend on clean beaches and waters, abundant wildlife, and scenic view sheds – all of which would be compromised by the expansion of offshore drilling. A spill could cause catastrophic impacts to these coastal communities, a truth we should have learned from previous spills in other areas that have had long-lasting impacts on local tourism rates, with major disasters resulting in 25 percent of small businesses unable to re-open.<sup>11</sup> Business alliances on the West Coast (BAPPC) and East Coast (BAPAC) have formed in opposition to new drilling, as proposed offshore drilling in the Atlantic and Pacific would have direct impacts on their revenues, profits, and ability to provide jobs. Jointly, the alliances represent over 36,000 businesses and 500,000 fishing families that publicly oppose offshore drilling and/or seismic airgun blasting.

Fishing, recreational, shipping, and military uses of this area are economically, culturally, and socially vital to communities on Washington’s Pacific Coast. They support thousands of jobs and supply hundreds of millions of dollars to the local and state economy. These uses rely on a healthy, sustainable resources, clean water, and clean beaches. For example:

- In 2014, commercial (non-tribal) fisheries landed a total of 129 million pounds into Washington’s coastal ports with an ex-vessel value of \$93 million.
- Commercial (non-tribal) fishing and primary seafood processing support 1,820 total jobs and \$77 million in total labor income in coastal counties adjacent to the Marine Spatial Plan study area. Their total statewide contribution is 2,830 jobs and \$117 million in labor income.
- Annual recreational fishing effort in the area, between 2003 and 2014, averaged 47,000 trips on charter vessels and another 98,000 trips on private vessels. In 2014, trip-related expenditures for coastal recreational fishing generated over \$30 million in coastal spending, supported 325 jobs in coastal counties, and contributed \$17 million in labor income.
- Shellfish aquaculture in Pacific and Grays Harbor counties provides an estimated 572 direct jobs, supports 847 total jobs, and generates \$50 million in total labor income in the coastal region alone.
- In the coastal study area, recreation trip-related spending by Washington residents is estimated to support 4,725 jobs and generate \$196.8 million in labor income within the coastal economy.
- Recreational razor clamming generates between 275,000 and 460,000 digger trips each season and provides between \$25 million and \$40 million in tourist-related income to coastal communities.



- This area is critical to shipping and trade, particularly ship traffic among ports along the West Coast and from ports in Washington across the Pacific Ocean to countries in Asia. The Port of Grays Harbor's marine cargo activities supports 1,524 total jobs (including 574 direct jobs) and generates over \$130 million in total income.
- Washington State hosts a large military presence with over 46,000 active duty military personnel, including 10,000 active duty Navy (2016). Due to the large military installations nearby in Puget Sound, the US Navy actively trains and tests in the MSP Study Area.
- 31% of the jobs in Grays Harbor County are dependent on marine resources.

**Additional information and maps of human uses and ecologically sensitive habits can be found in the recently completed Washington Coast Marine Spatial Plan:**

[http://www.msp.wa.gov/wp-content/uploads/2017/draft\\_MSP\\_and\\_appendices.pdf](http://www.msp.wa.gov/wp-content/uploads/2017/draft_MSP_and_appendices.pdf)

### **Spills are Inevitable**

Oil and gas companies have claimed that improvements in technology have greatly reduced the likelihood of a spill, yet between 2006 and 2015, 389 oil spills occurred from OCS platforms and pipelines (not even counting associated vessels and barges) nationwide, tarnishing our coastlines with roughly 206.5 million gallons of oil.<sup>12</sup>

On Washington State's coast, a past proposed oil and gas lease sale and major oil spills prompted greater protection of the area. Major spills included the Nestucca (1988) and Tenyo Maru (1991), which spilled a combined 331,000 gallons and significantly impacted state, Canadian and Tribal resources. The federal government cancelled the pending lease sale in 1990 and designated the Olympic Coast National Marine Sanctuary in 1994, which prohibited oil and gas leasing and development. Since that time, Washington State's coast and the entire Pacific Region have not been included in any of the five-year oil and gas leasing programs.

As demonstrated by the 2010 Deepwater Horizon blowout in the Gulf of Mexico, offshore oil and gas production and development continues to carry a significant risk of explosions and catastrophic spills. Washington State is a nationally recognized leader in oil spill planning and response. However, no amount of planning or response resources could come close to mitigating the risk posed by a blowout like Deepwater Horizon. A large scale spill and/or explosion would result in significant and unavoidable damages to Washington's coastal resources and undermines the ability of our agencies to sustainably manage and protect natural resources for ongoing public benefit. This includes damage to important existing coastal industries and thousands of existing jobs such as fishing, shellfish aquaculture, and recreation.

### **Conflicts with Laws, Goals, and Policies of Washington State**



The DPP goes against current local regulations, including Washington State law:

- Prohibits oil and gas exploration, production, and drilling in the state's marine waters - Revised Code of Washington (RCW) 43.143.010 and RCW 90.58.160.
- Establishes state policies guiding ocean management, which are currently included as part of Washington's federally-approved Coastal Zone Management Program (CZMP), including:
  - Prioritizing ocean uses that do not adversely impact renewable resources over those that have adverse impacts to renewable resources.
  - Conserving fossil fuels.
  - Protecting existing ocean uses and ocean resources from likely, long-term significant adverse effects.
  - Creates a framework for developing marine plans for Washington's waters, including addressing potential for marine renewable energy (RCW 43.372).

Washington's CZMP includes other state authorities such as the Shoreline Management Act, Water Pollution Control Act, and Clean Air Act and their associated regulations.

### **Existing Information Concerning the Local Geographical, Geological, and Ecological Characteristics**

Washington's Pacific Coast has unique physical and natural conditions and vulnerabilities, including geological hazards, high ecological productivity and diversity, and numerous important and sensitive habitats and wildlife.

- Washington's coast has strong coastal upwelling, riverine inputs, and coastal eddies, which drives a highly productive marine ecosystem along the continental shelf break and the nearshore.
- A diverse range of habitats are present throughout the area, including offshore islands, kelp forests, rocky reefs, rocky intertidal, sandy beaches, and submarine canyons.
- These habitats support abundant wildlife such as deep-water corals and sponges; seabird colonies that are among the largest in the contiguous United States; 29 species of marine mammals, including a population of reintroduced sea otters, and humpback and gray whales; and commercially and culturally valuable species such as fish (e.g. salmon) and shellfish (e.g. crab, shrimp, oysters, and clams).
- The offshore area, known as the Cascadia Subduction Zone, is geologically active and poses the highest risk for massive earthquake and tsunami in the nation.



### **Other Uses of the Sea and Seabed, and Anticipated Uses of the Resources and Space of the OCS**

Offshore marine areas are already highly utilized for industry and recreation, including shipping and transportation, military training, commercial fishing, aquaculture, and recreation. Regional data portals have been developed for the Northeast<sup>13</sup>, Mid-Atlantic<sup>14</sup>, South-Atlantic<sup>15</sup>, and West Coast<sup>16</sup>, which spatially designate the locations of existing uses of the coastline, from recreational hot spots to aquaculture, shipping, and ecologically sensitive areas. Ecologically sensitive areas include known nursery and foraging habitats, migration routes, and federally designated marine protected areas.

Even if drilling operations were able to be sited outside the spatial designation of current uses, the negative impacts of toxic drilling muds<sup>17</sup> and potential spills can travel far distances. Commercial fishing areas up to 2 km away from each rig can be negatively impacted from toxic drilling muds, and all industry uses, from fishing to transportation, would be negatively impacted or halted in the event of a spill. For instance, the 2010 Deepwater Horizon spill tarnished 1,100 miles of coastline, across four states, reaching coastlines over 350 miles from the rig.<sup>18</sup> Fully understanding the range of potential impacts of offshore oil and gas development is essential to making informed decisions concerning the future of our ocean and coastal ecosystems.

This proposals promotes the extraction, transport, and burning of fossil fuels, all of which are contributing to climate change and a host of related hazards, costs, and threats to every community, coastline and economy in the world, including our own. The impacts of climate change must be weighed. On the Washington coast we are already witnessing shifting ocean conditions that are stressing our natural resources and communities. Warmer ocean waters are contributing to more frequent harmful algal blooms that close fisheries and shellfish harvest, and hypoxia events that result in large die-offs of marine life. Shellfish growers have been forced to use more expensive methods to mitigate the negative impacts from ocean acidification. And coastal communities are experiencing storms that are more frequent and more intense causing increased erosion and damage to private property and public infrastructure.

**Water quality:** Activities that can affect water quality include disturbance of bottom sediments, waste disposal, vessel traffic, well drilling, and operational discharges. During offshore oil and gas drilling, drilling muds are used to lubricate and cool the drill bit and pipe. Some water- and synthetic-based muds are permitted for ocean discharge, while others are required to be disposed of onshore. Offshore disposal of muds and drill cuttings can have localized environmental impacts and are regulated by National Pollutant Discharge Elimination System (NPDES) permits.<sup>19</sup>

The largest discharge from oil and gas extraction is from produced water (water that is brought to the surface from an oil-bearing formation). Produced water can have elevated concentrations of hydrocarbons, metals, and salts. Hydrocarbons in produced water



discharges are a major environmental concern. Produced water is generally treated and must meet NPDES standards before discharge. Water and sediment quality may be degraded in the immediate area of discharge. In California, studies have indicated that sublethal effects to invertebrates could occur from the produced water concentrations that would be expected up to 100 meters from discharge locations.

The construction and placement of drilling units, wells, platforms, anchoring systems, and moorings may result in bottom disturbance and temporary increases in turbidity. Pipeline trenching may also result in bottom disturbance and increased turbidity. This is an unavoidable impact, but is expected to be temporary. Accidental spills and other discharge events can occur.<sup>19</sup>

**Air quality:** Emissions from oil and gas drilling operations may affect air quality. Emissions are produced from a variety of activities. Air quality effects from offshore oil and gas operations and accidental spills within the Gulf of Mexico are expected to be minor to moderate with temporary effects. Catastrophic discharge events may result in air emissions lasting for days or months, although levels would eventually return to pre-event levels after the well is capped. Adverse effects on humans and wildlife resulting from exposure may have long-term consequences.<sup>19</sup>

**Noise:** Several routine offshore oil and gas operations produce unavoidable impacts from noise. These activities include exploration; construction activities such as pile driving and trenching; operational noise from platforms, ships, and aircraft; and demolition activities. A study by BOEM determined that seismic surveys may have a potentially adverse effect on marine mammals, sea turtles, fish, and commercial and recreational fisheries. Construction noises may disturb fish, sea turtles, marine mammals, and birds in the direct vicinity of the operation.<sup>19</sup>

Gas eruption resulting from a loss of well control may also be significant enough to harass or injure marine mammals, depending upon their proximity to the well. Marine mammals, sea turtles and fish could be affected by the noise and shock waves from explosives during demolition. Specific effects from noise depend upon a species' hearing capabilities and the type, frequency, and intensity of noise generated.<sup>19</sup>

**Habitats:** Benthic habitat can be disturbed by well drilling, anchors, bottom-fixed platform structures, pipeline trenching, and seabed equipment. Movement of anchors and mooring lines from floating platforms and support vessels may have a more chronic impact on the seafloor. In the Gulf of Mexico, anchor scars were detected up to two miles from a well location. Sediment contamination from discharges and temporary increases in turbidity may also impact seafloor habitat. Essential fish habitat could be affected by these same activities.<sup>19</sup>



Pelagic habitat can be affected by platform and pipeline placement, drilling activity, seismic surveys, platform lighting, aircraft and vessel traffic, and discharges. Discharges can affect water quality, although this impact has been estimated to be minimal in the Gulf of Mexico and Alaska. Offshore platforms can act as artificial reefs. They can be colonized by sessile organisms and attract mobile organisms, shifting the normal habitat of the open ocean.

Coastal and estuarine habitats could be impacted by the construction of coastal support infrastructure, increased vessel traffic to offshore platforms, and the possible installation of pipelines. The habitat types affected and degree of impacts will depend upon the specific activity, location, and support infrastructure needs.

**Marine mammals:** Specific potential effects on marine mammals will depend upon the species and level of activity. Some general potential effects listed in the 2012-2017 Programmatic Environmental Impact Statement<sup>19</sup> include: collisions with support vessels; injury and disruption of normal behavior from seismic exploration; behavior disruption from construction, operation, and support vessels; physical disturbance or reduced habitat quality from onshore and offshore construction; toxicity from produced water and drilling muds; ingestion of or entanglement with solid wastes and debris; and toxicity from spills. Predicted impacts to marine mammals in the Gulf of Mexico and Alaska lease block areas are expected to range from negligible to moderate.

**Birds:** Offshore oil and gas activities that may negatively impact birds include offshore structure placement and pipeline trenching, offshore structure removal, operational discharges and wastes, vessel and aircraft traffic, onshore construction, and noise. These activities may impact birds by affecting their habitat, life stages, or behavior.

Collisions with vessels, platforms, and aircraft, exposure to discharges, ingestion of trash or debris, loss or degradation of habitat, and behavioral disturbance are potential impacts listed within the Programmatic EIS for the 2012-2017 BOEM leasing program. Collisions with platforms in the northern Gulf of Mexico are estimated to occur at a rate of at least 50 birds per platform a year; this is likely an underestimate. Impacts to birds in the Gulf of Mexico and Alaska are estimated to be negligible to moderate.<sup>19</sup>

**Fish:** Routine offshore oil and gas operational activities that have the potential to impact fish species include platform lighting, increased ship traffic, vessel discharge, and miscellaneous discharges. BOEM indicates that impacts on fish populations are expected to be minimal. Exploration and site development activities that could impact fish include noise from seismic surveys, drilling, platform placement, and pipeline activities. Discharges of drilling muds and cuttings could impact fish by contaminating food resources. Although these activities can directly impact bottomfish, impacts are expected to be localized in the immediate vicinity of the activity.<sup>19</sup>



Benthic invertebrates that prefer hard habitat could colonize platforms and exposed pipelines. Fish can also be attracted to oil and gas platforms to feed on colonizing organisms and other fish that have been attracted to the structures. This represents a change in community structure and fish behavior. The positive and negative effects of these fish aggregations will depend upon the life history of the fish species and fisheries management in other areas.<sup>19</sup>

**Sea turtles:** Sea turtles may potentially be impacted by offshore oil and gas noise, collisions with vessels, and toxicity from discharges. Noise from seismic surveys, construction of platforms and pipelines, and platform demolition using explosives can kill, injure, or disrupt the behavior of turtles near the activity.<sup>19</sup>

**Invertebrates:** Activities that can impact invertebrates include vessel and other discharges, offshore lighting, noise from seismic surveys and bottom disturbance activities, and the release of drilling muds and cuttings. Invertebrates can be killed, injured or displaced by drilling, platform construction, pipeline trenching, and disturbance from anchors. Disturbed sediments may also resettle and bury or damage the gills of some benthic invertebrates. Recolonization of these areas by invertebrates may be relatively rapid, but the return of community composition to pre- disturbance levels may require more time.<sup>19</sup>

Drilling muds may contain chemicals toxic to marine invertebrates, but these effects may be species dependent. This may change the composition of the benthic community around the well.

As mentioned earlier, invertebrates that prefer hard-bottom substrates may colonize platform and pipeline structures. These structures may become habitat for native and introduced species.<sup>19</sup>

**Resources off Washington’s coast are subject to a complex intergovernmental management.**

- Four coastal tribes maintain treaties with the United States which reserve their right to hunt and fish in Usual and Accustomed Areas, including large areas of the Pacific Ocean extending 30 to 40 nautical miles off Washington’s coast. This has led to a unique co- management relationship with the both the federal government and Washington State.
- The uniqueness and sensitivity of the resources along Washington’s Pacific coast has been recognized by various management designations including the Olympic Coast National Marine Sanctuary, numerous National Wildlife Refuges, Washington’s Seashore Conservation Area, and Olympic National Park’s wilderness coastline - which is the longest stretch of undeveloped coast in the contiguous United States and is recognized as a UNESCO world heritage site.



### **Clear Public Opposition**

Local governments, elected officials, and community members are uniting in opposition to the prospects of offshore oil and gas exploration. This includes U.S. Senators Patty Murray and Maria Cantwell, our coastal U.S. Representatives Derek Kilmer and Jaime Herrera Beutler, Governor Jay Inslee, Attorney General Bob Ferguson, and Public Lands Commissioner Hilary Franz. To date, the city councils of Ocean Shores, Westport, Long Beach, Ilwaco, Hoquiam, Aberdeen, and Montesano have passed resolutions opposing the proposal, with many more expected to follow suit in the coming weeks. Additionally, Pacific County, Clallam County, the Port of Ilwaco, and the Olympic Coast National Marine Sanctuary Advisory Council have passed similar resolutions. Washington treaty tribes are also opposed and as sovereign governments with robust legal rights are exerting their own forms of influence on the federal process.

To date, over 170 east coast municipalities, 45 west coast municipalities, 227 state legislators, and 1,200 elected officials have submitted formal letters in opposition to new offshore oil drilling. Additionally, every state governor on the Pacific coast has officially opposed new offshore drilling, and except for Maine and Georgia, every state governor on the Atlantic coast has publicly and formally opposed new offshore oil drilling. To note, Georgia's governor has expressed concern over the plan, but has not yet submitted a formal opposition letter. These coastal governors represent bipartisan formal opposition to the expansion of new drilling in the Atlantic and Pacific, with five of the seven republican governed states and all democrat governed states in united opposition.

### **Legal Requirements under NEPA**

The National Environmental Policy Act of 1969 ("NEPA") establishes a policy to encourage a productive and enjoyable harmony between man and his environment, prevent or eliminate damage to the environment, and enrich the understanding of the ecological systems and natural resources important to the nation.<sup>20</sup> One of NEPA's key mandates requires Federal agencies, "to the fullest extent possible" to prepare a detailed EIS for any major Federal action significantly affecting the environment, which addresses: (1) the environmental impact of the proposed action; (2) any adverse environmental effects which cannot be avoided if the proposal is implemented;<sup>21</sup> (3) alternatives to the proposed action; (4) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and (5) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. The primary purpose of an EIS is to force the government to take a "hard look" at its proposed action, and to provide a full and fair discussion of significant environmental impacts and inform decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment.<sup>22,23</sup>

To comply with NEPA, an EIS must describe the affected environment, that is, the area(s) to be affected by the proposed project.<sup>24</sup> Further, an EIS must fully and fairly



discuss all significant environmental impacts of the project.<sup>25</sup> All environmental consequences, including direct and indirect impacts, potential conflicts between the proposed action and other Federal, state, regional, or local land use plans or policies, and cumulative impacts must be addressed.<sup>26</sup> An EIS must also address all reasonable alternatives that will avoid or minimize adverse effects to the environment; and the regulations describe this alternatives analysis as being the “heart of the [EIS]”.<sup>27</sup>

Therefore, in accordance with the foregoing, the PEIS must address the affected environment and its resources, all impacts related to the Program, all alternatives to the Program, and mitigation measures which could be implemented. Surfrider Foundation hereby submits that the aforementioned issues pertaining to aquatic flora, fauna, and coastal habitats are significant and therefore must be included and considered in the PEIS. Surfrider Foundation also stresses the need for the inclusion of a no-action alternative, in which no offshore drilling occurs outside of the current extent of active drilling.

The BOEM scoping process for the EIS “solicits input from the public regarding *alternatives, impacting factors, and environmental resources and issues of concern* in the DPP areas that should be evaluated in the Programmatic EIS.”

#### Alternatives

- 1) Include a no-action alternative for “no oil and gas leasing program off of Oregon/Washington,” as part of the EIS process. In keeping with the existing oil and gas leasing program, exclude all of the Oregon/Washington planning area.
- 2) BOEM is also soliciting information on areas considered to be environmentally sensitive, which will be analyzed in the Programmatic EIS and could be considered for exclusion as part of the Section 18 winnowing process. Surfrider Foundation recommends BOEM consider the marine and estuarine habitats discussed above for exclusion from consideration for oil and gas exploration or extraction.

#### Summary

In summary, we ask that you protect the Atlantic Coast, Pacific Coast, Eastern Gulf of Mexico and Arctic Ocean from any oil and gas exploration and development activities in the revised 2019–2024 OCS Oil and Gas Program. We also ask that the Bureau of Ocean Energy Management undertake a robust analysis that adequately analyzes the cumulative impacts to the environment, coastal communities, and existing industries from drilling operations and large oil spills, and considers alternatives to offshore drilling. The Surfrider Foundation appreciates the opportunity to provide these comments on behalf of



Surfrider chapters in Washington State, which includes the Northwest Straits, Seattle, South Sound, Capitol/Olympia and Olympic Peninsula Chapters.

Sincerely,

Gus Gates, Surfrider Foundation Washington Policy Manager

Brice Boland, Surfrider Foundation Washington Field Manager

Casey Dennehy, Surfrider Foundation Washington Coast Program Manager

Eleanor Hines, Surfrider Foundation Northwest Straits Chapter, Chair

Johannes Ariens, Surfrider Foundation Seattle Chapter, Chair

Stena Troyer, Surfrider Foundation South Sound Chapter, Chair

Erin Dilworth, Surfrider Foundation Capitol/Olympia Chapter, Chair

Darryl Wood, Surfrider Foundation Olympic Peninsula Chapter, Chair



**Citations:**

- <sup>1</sup> OCSLA, Section 18(a)
- <sup>2</sup> OCSLA, Section 18(a)
- <sup>3</sup> OCSLA, Section 18(a)(3)
- <sup>4</sup> Kildow, J.T., Colgan, C.S., Johnston, P., Scorse, J.D., & Farnum, M.G. 2016. State of the U.S. Ocean and Coastal Economies. National Ocean Economics Program. Middlebury Institute of International Studies at Monterey.
- <sup>5</sup> Ibid, 2016.
- <sup>6</sup> LaFranchi, C. & Daugherty, C. 2011. Non-consumptive Ocean Recreation in Oregon: Human Uses, Economic Impacts & Spatial Data. Surfrider Foundation, Natural Equity, & Ecotrust. [www.surfrider.org/images/uploads/publications/OR\\_rec\\_study.pdf](http://www.surfrider.org/images/uploads/publications/OR_rec_study.pdf)
- <sup>7</sup> Point 97 & Surfrider Foundation. 2015. An Economic and Spatial Baseline of Coastal Recreation in Washington. [publicfiles.surfrider.org/P97SurfriderWACoastalRecreationReport.pdf](http://publicfiles.surfrider.org/P97SurfriderWACoastalRecreationReport.pdf)
- <sup>8</sup> Bloeser, J., Chen, C., Gates, M., Lipsky, A., & Longley-Wood, K. 2015. Characterization of Coastal and Marine Recreational Activity in the U.S. Northeast. Point 97, Surfrider Foundation & SeaPlan. [neoceanplanning.org/wp-content/uploads/2015/10/Recreation-Study\\_Final-Report.pdf](http://neoceanplanning.org/wp-content/uploads/2015/10/Recreation-Study_Final-Report.pdf)
- <sup>9</sup> Point 97 & Surfrider Foundation. 2014. U.S. Mid Atlantic Coastal and Ocean Recreation Study. [surfridercdn.surfrider.org/images/uploads/publications/MidAtlanticCoastalandOceanRecreationStudyReport.pdf](http://surfridercdn.surfrider.org/images/uploads/publications/MidAtlanticCoastalandOceanRecreationStudyReport.pdf)
- <sup>10</sup> Don Noviello, Washington Department of Fish and Wildlife, personal communication Nov. 16<sup>th</sup> 2015
- <sup>11</sup> Institute for Business & Home Safety. 2007. Open for Business: A Disaster Protection and Recovery Planning Toolkit for the Small to Mid-Sized Business. [disastersafety.org/wp-content/uploads/open-for-business-english.pdf](http://disastersafety.org/wp-content/uploads/open-for-business-english.pdf)
- <sup>12</sup> 2016 Update of Occurrence Rates for Offshore Oil Spills. Bureau of Ocean Energy Management & Bureau of Safety and Environmental Enforcement. [www.bsee.gov/sites/bsee.gov/files/osrr-oil-spill-response-research/1086aa.pdf](http://www.bsee.gov/sites/bsee.gov/files/osrr-oil-spill-response-research/1086aa.pdf)
- <sup>13</sup> Northeast Ocean Data Explorer. [www.northeastoceandata.org/](http://www.northeastoceandata.org/)
- <sup>14</sup> Mid-Atlantic Ocean Data Portal. [portal.midatlanticocean.org/ocean-stories/every-map-tells-a-story/](http://portal.midatlanticocean.org/ocean-stories/every-map-tells-a-story/)
- <sup>15</sup> Governors South Atlantic Alliance Coast and Ocean Portal. <http://gsaaportal.org/>
- <sup>16</sup> West Coast Ocean Data Portal. [portal.westcoastoceans.org/](http://portal.westcoastoceans.org/)
- <sup>17</sup> Neff, J.M. et al. 2000. Environmental Impacts of Synthetic Based Drilling Fluids. U.S. Department of the Interior Minerals Management Service Gulf of Mexico OCS Region. <https://www.boem.gov/ESPIS/3/3175.pdf>
- <sup>18</sup> 40 CFR 1800.301. Distances from the Deepwater Horizon at the time of the explosion. [www.law.cornell.edu/cfr/text/40/1800.301](http://www.law.cornell.edu/cfr/text/40/1800.301)
- <sup>19</sup> Bureau of Ocean Energy Management. (2012b). Outer continental shelf oil and gas leasing program: 2012-2017 final programmatic environmental impact statement. Bureau of Ocean Energy Management. Retrieved from [http://www.boem.gov/uploadedFiles/BOEM/Oil\\_and\\_Gas\\_Energy\\_Program/Leasing/Five\\_Year\\_Program/2012-2017\\_Five\\_Year\\_Program/2012-2017\\_Final\\_PEIS.pdf](http://www.boem.gov/uploadedFiles/BOEM/Oil_and_Gas_Energy_Program/Leasing/Five_Year_Program/2012-2017_Five_Year_Program/2012-2017_Final_PEIS.pdf)
- <sup>20</sup> 42 USC § 4321
- <sup>21</sup> 42 USC § 4332
- <sup>22</sup> Baltimore Gas and Electric Co. v. Natural Resources Defense Council, Inc., 462 U.S. 87 (1983)
- <sup>23</sup> 40 C.F.R. §1502.1
- <sup>24</sup> 40 C.F.R. § 1502.15
- <sup>25</sup> 40 C.F.R. § 1502.1
- <sup>26</sup> 40 C.F.R. §§ 1502.10(g) 1508.7, 1508.8
- <sup>27</sup> 40 C.F.R. § 1502.14

