U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT

PUBLIC MEETING OF THE DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT FOR PROPOSED GEOLOGICAL AND GEOPHYSICAL ACTIVITIES IN THE MID- and SOUTH ATLANTIC PLANNING AREA

Monday, April 16, 2012
7:00 p.m.

Presented by: Gary Goeke, Chief of the Regional Assessment Section of BOEM

Tom Bjerstedt, EIS Coordinator

Jacksonville Marriott
4760 Salisbury Road
Jacksonville, Florida 32256

Reported by Colleen C. Lee, RPR

PROCEEDINGS

MR. GOEKE: Let's go ahead and go on the record. We are going to go on the record.

Good evening. Thank you all very much for showing up. We appreciate y'all coming out on a Monday evening.

My name is Gary Goeke. I am the chief of the regional assessment section with the Bureau of Ocean Energy Management in New Orleans. To my right is Tom Bjerstedt. Tom is the EIS coordinator for our EIS that we're talking about this afternoon.

We have a couple of a little housekeeping details. When you came in, you had the option to sign up, and we use that for a couple of different things. If you're interested in what is happening with this document or other documents as we create our environmental documents, you can get your name on our mail list. Signing in puts you on our mail list where you will get information as the new documents come out. If do you not want to put your information down, if you're not interested in the

federal government sending you e-mails, that's fine. We understand that. But we do also use that sign-in process as a head count, so we can keep track of how many people are coming to our meetings tonight.

With that, I'm going to turn you over to Tom and let Tom run the evening.

MR. BJERSTEDT: Good evening. As Gary mentioned, my name is Dr. Tom Bjerstedt. I'm with the -- a BOEM coordinator for preparation of this draft Programmatic Environmental Impact Statement, which is the subject of our meeting this evening.

I was the contracting officer's representative for the contract that we initiated to have the environmental review prepared by CSA International, Incorporated, based here in the great state of Florida, in Stuart.

Tonight we're going to be discussing a draft Environmental Impact Statement. I'll just drop "corporate management" and just call it "EIS," or Environmental Impact Statement, that we prepared for proposed geological and geophysical activities in the Mid- and South

Atlantic Outer Continental Shelf planning areas.

This is the first of a second evening meeting for our first city in Jacksonville. The series of meetings that we have publicly-scheduled -- it's in all of our newspaper notices, Federal Register, et cetera, to announce the availability of this draft document. You can see we'll be having a series of meetings all across the eastern seaboard in towns and cities that are adjacent to the planning areas that are at issue here.

We have distributed a draft Programmatic EIS for a 60-day comment period.

The Federal Register notice was published on March 30th in the Federal Register where the government publishes all of its business activities.

We are here today to record and collect your comments for revision of the draft in a final document that will be, in turn, used for the Department of the Interior, Secretary of the Department of Interior, to

make a decision on the proposed action, which I will go over in a minute.

The public input is an important part of the National Environmental Policy Act process, the procedure by which federal government exposes its decisions for major federal actions to public review and input before they are finished.

The purpose of the EIS is to assess the potential environmental impacts of various types of geological and geophysical activity on these planning areas.

We will be -- in the Environmental Impact Statement, we projected levels of activity in the planning areas out to 2020, based on expert review and opinion from the agency and input from industry of what their interest might be.

Identify means by which to reduce or to eliminate impacts on affected resources that are in these areas. I'll go over what those are. And the purpose of the programmatic evaluation is to provide information and analyses for the bureau, us, Bureau of Ocean Energy Management, and other agencies have

responsibilities under environmental law for -- before decisions to authorize these activities on the Outer Continental shelf are made.

The proposed action in the Environmental Impact Statement is to authorize geological and geo -- geophysical activities required to support the three program areas that the bureau manages.

These fall into three categories: Oil and gas; renewable energy; and a smaller, but no less important, program for marine minerals, borrowing and use.

Mid-Atlantic planning area is this large tract of federal land. The southern Atlantic -- South Atlantic planning area is here (indicating). In the dotted light blue is the edge of the exclusive economic zone for the United States. The more -- the less distinct line, this purple line (indicating), is the limit to 350 nautical miles from shore. These are the territorial seas of the nation. This region between the exclusive economic zone and 350 nautical miles is extended Continental Shelf. Under

treaties that the United States has signed, there are provisions for the United States to lay claim to or to apply for having these lands added to the exclusive economic zone of the United States.

The procedure is identified in treaties that have been constructed by this country and it involves data gathering and collection and a series of procedures that perhaps a lawyer would know more about.

But we decided to include this region in our evaluation because the United States may at one point elect to have this area added to the exclusive economic zone. We figured that it was probably a pretty good idea to include it in our evaluation because it was at hand.

The types of G&G activities that are involved include geological and geophysical. Coring is either grass sampling of materials that are on the bottom, shallow sediments on the bottom.

Shallow test drilling could be drilling of a bore hole to examine the economic -- the engineering properties of shallow

sediments, generally less than 500 feet in depth.

Deep stratigraphic tests are generally deeper than 500 feet. All of these are matters of either sampling the sea bottom or drilling, rather shallowing into the substream.

Geophysical is primarily involving 2- and 3-dimensional seismic survey activity involving the use of airguns.

Controlled source electromagnetic surveys include techniques that examine the fluid or gas contents sediments.

High-resolution geophysical surveys are primarily geoengineering in nature. They are used to examine bottom conditions for structures that are found on the bottom. It could be either an oil and gas structure or it could be a renewable energy structure.

Some of these tools include multibeam echosounders, primarily an asymmetry determining tool; a sidescan sonar, which is used to determine materials that are featured on the bottom. It could be a shipwreck. It could be live hard bottom

corals, that sort of thing.

And an electromechanical technique that's called a boomer here -- and despite some Canadian-sounding name, it's really an electromechanical device -- imparts an electrical signal, which influences electrical plate. Electrical plate vibrates, imparts signals into the water, and that is the signal that is going into the sediment to reflect off and create an image at the bottom. It's not similar to an airgun in its nature and its effect.

Also, we're concerned with gravity and magnetic surveys, both that are conducted on the sea usually at the same time the site is surveyed. It's conductive that these tools are pulled along behind the boat along with the seismic array; also those that are airborne by aircraft.

Impact-producing factors is sort of NEPA jargon for these sorts of evaluations that include some kind of a stressor on the environment, some influence on the environment that is causing an impact or potentially causing impact. These tend to

fall into categories that are routine or accidental.

By "routine," meaning by the nature of the activity you can predict what a normal set of circumstances would be like, what kinds of impacts are being caused by just the operation.

For these types of activities, we're talking about active acoustic sound sources, that means airguns. We're talking about electromagnetic -- electromechanical sound sources. They would involve the sites being sonar, the multibeam echosounder and the boomers, and sparklers, what I mentioned in the previous five. Also, aircraft traffic and the ways for servicing of offshore boats.

When activities take place on the water, typically there's a land-based component for servicing those offshore boats, especially the larger boats. There could be helicopter trips out bringing men, supplies, crews, crew changes, that sort of thing. That includes both traffic and noise.

Drilling and coring would include operational wastes like the cuttings, from the well bore. As you drill down, you pull up cuttings, and those are discharged at the sea bottom.

Sea floor disturbances would mean any manner of disturbing the bottom of sampling, drilling and coring, including the discharges.

Placement of anchors, cables, and sensors. Anything that's going to disturb the sediment surface.

Also, there's an onshore of base support services. This is in addition to things that may be taking place by aircraft. You have boats at a service base and they have a berthing spot. They have a shore base. They have suppliers that bring them food or supplies that they need. They have crews that live on the ship that live onshore someplace. So there is an economic component for offshore activity that's staged onshore, as well.

Vessel traffic includes the very sense of the ships on the ocean or boats on the

ocean. There is noise involved. There's exclusion zones involved for safety. There's also operational wastes that people working on the ocean generate at sea. And any kind of work in the ocean involves trash and debris of some sort. These are all impacting pretty big factors for G&G activity on the ocean.

Accidental events. Since we're not moving oil, we're not moving -- we're not drilling for oil, we're just moving boats on the surface, so they may involve a collision or a fuel spill that results from an accident.

Once you have a suite of impacting factors caused by your activity, you have to access what are the environmental resources that are being affected; the biological, physical and socioeconomic resources that are at issue.

In the draft of the EIS, we've examined benthic communities, fish and fisheries, both commercial and recreational fisheries, and the essential fish habitat that goes to the health and vibrancy of both recreational

and commercial fisheries.

Also, marine mammals are at issue. The ocean is full of marine mammals. There's sea turtles. Also coastal and marine birds, and those included protected species in all of those categories that I just mentioned.

Socioeconomic issues include archaeological resources. The eastern seaboard is the location for many shipwrecks that have happened over many hundreds of years.

Marine-protected areas include two that are national grand sanctuaries in the South Atlantic planning area. You have Gray's Reef, and in the Mid-Atlantic planning area you have National Marine Sanctuary.

Recreational resources are human activities generally out to shoreline or in the water. It could be closer to shore or it could be even further offshore.

Human resources involve those economic factors of people living on land that work on the sea.

And other marine uses include a category that would involve large tracts of

the Atlantic seaboard that are reserved for military use. There are large-range complexes in the Atlantic, in both the South Atlantic and the Mid-Atlantic, that involve Department of Defense use, either in-service activities or under-the-water-types of activities. There are also aircraft activities that involve things dropping in the water.

There are also two range complexes on the eastern coast. The Cape Canaveral NASA complex there is involved in civilian spaceflight and private development. And in the northern part of the Mid-Atlantic planning area is Wallops Island Flight Facility. Both of these are in the area of interest and both of them involve flights of commercial and spacecraft that are launched out over the ocean.

The heart and soul of the Environmental Impact Statement are the alternatives that are constructed and structured for the evaluation. The proposed action tends to be the first alternative, and the hard look that BOEM requires for a proposed means that

the agency that is acting -- in this case, the Bureau of Ocean Energy Management -- has to examine the alternatives to the purpose and the need for the activity on the ocean or the activity whatever is proposed.

We have three of them in this Programmatic EIS. They are based primarily on time-area restrictions of the ocean surface that are now recognized and current regulations. NOAA fisheries -- NOAA, National Atmospheric and Oceanographic Administration. They have regulations that involve vessel speed controls for the northern right whales and seasonal management areas that they've designated along the east coast. So these areas are being used for restricting the activities and types of activities in our program, the use of airguns. I will show you a couple maps that show where those time-area closures are for the vessel speed control that also correspond to alternatives for both A & B.

The philosophy for Alternative B is to incorporate everything that we're considering for Alternative A, but to

enhance it and have additional time-area closures act as protective measures for the species that are out there, marine mammals. The northern right whale is just one protected species out there among several.

So all of the mitigations that are involved, the protective measures in Alternative A, are incorporated in B. In addition, we have expanded time-area closures for the northern right whales in these seasonal management areas that I will show you on a map coming up.

Also, we've identified a closure area for nesting sea turtles off of Brevard County in central Florida, the site for many thousands of nests for loggerhead sea turtles that we've identified for a time-area closure based on the animals use of that area.

Also, as part of Alternative B, we're proposing a separation between simultaneously-seismic surveying that may be taking place, particularly the deep-penetrating seismic surveys, the ones that are done for oil and gas exploration.

And also for Alternative B, a technique to be required that's called passive acoustic monitoring. This is a technique where a sensitive hydrofoam is deployed into the ocean column, the water column, and a technician is trained for its use and uses it to try to determine some of the characteristic noises of marine mammals, some of their singing, or calls, their creaking, their various noises that they can make in an effort to determine whether they're there. You can see mammals at the surface, if they're at the surface. This technique is one that can try to infer their presence by active noises that they're making that we detect on either one. That's what passive acoustic monitoring is all about. It's also called PAM as an acronym.

Alternative C, BOEM evaluation of this sort involves no-action alternative. For our evaluation, we're considering no action for oil and gas activity, but a status quo for renewable energy and marine minerals activities. The reason for the partitioning is that there are no active leases on the

Atlantic Coast. There is no authorized exploration activities on the Atlantic Coast at this point. So no-action alternative would simply say these activities won't begin.

The status quo aspect of Alternative C means that renewable energy and marine mineral activity both are currently authorized on the Atlantic Coast and both can continue on a case-by-case basis. So that's the structure for Alternative C of the EIS.

The time-area closures that I had mentioned to you, this hatched area off of Jacksonville and South Georgia, is a critical habitat for the northern right whale. It extends down the Florida coastline and stopping here at the southern end of the South Atlantic planning area.

The orangish block here encompassing most of the critical habitat is the southeast management -- seasonal management area. These are a region that has been identified by NOAA fisheries for vessel speed restrictions. When the animals are in

this area, vessels have to slow down to less than a hazard for striking from the vessels themselves. What we're proposing in our time-area closures is to look at taking these vessel speed control areas and also taking off the table a stressor that we would also be introducing by the use of airguns in that area. So that's the nature of why we are saying time-area closure.

These whales tend to live up along the New England coast during the summertime. They migrate down the coast to calf and spawn in -- to calf in this area right off of Jacksonville. This is a very highly concentrated area for the northern right.

One of the seasonal management areas identified by NOAA is the Mid-Atlantic. This is the yellow in here. It extends up from Brunswick, Georgia, all the way up along the seaboard in Wilmington. And also you see these small cuspate areas that are offshore, major bays and estuaries on the east coast. That's because there's a concentrated area for a lot of vessel traffic, and during November 1st through

April 30th is a high probability that you have whales migrating through that area transitioning from where they are during the summer to where they go during the winter. Those are the time-area closures that are part of Alternative A.

Now, I mentioned that Alternative B consists of enhancement of mitigation by trying to further restrict activity by expanding these areas for our purposes for the kinds of activities we're talking about in the programmatic EIS.

So for the time-area closures for B, this is a map that contains the same features I just showed you, the critical habitat and hatcher. The orange, Southeast seasonal management area here (indicating), the Mid-Atlantic seasonal management area here, these cuspate areas.

What Alternative B does is simply take the area from the northern part of the Mid-Atlantic planning area and creates a belt, a continuous belt that has no breaks in it between that boundary all the way down the coast, all the way down to the southern

boundary of the South Atlantic planning area.

This purplish zone here (indicating) is an extension of the Southeast seasonal management area. These belts extend out to about 20 miles, 20 nautical miles. There are whales through this whole area of the ocean, but the surveys and whale-sighting trips that have been done report that most of the migration takes place closer to the shoreline, so that's why we're proposing these seasonal -- these time-area closures for airgun activity during these periods.

Also, on the next slide, I'll show you that there is a time-area closure for the sea turtles off of Brevard County.

This belt here is a highly-concentrated area for loggerhead sea turtles and leatherbacks. This closure area is for airguns. Again, out to about 11 nautical miles, because this is a high-traffic area, high-use area for these species that come ashore and lay their eggs, and they hatch and move offshore, so we're proposing this is a time-area closure.

Now, what you will see if you have an opportunity -- when you have an opportunity to look at the Environmental Impact Statement, we've arranged our evaluation to summarize and table, a table like this. It's Table 2-2 in the EIS. If you wanted to see one summary, one roll-up of all the work we've done to try to assess impacts on the affected resources in this area, you'll see a table like this, of course, much larger, that catalogs all of the biological and physical, socioeconomic resources, all of the impact-producing factors that affect that resource, all of the alternatives A, B, and C, and then in a matrix arrangement, you see a qualitative assignment for impact. These are defined in the Environmental Impact Statement in Section 4. They're consisting of what we call the impact, significance criteria, and they range from a negligible through minor through moderate and convenient. None of the impacts that we've assessed in our draft document have a major impact to any resource at all.

Now that we have a draft environment

impact statement available for public comment, we also begin our engagement with other agencies having roles in environmental law that take place while our BOEM evaluation is ongoing. Those include Section 7 consultations with the Endangered Species Act and consultations with NOAA Fisheries and the Marine Mammal Protection Act. All of these consultations take place during our BOEM evaluation and, hopefully, they're finished by the time our evaluation is done and the Environmental Impact Statement is complete.

Now that we have a draft on the street, we've begun informal consultations with all the agencies involved. We prepared or are preparing the formal documentation to begin the consultations. So our formal consultations will be beginning shortly with all of the agencies that are considered.

Insofar as next steps, right here we're in the middle or the beginning of public comment period. It will be taking place in April and May. Following comments we'll be getting from folks like you, from other

federal agencies, state agencies or anyone having an interest in our proposed action, we'll revise the draft to a final. And following that -- and that would be in the summer and beginning of the third quarter. And the third quarter, fourth quarter of this year, we'll begin to finalize the document and begin the recommendations for the kinds of decisions the department can make.

As I mentioned earlier, previously, all during this time will be environmental consultations taking place. These are all intended to be required by law. And towards the end of the calendar year, December, we hope to have a record decision for this proposed action based on the evaluation that we've done.

I mentioned that the comment period closes on May 30th. That will be 60 days from when we published the notice of availability for the draft. We can collect comments both orally, oral testimony, or written comments that are dropped off or given to us at these meetings. You may

e-mail comments to us at a dedicated e-mail address GGEIS@boem.gov.

The drafted environmental statement is posted to our regional website here and most of the public information is at the table outside, has all of this information on it, or it's posted where you can get to it.

And also, if you choose to use snail mail, you can mail to the address at the bottom there.

In closing, I would like to say that we've spent more than a year putting together this draft of EIS. It involves state of the practice modeling for noise in the ocean. What we're looking for is people to offer comments from folks that have had a chance to digest what we put together, to understand the mitigating or mitigation that are involved, and why we are offering the mitigations that we are, and to offer back comments to us that will help us make a revision to a final document.

With that, I will introduce Mr. William Sloger from CSA International, Inc., and he will give a brief presentation to discuss

how impacts were assessed on marine mammals for our EIS project.

MR. SLOGER: Thanks, Tom.

MR. GOEKE: While they're setting up the next presentation, let me try and give you a little bit of the thought process as we go through when we do our environmental documents.

One of the things that we have to do as we build our environmental documents is to create an administrative record. An administrative record is the history of everything that you go through while you're building the document, all the analyses, all the compilations, and part of the administrative record are the scoping, meetings in these public hearings.

To keep our public hearing and our administrative record clean, what we would like you do as we get to the public comment period of our document, we would like to keep the comments focused on the proposed action that Tom has just discussed.

We have folks here, if you have questions about how our agency works, how we

do things in general, we would be glad to talk to you offline on those topics. But for the public comment period, let's try to keep focused on the topic that we have tonight.

Thanks.

MR. SLOGER: As Tom just mentioned, I will give you a brief description of the assessment of potential impacts to marine mammals, 1 of the 15 resource areas that were listed in the previous slide and analyzed in the EIS.

The assessment process is a multistep process. The first step is to identify resources within the area of interest. The next step in the process is to define the significance of impact on those resources.

Then following that, factors that could impact -- produce impacts must be identified. With that in mind, data is then collected about the proposed action, resources potentially impacted, and the measures that could mitigate those impacts.

The final step, of course, is to analyze those impacts by developing

estimates of incidental take, if any, and determining the level of impact.

The area of interest that you see on the map has potentially 38 species and marine mammals knowing to occur within it. Several of those, the manatee and the pinniped, would be unlikely to be affected by this proposed action due to their limited occurrence in the area.

Tom mentioned earlier the Endangered Species Act in Section 7 of the consultation. Under that Act, BOEM has prepared a Biological Assessment to satisfy the consultation process that will be submitted to the National Marine Fisheries Service.

There are seven listed species under the Endangered Species Act within the area of interest. I guess within this area, the most -- Level 1 would be the North Atlantic right whale. The analysis of impacts was designed to address harassment to marine mammals, both Level A and Level B, as defined by the Marine Mammal Protection Act.

To assess those impact -- to assess the

impact level, categories of significance had to be defined. Significant criteria reflect consideration for both context and intensity of the impact based on four parameters.

The first is detectability. That is, is an impact measurable or detectable? Duration, is it short or long term? Spatial extent, is it localized or extensive in severity?

For the purposes of this analysis, negative impacts have been classified into one of these four categories: Negligible, minor, moderate, and major.

All impact-producing factors evaluated in the PIS were identified earlier. These five were determined to potentially affect marine mammals. All but the first one, active acoustic sound sources, have been determined to have either a negligible or minor impact to marine mammals.

There are three basic steps to the impact assessment process. The first is a description of the proposed action and all the details that go into that. The second

is to establish mitigation measures. And finally, using those -- the information from those two, a determination of potential impacts can be made.

For this analysis, there are two categories of active acoustic sound sources that have been analyzed. Categories are size of airguns and electro-mechanical source. Six sources were defined: Two size of airguns arrays and four electro-mechanical sources. And those six sources cover all of the potential surveys that might occur.

The basic unit of measure to define a level of survey over time that was analyzed in the PEIS is line kilometers. As you can see from the total number of line kilometers for the nine-year period analyzed, the majority of post-survey activity would be to devise exploration surveys. Most of the surveys listed here are deep penetration, seismic, involving the use of airguns.

This slide is a visual representation of the information on the previous slide showing two desistance -- potential two

desistance survey activity. The darkest areas indicate the areas where the greatest amount of survey activity might occur.

The analysis of the PDIS looked at marine mammal hearing and sensitivity, taking into account the frequency range of species, the acoustic thresholds in which they're able to hear. And it also looked at the two different -- well, the primary established acoustic impact threshold used by the National Marine Fishery Service, as well as the approach proposed by Southall, et al.

To better understand potential acoustic impact -- acoustic-related impacts, a modeling study was conducted to estimate propagation of underwater sound.

As I already mentioned, six sound sources were chosen to represent all G&G surveys. The sound sources were modeled at 22 modeling sites located throughout the area of interest to address different physical conditions such as water depth, sea floor composition, seasonal 35 propagations scenarios, which were then combined with the

acoustic sources, which led to 105 different acoustic propagation estimates.

This is one of the intermediate products of modeling effort. These are sound pressure level diagrams for the two different acoustic arrays, both on the Continental Slope and Continental Shelf.

The Acoustic Integration Model, AIM, was used to predict the average number of marine mammals that could be exposed to sound levels above a given threshold in order to estimate takes. To accomplish this, a virtual environment was created with intermittent sound sources and animals were placed. Specific circumstances modeled included the sound source properties and movements derived from the acoustic propagation monitoring results.

Species distribution and dive and swim patterns and environmental conditions affecting transmission. Expected effects from proposed mitigation measures were also fit into the software program.

BOEM has conducted modeling for incidental takes. Not for incidental take

authorization, but rather for impact analysis and to help in developing mitigation.

The analysis of impact for marine mammal species was very conservative. While it takes into account certain mitigation measures, take estimates did not include the effects of operational mitigation measures, such as pre-activity surveys of safety zones by a protected species observers, ramp-up procedures, or shutdown measures for animals that enter the safety zone during the surveys. It also did not factor in the hearing range for species. That is, some species may not be able to hear within the range of frequencies of sound produced by the airguns.

This slide summarizes the mitigation measures for reducing potential impacts to marine mammals for the three alternatives. As Tom mentioned earlier, active acoustic monitoring is optional for the proposed action, Alternative A required for Alternative B.

Another key difference in mitigation is

with regard to the separation distance of 40 kilometers separation distance would be required between surveys. For Alternative B, that is not required under Alternative A. This is the slide you've seen before. Obviously, this is Alternative A in the areas that would be closed due largely to the presence of the right whale. And as you can see from Alternative B, those areas expanded both to the north and south.

This table lists the impact levels from all of the impact-producing factors applicable to marine mammals. As you can see, all impact-producing factors are either negligible or minor with the exception of the active sound sources.

And that brings us back to this slide, which is the reason we're all here, and that is to receive your comments. I will go ahead and turn it over to Gary now.

MR. GOEKE: Okay. Thanks, Will.

Again, like I said, what we're going to do, we're going to have -- according to the order that everyone signed up, we're going to have folks give us their thoughts on the

Environmental Impact Statement that we created this evening. I would ask you to keep your comments to three minutes. At the end of the session, once everybody has given their thoughts and their comments, we will wrap around again. If anybody else wants to add on to their original three minutes or something like that, we'll have time to do that.

The first speaker, Nathaniel Bell.

MR. BELL: Good evening. My name is Nathaniel Bell. And I would briefly speak on those who cannot be here tonight, and, of course, I'm referring to recitations, or whales.

I'll first take us on a brief history tour. 19th century, of course, the Industrial Revolution was born and won and people needed certain materials in order to perform industrial processes, such as lubricants, waxes and chemicals. And they found the varying feedstock for all of these materials, and that feedstock, of course, was whale oil, and we all know what happened then. The whales were pursued to literally

the ends of the earth and were nearly driven extinct. The only thing that saved the whales from certain extinction was the fact that we found something even better than whale oil to use, and that substance, of course, is petroleum. Petroleum, more than any other factor, preserved whales as an order of animals.

And so, therefore, it is my opinion that given the fact that they dodged a massive bullet with -- by the fact that they're still not here and have not been driven utterly to extinction, I think the prospect of potentially annoying them with a little noise, in the face of the alternative, is pretty minor.

Therefore, it would be my opinion that seismic surveying, you know, may somewhat annoy marine mammals, is a very minor problem for them to face. And I would endorse Section A.

Thank you.

MR. BJERSTEDT: Dennis Fleming.

MR. FLEMING: I support your Alternative A.

Question: When would it be effective? When would people start to do the survey? If it also appeared that leasing is not involved in that, another multi-year study would be required before leasing would be allowed? How does that tie into it?

And from a political standpoint, what action by the executive branch or the legislative branch have to take place before this can be enacted? Or does the bureau have the right or the ability to move it forward at the end of the public comment period?

MR. GOEKE: The questions I will be glad to answer after the session is over with, because they don't really pertain -- the ones to oil and gas -- don't really pertain to our proposal.

MR. FLEMING: That's fine. I understand.

Thanks.

MR. BJERSTEDT: Kyle Bedran.

MR. BEDRAN: Thank you. I just want to say I think this is a great plan. I think you gentlemen have put together a lot of research into this and a lot of time and

effort and thank you for that.

I employ you to anything to not choose Alternative C and go forward with at least either A or B.

I think we've listed -- you've listed off many of the regulations and acts that are already in place to protect the wildlife and marine biological life, as well. I think there's already set regulations that will protect them fair enough as far as either A or B goes.

But the vast amount of jobs that can be created from this, not to mention the scientific research that can be gathered over the past two to three decades, the advances we've seen from research, much like this, have propelled us into greater means. So I think this would mean a drastic piece of evidence for us to continue on that path. And I think Alternative A or Alternative B would be the wise choice. I stand here today against Alternative C.

Thank you.

MR. GOEKE: Thank you.

MR. BJERSTEDT: Al Miller.

MR. MILLER: Hi. Again, my name is Al Miller. First of all, I want to welcome you to Jacksonville. I hope your stay here has been memorable.

MR. GOEKE: Thank you.

MR. MILLER: I'm a scuba diver. I'm an offshore fisherman. I love that ocean as much as anyone. I have been down in the bottom of that ocean probably 70 times. I can tell you that mammals have lived down there and they are hardy. This would be nothing more than -- what you are proposing for Option A -- nothing more than a minor inconvenience for permanent improvement for our country. I urge you to find out what is out there. We need to know what is out there for the future of this country. If we have no country, this is all our goal is. I urge you for Option A. Please, Option A.

Thank you.

MR. BJERSTEDT: LeAnne Kolb.

MS. KOLB: I'm a little discouraged just because all of the empty chairs and, of course, it represents all the people who will complain no matter what way this plays

out.

My name is LeAnne Kolb, and I appreciate all of the time that you guys have invested in all of the research. Over a year, my goodness, of one topic. That had to be pretty intense.

I'm definitely for Option A of your plan. I believe that it is very important that we become energy-independent as a nation. Last year we sent out $460 billion to other countries for our oil, and I think that is just astronomical that money could be coming back into our own country. I'm so pleased to proceed with Option A.

Thank you.

MR. GOEKE: Thank you.

MR. BJERSTEDT: Craig Sharp.

MR. SHARP: My name is Craig Sharp. I want to thank you guys for coming out and starting in Jacksonville. I think it's great where you start, and we have a lot of environmental-friendly folks around here.

I, like the earlier speaker, am against Option C. Pick one, A or B. I think it's been so long since we had any studies. We

really need to figure out what is out there. A or B great, just not Option C.

Thanks.

MR. BJERSTEDT: Jim Fitzpatrick.

MR. FITZPATRICK: Again, gentlemen, thank you for your time, your effort and your knowledge and your skill for being able to detect what is potentially down there.

Option A or B. It's not up to me. It's up to the more intelligent people than myself. But for the security of our nation, I see no problem of finding out what is available to the American people, as long as it stays for the American people. Too many people have died to create this country, and we should not lose it.

Thank you for your time.

MR. BJERSTEDT: Chelsi Henry.

MS. HENRY: Good evening. And I would like to echo some of the same words. Thank you both for being here and presenting this information and all your hard work.

I briefly just want to say that I believe it is our responsibility as citizens to go and find out how much oil and natural

gas is actually there in the shell. Because I think it's going to be beneficial for us as a country. It's going to strengthen our energy policy. It's going to continue to keep costs down and control those costs. Possibilities of jobs, building -- increasing our revenue, as well. And I think those are all important from the charts that you presented. It's shown that from your research there's going to be minor effects, if any, to the mammals, which I think that's a huge consideration with whatever we're doing.

And so those are my thoughts. And, again, I think that is something we should find out the exact amounts. There have been billions of barrels that they have already recovered. And I think there can be even more, if we know the exact amounts that is there. And it's the best choice for our nation and our future. Thank you.

MR. BJERSTEDT: That concludes the list of folks who have signed up to speak. Is there anyone else who would like to speak?

Ma'am, if you could come up and say your name and spell it for the court reporter.

MS. ALEXANDER: Joanne Alexander (phonetic). I just -- didn't quite understand what comments were going to be. But I vote for A or B. I think you've shown there's minimal effect to our mammals, which is wonderful, and we do need to protect them. But there's no reason to do C.

MR. BJERSTEDT: Can you state your name and spelling for the court reporter?

MS. MEDROS: My name is Diana Medros. First name D-I-A-N-A, last name M-E-D-R-O-S.

I voice my concerns as an individual environmental scientist and a member of the North Florida Legal Community. I'm all for drilling of our oil reserves in the United States in our waters. However, I think it should be done responsibly. And I think in order to achieve that, Alternative B would be the best alternative.

Although there are regulations in place and the Endangered Species Act to protect potentially the right whale, it covers

taking, which is harassing, hunting, capturing, or killing. However, Alternative B takes it a step further to protect the right whale by having those timeout periods in regard to the right whales breeding habits.

And I think even if testing or drilling were to be done, I guess out further than, not closer to shoreline where the whales do breed, it would still disrupt their breeding habits. If that is disrupted, the whole population can potentially be at stake.

So I think Alternative B, with those minimal additional requirements to be included in the Environmental Impact Statement by these governmental and private entities, would be the most beneficial.

Thank you.

MR. GOEKE: Thank you.

MR. BJERSTEDT: Anyone else wishing to speak? Yes, ma'am. If you would come up and give your name and spelling for the court reporter.

MS. GRANT: Shannon Grant, S-H-A-N-N-O-N G-R-A-N-T. I'm for either A

or B. We need to find out what is out there. If we don't find out, we'll never progress as a country.

MR. GOEKE: Thank you.

MR. BJERSTEDT: Yes, ma'am.

MS. THOMPSON: I'm Anita Thompson. And I know you said that you won't answer questions. I would like to know if anyone is drilling in that area. Any other country?

MR. GOEKE: No, ma'am.

MS. THOMPSON: They are not yet?

MR. GOEKE: There's no drilling in the Atlantic.

MS. THOMPSON: Is there any way to prevent another country from drilling in that area?

MR. GOEKE: Yes, ma'am. It's U.S. Federal Waters.

MS. THOMPSON: Because I know they are drilling in the Gulf, which is right there on our gulfstream. And the most important -- which if they have an oil spill -- if Cuba has an oil spill in the gulfstream, it's going to impact all of

this area.

So the most important thing economically and for the safety of this country and for the freedom, continued freedom of this country, we have to be independent in the energy. We cannot continue to rely on other countries for our energy.

So I think it is -- the most important thing we can do now is become energy independent, and in any of these -- whichever one is going to make us the most energy independent -- and I'm sorry about the animals, but we need to be energy independent or we're going to be dependent.

MR. BJERSTEDT: Thank you. Last call.

The comment period is open until the end of May. I mentioned to you we've just received your comments and testimony and perhaps some folks have turned some written documentation in. We have an e-mail address for comments. We have a web posting for the document itself. And if you'd like to send it through the U.S. Postal Service, there's the address there and it's in most of our

public announcements.

One last speaker. Sir? Could you say your name and spell it for the court reporter?

MR. DEVIDAL: Steve, S-T-E-V-E, D-E-V-I-D-A-L.

And I would like to -- I guess you would say, give a second to the previous commenter. Agenda 1, Agenda No. 1, is energy independence. And I see that Alternative 1 has provisions to accommodate those who have concerns about animal rights and environmentalism, and I think when you adopt this, you make both groups consolidated. And once again, the No. 1 agenda is America's energy and dependence. Anything that will help, which is either of those, but especially Option A, should be adopted.

MR. GOEKE: Thank you.

MR. BJERSTEDT: That would conclude our meeting for this evening.

(Thereupon, the meeting concluded at 8:02 p.m.)

- - -

C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF DUVAL)

I, Colleen C. Lee, Court Reporter for the State of Florida At Large, certify that I was authorized to and did stenographically report the proceeding and that the transcript is a true record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 25th day of April, 2012.

Colleen C. Lee, RPR
Court Reporter

F

Q