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BUREAU OF OCEAN ENERGY MANAGEMENT

Tuesday, April 24, 2012

1:00 p.m.

Hilton Norfolk Airport
1500 North Military Highway
Norfolk, Virginia

Reported By: Lois B. Boyle, RMR

1 MR. BENNETT: Good afternoon. I'd like to
2 welcome you all to this public hearing on the
3 Programmatic Environmental Impact Statement on
4 Geological and Geophysical Activities in the Mid- and
5 South Atlantic. My name is Jim Bennett. I am with the
6 Bureau of Ocean Energy Management at its headquarters.

7 Safety first. In the event of an emergency,
8 the closest exits are the ones right behind you. The
9 restrooms are down the hall in the lobby to the right
10 of the elevators.

11 First I want to mention that the Bureau of
12 Ocean Energy Management is an bureau within the United
13 States Department of the Interior. We are responsible
14 for research and environmental protection on the Outer
15 Continental Shelf.

16 We are here to take your comments on the
17 environmental impact statement and I'd like to
18 introduce several people to you because, like I say, we
19 are here to get your comments. But if you have
20 questions or seek some information, there are a number
21 of people here who may be able to help you or we could
22 find the information for you.

23 The first person, of course, is our Director,
24 Tommy Beaudreau up on the panel and the Project
25 Manager, Tom Bergstadt, to his right. Also Tershara

1 Matthews, Regional Environmental Assessment Unit
2 Supervisor and Gary Goeke, the Regional Environmental
3 Section Chief. Cathy Rosa is here with logistics. I
4 think she is out at the table. And John Filostrat is
5 with our Office of Public Affairs. John? There is
6 John.

7 Also, from our consultants, Continental Shelf
8 Associates, the Project Manager, Will Sloger. Is he in
9 here?

10 Kim Olsen, the Deputy Project Manager and
11 Robin -- you know, I know I am going to get this wrong
12 because she explained it to me -- Schuricht.

13 With that, like I said, again, we are here to
14 receive your comments. But before we do that, we have
15 some remarks from our Director, Tommy Beaudreau, and a
16 short presentation on the project and the EIS itself
17 from Tom Bergstadt. Tommy.

18 MR. BEAUDREAU: Good afternoon everyone.
19 Thank you very much for attending this public hearing
20 on our Draft Programmatic EIS for Geological and
21 Geophysical Activities in the Mid- and South Atlantic.
22 Let me start by just providing a little bit of context
23 for the Programmatic EIS so that everyone here
24 understands how it fits in with our responsibilities
25 and our oversight activity.

1 The Bureau of Ocean Energy Management was
2 formed last October. It's one of the two new agencies
3 in the Interior Department that were created following
4 the Deepwater Horizon blowout and oil spill in the Gulf
5 of Mexico two years ago, two years ago last week.

6 The reorganization was one of the fundamental
7 responses that the Federal Government took in the wake
8 of the Deepwater Horizon accident to provide for more
9 effective oversight of offshore energy activity, oil
10 and gas as well as renewable energy development.

11 The way we designed the reorganization was
12 essentially to separate out environmental assessment
13 and leasing activity and long-term offshore energy
14 planning activity from a more pure safety oversight.
15 And so the Bureau of Ocean Energy Management, which is
16 our agency, is responsible for long-term planning for
17 energy activity on the U.S. OCS. That includes
18 development of the five-year oil and gas leasing
19 program. It includes conducting all environmental
20 assessments under NEPA as well as other statutes and
21 overseeing actual lease sales for oil and gas as well
22 as the development and leasing related to offshore
23 renewable energy including wind energy.

24 The Bureau of Safety and Environmental
25 Enforcement, which is our sister agency, is responsible

1 for overseeing the safety of offshore energy activities
2 including the safety of drilling operations, overseeing
3 spill response in the event of an accident or an oil
4 spill, and conducting inspections.

5 And so broadly speaking, that is the
6 breakdown of responsibilities between the two new
7 agencies. So BOEM, as I said, is responsible for
8 developing the five-year oil and gas leasing program.
9 We put out a draft of the five-year program last
10 November that laid out a proposed schedule for oil and
11 gas lease sales on the U.S. OCS for the period starting
12 later this year, 2012 through 2017.

13 That program includes potential lease sales
14 in the Gulf of Mexico, in the central and western Gulf
15 of Mexico, a sliver in the eastern Gulf of Mexico,
16 potential sales in Alaska, my home state, off of the
17 Beaufort and Chukchi Sea planning areas and the Cook
18 Inlet planning area. These are all areas that have had
19 lease sales in the past.

20 And so we designed the program focused on
21 developing regionally tailored, regionally specific
22 approaches to oil and gas leasing, meaning getting away
23 from a default of area wide leasing that has existed in
24 the past and moving toward more narrowly tailored and
25 appropriate leasing programs, depending on the region.

1 And so, for example, with respect to the Gulf
2 of Mexico which is an extremely mature area for oil and
3 gas development, we do maintain or propose continuing
4 area wide lease sales in the central and western Gulf
5 of Mexico. It's the area with the most resource
6 potential, particularly in the central Gulf of Mexico
7 and the most mature infrastructure to both bring
8 resources to market and also to respond in the event of
9 an accident or an oil spill.

10 With respect to the Artic, we have proposed
11 potential sales, one sale each in the Beaufort and the
12 Chukchi, but we set those sales very late in the
13 five-year program with the idea that we want to
14 continue developing the science including geological
15 science as well as environmental science to inform, A,
16 whether those lease sales should actually go forward,
17 and B, if they do go forward, what should the
18 configuration of the lease sale be?

19 We are not going to do an area wide lease
20 sale in the Artic where in the past we've made
21 available essentially the entire area and the oil and
22 gas companies chose within that area where they would
23 be interested in purchasing acreage.

24 Instead, what we believe is more appropriate
25 for the Artic would be focusing on where the resource

1 potential is, understanding through scientific
2 development including seismic surveys where the
3 resource potential is and then taking a hard look at
4 how that lines up with environmentally sensitive areas
5 and other leases including subsistence hunts which they
6 are extremely important to native Alaskans.

7 And so out of that, if a lease sale goes
8 forward, we intend for the sale to be much more narrow,
9 deconflicted and focused on areas where there is
10 actually significant resource potential.

11 We have not scheduled, to the disappointment
12 of some of the folks in this room, we have not at this
13 time scheduled lease sales in the Mid- and South
14 Atlantic. And we did that for a very specific reason.
15 We are pursuing an energy strategy with respect to the
16 Mid- and South Atlantic that is quite deliberate and
17 quite focused, but in our judgment, now would not be
18 the time to schedule lease sales. There is some
19 preliminary work that needs to be done before any, in
20 our judgment, any oil and gas leasing would be
21 appropriate.

22 Some of that work includes what is being
23 contemplated or studied in this Programmatic EIS. Our
24 understanding of the resource potential off of the Mid-
25 and South Atlantic states at this point in time is

1 limited. The last seismic surveys in these areas were
2 conducted twenty-five, thirty years ago with technology
3 that frankly is quite out of date at this point. There
4 have been a lot of developments in geology and in
5 seismic surveys.

6 And so our information about the resource
7 potential, both the magnitude of the resource potential
8 but also the locations of where potential reservoirs
9 may be at this point in time is limited. So consistent
10 with that regionally tailored approach to leasing that
11 I described to you, we believe that a first critical
12 step to even considering whether or not to hold the
13 lease sale is to understand what the resource potential
14 and where the resource may be.

15 And then given that information, that
16 scientific information about the geology and the
17 resource potential, take that and similar to what we
18 would be doing in Alaska, line that up against
19 environmental concerns and other uses. Obviously there
20 is not subsistence hunts off of the east coast as there
21 is in Alaska, but there are significant other uses.

22 The military, extremely important to Norfolk
23 and Virginia as well as North Carolina has significant
24 operations, obviously, in the Mid- and South Atlantic
25 including right out of Norfolk.

1 Everyone here respects the military's
2 prerogatives and missions, understands how important
3 that is and so we need to do a lot of work to figure
4 out how any offshore energy development can be
5 reconciled with the military's needs.

6 There's also commercial fishing interest,
7 recreational interest, shipping, commercial shipping
8 interest that need to be taken into account and lined
9 up against any potential interest in oil and gas.

10 And so that is the process that we're going
11 through now. The stage we are in, we have put out a
12 draft of the Programmatic EIS that evaluates the
13 potential environmental impact of geological and
14 geophysical surveys including specifically seismic
15 surveys, acoustic surveys that use sound to penetrate
16 geological formations and develop data about what may
17 be down there including oil and gas reserves
18 potentially.

19 Those activities we know may have effects on
20 critters that are in the ocean including in particular
21 marine mammals. And so we are going through a very
22 exhaustive and deliberate study of the potential
23 effects in this area, in these regions given the
24 ecosystem and the animals that live in these areas,
25 what the potential effects may be and what mitigation

1 measures would be appropriate if this activity is to go
2 forward.

3 So that is the entire purpose of our EIS and
4 that is why your participation today is extremely
5 important. It's extremely important under our process
6 and our Democratic system of government to get the
7 public's input on things we should consider in
8 finalizing the EIS. Have we missed something? Are
9 there issues that we didn't give appropriate weight to?
10 And also what public sentiment is around this potential
11 activity. It's extremely important to us. It's a
12 factor that we have to consider going forward in
13 evaluating whether any energy leasing off of Virginia,
14 for example, should take place at all. What is the
15 public sentiment around that?

16 So this is an important step in that process.
17 I commend each and every one of you for taking the time
18 out of your day to participate in this process. Your
19 voices will be heard. I will be sitting through much
20 of the testimony today paying close attention, and as
21 we work to finalize the EIS, you will see your comments
22 and consideration of your comments reflected in the
23 final document.

24 So with that, I will turn it over to Tom
25 Bergstadt. He is a member of BOEM scientific staff.

1 He has been overseeing the preparation of the
2 Programmatic EIS and is truly our agency's expert on
3 these issues for this region. So thank you very much.

4 MR. BERGSTEDT: Thank you, Mr. Beaudreau.
5 This is the meeting scheduled for the public meetings
6 being held for this Programmatic EIS. You can see that
7 we've had -- last week we were in these places in the
8 southern part; Jacksonville, Savannah, Charleston,
9 today Norfolk and in the course of the week, before the
10 end of the week, you can see the other places we will
11 be visiting to have similar meetings such as this one
12 to receive public comments.

13 The draft environmental impact statement has
14 been distributed to anyone who gave us their e-mail or
15 address information. We had a publication in Federal
16 Register on March 30, and as objective evidence, it's
17 sitting right there on the edge of the dais there or
18 the table. We are here today to get your comments and
19 to help draft -- to help evolve the draft into a final
20 decision document to the Secretary of the Interior as
21 the best we can put forward for him.

22 The purpose of the Programmatic EIS is to
23 assess the potential environmental impact of the
24 various types of G&G activities, geological and
25 geophysical. We projected activity levels in these

1 areas on the Outer Continental Shelf, evaluated
2 mitigation measures that could be applied to reduce or
3 eliminate impacts, and the purpose of the EIS is to
4 provide our agency and other agencies having
5 responsibilities under environmental law to be informed
6 before decisions are authorized in these areas.

7 This slide shows the areas that have been
8 identified on permit applications that the Bureau of
9 Ocean Energy Management received as early as 2009 for
10 surveying these areas. The relative gray scale shows
11 the area of more intense activity relative to the
12 lighter gray scale. So we do have permit applications
13 in hand for work in these areas, primarily seismic
14 activity, and I will talk a little bit about what that
15 entails in a moment.

16 The proposed action for the environmental
17 impact statement is to authorize geological and
18 geophysical activities to support all three program
19 areas that the Bureau of Ocean Energy Management
20 manages; oil and gas renewable energy and also marine
21 minerals.

22 These are the two OCS areas, and here is the
23 edge of the exclusive economic zone at 200 nautical
24 miles from shore. All the waters at seabed that are in
25 shore from this line are the territorial waters and

1 land of the United States.

2 This line here, it's hard to see, is the 300
3 nautical mile limit line. It's the edge of an extended
4 outer continental shelf. There is a provision in the
5 United Nation convention of the law of the sea for a
6 country to petition to add to their exclusive economic
7 zone out to an extended continental shelf.

8 The United States has not pursued that as of
9 yet, but in our EIS we wanted to include these waters
10 if or when the United States does seek to do that.

11 The types of activities are geological and
12 geophysical. Geological is coring of the seabed
13 generally or shallow test drilling but defined as less
14 than five hundred feet deep. Deep stratigraphic tests
15 are deeper than five hundred feet. These are not
16 exploration wells in the sense of oil and gas
17 exploring there for determining -- for scientific
18 research. And if there is something discovered, you
19 can't really produce it because you need a lease to
20 produce on the Outer Continental Shelf.

21 Geophysical work would be two and three
22 dimensional seismic surveying. Control source
23 electromagnetic surveys, these are used by industry to
24 determine the content of formation fluids and gases.
25 High-resolution geophysical surveys would be more

1 geo-engineering in nature that would be prior to
2 replacing bottom founded structures, either oil and gas
3 platform or a wind turbine mile pole, anything that
4 would be required to understand the sea bottom before
5 certain activity is undertaken, to understand the
6 telemetry, to understand what's there already at the
7 bottom or perhaps sea wreck, shipwreck.

8 Gravity and magnetic surveys are also an
9 issue. Impacting factors, these are stressors on the
10 environment. There is routine operations and
11 accidental events. Routine operations are things that
12 you can predict by the nature of the work that's
13 proposed. The seismic surveying is one, the
14 electromechanical sound sources that I mentioned, the
15 geo-engineering kind of techniques, they don't use
16 airguns. They use other sources of energy to capture a
17 profile of the sea bottom.

18 Drilling and pouring often have operational
19 wastes associated. The cuttings generally are
20 discharged in the seabed. Air traffic helicopters that
21 might service large geophysical boats offshore.
22 Seafloor disturbances of any kind; sampling, drilling,
23 placement of anchors, cables or sensors. The onshore
24 base support services, people that work on the ocean
25 are supported on land. The ships have to berth. They

1 have to be serviced, bring supplies and, of course,
2 people live somewhere.

3 So it involves vessel traffic, it involves
4 noise, it involves exclusion zones for safety or for
5 observation of marine mammals wastes. Trash and debris
6 is also a consideration for any work that takes place
7 on the ocean.

8 Accidental events would be fuel spills
9 because we are not talking about producing oil and gas.
10 We are not talking about pipelines or tankers. It's
11 just the testing activity that takes place before that.

12 Environmental resources here, Benthic
13 communities, fish and fisheries, marine mammals, sea
14 turtles, coastal and marine birds, protected species,
15 for many of these categories, they are all in the
16 Environmental Draft EIS.

17 Socioeconomic issues like shipwrecks. The
18 Atlantic seaboard has a long history of human activity,
19 lots of shipwrecks there. Marine protected areas,
20 there are two special areas in these two planning
21 areas. In the Mid-Atlantic, we have Monitor National
22 Marine Sanctuary and in the South Atlantic you have
23 Ray's Reef. Recreational sources, human resources and
24 land use and other marine uses such as the military
25 uses.

1 The heart and soul of the EIS are the
2 alternatives. We structured them for this evaluation
3 to be based on current regulations recognized by NOAA
4 fisheries or vessel speed restrictions at certain times
5 of the year. Along the east coast, NOAA has recognized
6 certain seasonal management areas or critical habitat
7 areas for the Northern Right Whale. And we have taken
8 a look at these and said, well, let's restrict airgun
9 activity during the periods of time that NOAA would
10 like to have vessels going slower. Generally that's
11 the greatest hazard to marine mammals is if they are
12 hit by the boat.

13 We have also included in Alternative A we
14 have the protective measures we have used in the Gulf
15 of Mexico over the many years of G&G activity there.
16 We have certain protocols for how to start surveys, how
17 to conduct them, how to terminate them if marine
18 mammals encroach on a planned area.

19 It involves using species observers. It
20 involves using ramping up of the airguns before in a
21 gradual way to allow animals to exit the area if they
22 are disturbed.

23 Vessel strike avoidance, for observers to be
24 observing at all times while the boat is moving.

25 Marine trash and debris awareness. These

1 animals sometimes confuse trash in the water for prey
2 items. That's sort of the philosophy for A is to look
3 at these time/area closures and also make them up with
4 the SMA protective measures we have in the Gulf of
5 Mexico as modified in the Atlantic.

6 For Alternative B, we said let's take all of
7 the protective measures for A and let's extend some of
8 the time area closures and also let's look at adding
9 some different kinds of mitigation in addition to those
10 that are in A.

11 The expanded time/area closures for Northern
12 Right Whales, I will show you a map of that in a
13 moment. Also a closure area for sea turtles along
14 Central Florida. Also, part of B would be separation
15 between of surveys taking place at the same time and
16 also the required use of passive acoustic monitoring,
17 that is, hydrophones in the water that are used to
18 sense if marine mammals are under water like if they
19 are making their characteristic noises.

20 You can see them if they are on the surface,
21 but if they are under water you can't. But this
22 particular technique you can use to infer whether they
23 are close by. It's not a requirement for Alternative A
24 but we're saying Alternative B, let's make it
25 mandatory.

1 Now, for Alternative C, they require no
2 action alternative for our evaluation. Since we have
3 three program areas and oil and gas work has not been
4 authorized in the Atlantic for a very long time, we
5 looked at a no action alternative for oil and gas.

6 For the other program areas; renewable energy
7 and marine minerals, we are looking at -- that are
8 currently authorized in these areas and they can come
9 to us on a case-by-case basis and be processed in that
10 manner, we are looking to say, okay, the status quo,
11 they continue to come to us, we process them on a
12 case-by-case basis.

13 These are the time/area closures I had
14 mentioned. The critical habitat offshore Jacksonville
15 is right here, extends down close to Florida to the
16 southern boundary of the South Atlantic planning area.
17 This area in orange is the southeastern seasonal
18 management area. The area in yellow is the
19 Mid-Atlantic seasonal management area. These are
20 time/area closures recognized by NOAA for vessel speed.

21 During these windows, vessels are supposed to
22 go slower because there are whales in the area. They
23 tend to be over summer in the New England states and
24 head down the coast line to, over winter, in this area
25 here.

1 For Alternative B, it's hard to see perhaps
2 but we extended to the south of the southern management
3 area an extension going out to 20 nautical miles. All
4 the vessel speed zones head out from the shoreline to
5 about 20 nautical miles, and also proposed to fill in
6 these areas that are not continuous. These areas that
7 are recognized here are offshore major basin estuaries
8 where there is a lot of traffic converging. So these
9 little cuspid areas are recognized there for vessel
10 speed control.

11 What we are saying for B is let's have a
12 continuous zone up the coast to both the planning areas
13 all the way from Delaware Bay to Cape Canaveral are as
14 a time closure for airguns during these periods of time
15 during the year.

16 AUDIENCE MEMBER: Question. How wide is that
17 area?

18 MR. BERGSTEDT: 20 nautical miles from shore.

19 For turtles, this area here off Cape
20 Canaveral is a well known turtle nesting spot for the
21 loggerhead and leatherback. There are tens of
22 thousands of nests that have been observed there by
23 folks who watch there. This zone extends out 11
24 nautical miles, so we are saying no airguns in that
25 area in the periods of time that the turtles are coming

1 ashore, laying their eggs and their hatchlings are
2 coming offshore and going into the ocean. That's part
3 of Alternative B.

4 The mitigation measures I had mentioned to
5 you; time/area closures, seismic survey protocol, ramp
6 up observer start-up, acoustic monitoring, they tend to
7 be -- they are shown here on the top and they are shown
8 whether they are applicable for each alternative, and
9 they are shown whether they are required, optional, and
10 they give you an overview of sort of a summary role of
11 what mitigation they are applying to what activity.

12 If you look in the EIS, you will see that
13 Table 2-2 in the document is a really good place to
14 take a look and see how the totality of our evaluation
15 is proposed. We've got on the left-hand boundary all
16 the Benthic communities, I mean, all of the affected
17 resources, all of the impacting factors that pertain to
18 each one. We've got the alternative over the top and
19 then we have what are called significance criteria
20 assigned for each resource. They range from negligible
21 to minor to moderate to major.

22 In none of the resource areas or none of the
23 impacting factors is there a major impact. All of them
24 are something less than that. Anyway, Table 2-2 is a
25 good place if you want to see in one place what we have

1 evaluated and what we think it means, that's where
2 you'd like to go.

3 The consultations required by law take place
4 at the same time that we are finalizing the EIS. We
5 have Section 7 consultations of the Endangered Species
6 Act and we have Marine Mammal Protection Act
7 consultation with NOAA Fisheries.

8 The next steps here, commentary is open in
9 April and May. We revise the documents based on
10 comments from folks like yourself and federal agencies,
11 state agencies, and we will present some
12 recommendations to the Department of Management for
13 consideration towards the end of the process.

14 All of the environmental consultations are
15 taking place concurrently, and at the end of it, there
16 is a record of decision, that is, a statement the
17 government makes in the Federal Register for what they
18 conclude about this evaluation, what they decide
19 amongst the alternatives and that we project to have
20 happen towards the end of the calendar year.

21 I mentioned the comment period is open. It
22 closes on May 30th. We can collect comments from you
23 here in written form. The court reporter will take
24 testimony. We have a dedicated e-mail address;
25 ggeis@boem.gov, where you can send your comments.

1 In the material on the tables outside, there
2 is a website that you can click up a copy of the
3 document and look at it online if that's what you
4 prefer.

5 If you'd like to send us comments in the
6 United States post, you can send it to the address here
7 which is also in the materials outside. And in
8 closing, I will say we've spent about a year putting
9 this evaluation together. It involves state of the
10 practice modeling of noise in the ocean, noise in the
11 sea caused by these tools.

12 We've secured a contractor to help us with
13 that, CSA International Incorporated. They are based
14 in Stuart, Florida. They prepared the modeling for
15 marine mammal impacts based on noise that you will see
16 in the document.

17 And after you have a chance to take a look at
18 it, send us what you think about it and we can use it
19 to try to make a better document but the best decision
20 document we can make for our department secretary.

21 And with that, I can close my presentation
22 and I can open the floor for comment. Before I do
23 that, I wish to explain some guidelines for fairness.
24 Our goal is to allow comment from everyone who signed
25 up to speak until we are done.

1 Federal or state representatives or other
2 elected officials that are either elected or appointed
3 will speak first and they have no time restrictions.
4 We ask that members of the public self police
5 themselves to three minutes per speaker. When all who
6 have signed up to speak have spoken and people still
7 want to make a comment, we will open the floor later.

8 We are here trying to receive comment on the
9 draft. Comments about anything else other than our
10 draft really don't help our purpose for being here.

11 If you are speaking from notecards, we ask
12 that if you can provide a copy of your statement to us
13 so that the court reporter has an accurate record of
14 your testimony. Sometimes it's hard to hear, people
15 don't stand close to the mic. It helps the court
16 reporter to make an accurate record.

17 And with these guidelines, I would call the
18 first speaker, State Senator Frank Wagner.

19 SENATOR WAGNER: Thank you. And
20 Mr. Director, thank you for coming down and welcome to
21 Norfolk. We really really appreciate this opportunity
22 to speak before you. It's not the first time I have
23 spoken before this particular Bureau of Ocean Energy
24 Management but MMS entirely on a series of issues as we
25 went through the sales as well, and I would like this

1 opportunity to say that I really want to commend all
2 the efforts BOEM has done in moving forward this
3 survey.

4 We have a saying in the General Assembly up
5 there that a vote against a study is a vote for
6 ignorance, and I really want to commend you for moving
7 forward with this study and moving forward with the
8 opportunity to do these seismic surveys in the
9 Mid-Atlantic and South Atlantic areas because this will
10 give us the opportunity to come to grips with what is
11 out there, what quantities are out there, where are the
12 locations, all of those things that we need to know to
13 formulate and debate a strategy.

14 What I've heard today, particularly
15 Mr. Director and Tom, about once we know these things,
16 then we can analyze whether it's safe, prudent to go
17 after these resources or whether it makes economic
18 sense to go after these resources. And more
19 importantly or just as importantly as representatives
20 that you are, that the government ensuring if there is
21 a lease sale, that you have a fair idea what the
22 quantity is and fair expectation of what rents and
23 royalties should be derived from those particular lease
24 lots as you move towards the sale. All of those things
25 are very, very important based on some of the data you

1 have given upfront.

2 I am sure if these seismic surveys move
3 forward it will be done in a responsible and
4 environmentally safe manner. But I can't overemphasize
5 the need to have the accurate information for the
6 citizens that we all represent, particularly in the
7 Mid-Atlantic and South Atlantic area to know what's out
8 there, with a reasonable expectation of what's out
9 there, not data based on technology that's 25 years old
10 and somewhat suspect, to have that actual information
11 to be able to formulate and base decisions on whether
12 or not we should move forward with this, in what manner
13 we should move forward with this and what expectation
14 we can have and results out there. And for all those
15 reasons, I think this study is altogether appropriate,
16 and we need to move forward with the study.

17 Again, I won't usurp three minutes time. I
18 realize having been on your side how lengthy these can
19 be and I'm sure there are a lot of folks who will be
20 speaking on both sides of the issue. But again, I just
21 want to reiterate my support for the efforts that you
22 are doing now and to go forward and move forward with
23 these 2 and 3D seismic surveys.

24 Having said that, I also have a written
25 statement from Delegate Ron Villanueva who represents a

1 district in the City of Virginia Beach, also very, very
2 supportive, and I will submit these for the record.

3 Thank you.

4 MR. BERGSTEDT: Virginia Secretary of Natural
5 Resources, Doug Domenech.

6 MR. DOMENECH: Thank you very much. I want
7 to say before I read my written statement, Mr. Bennett,
8 Mr. Bergstadt, welcome and especially to Director
9 Beaudreau. I hope everyone realizes how significant it
10 is that the Agency Director is here and I know you are
11 not able to attend all of the hearings, but we really
12 appreciate you coming to Virginia.

13 As a former Interior employee myself, I know
14 that there are many hard working dedicated employees at
15 Interior and I just appreciate your service to the
16 country.

17 I do want to welcome you on behalf of
18 Governor Bob McDonnell. I welcome you to the energy
19 capital of the east coast. My name is Doug Domenech.
20 I serve as Secretary of Natural Resources for the
21 Commonwealth of Virginia. In my Secretariat, I oversee
22 six state environmental agencies and assist the
23 governor in implementing the Commonwealth's energy
24 program.

25 Governor McDonnell is a strong advocate on

1 behalf of an "all of the above" energy security
2 strategy. However, unlike the President, when we say
3 "all of the above," we really mean it. Since his
4 inauguration in 2010, the Governor has been busy
5 promoting both conventional and renewable energy
6 sources of energy, both on shore and offshore,
7 including coal, gas, oil, nuclear, solar, wind and
8 energy efficiency. Just last week he signed thirteen
9 pieces of legislation to strengthen and expand
10 Virginia's energy infrastructure and expand alternative
11 energy resources.

12 The Governor continues in his strong support
13 for exploration and development of oil and natural gas
14 resources off the coast of Virginia. And I was pleased
15 to join Secretary Salazar and BOEM Director Beaudreau
16 last month to applaud the Administration's completion
17 of the Draft Programmatic EIS to evaluate potential
18 environmental effects for multiple G&G activities in
19 the Mid- and South Atlantic Planning Areas of the OCS.
20 Virginia is preparing formal comments on the plan and
21 will submit those before the May 17 deadline.

22 I would like to add this very hearing feels a
23 little bit like Groundhog Day. Two years ago we were
24 here commenting on similar plans for G&G and
25 exploration after President Obama awarded Virginia a

1 lease sale in the 2007-2012 five-year plan. In fact,
2 the Director of the then Minerals Management Service
3 herself informed us that Virginia would be scheduled
4 for its first oil and gas lease sale in March of 2012.
5 Now two years later, while we are glad the draft PEIS
6 for G&G has been prepared, the Commonwealth again must
7 reiterate our strong disappointment that the
8 Administration has decided to keep Virginia out of the
9 next five-year plan for 2012 to 2017.

10 In announcing the 2012-2017 plan, Secretary
11 Salazar stated two objections to holding a Virginia
12 lease sale; first, a lack of existing infrastructure,
13 and second, potential conflicts with the military.
14 Apparently these issues that now keep a Virginia sale
15 from proceeding were not an issue to the Secretary or
16 the President in March of 2010.

17 In March of 2010 in announcing his plan to
18 expand offshore oil and gas exploration off Virginia,
19 President Obama said this is a decision that I've not
20 made lightly. It's one that Ken Salazar and I as well
21 as Carol Browner, my energy adviser, and others in my
22 Administration looked at closely for more than a year.
23 But the bottom line is this, given our energy needs in
24 order to sustain economic growth and produce jobs and
25 keep our businesses competitive, we are going to need

1 to harness traditional sources of fuel.

2 As I have testified in the past, Virginia --
3 that's end quote. As I have testified in the past,
4 Virginia could not agree more with this statement.
5 Again, the question is what exactly has changed since
6 then that now prohibits Virginia's sale from being
7 allowed to proceed in this five-year plan?

8 Well, we urge the Administration to amend the
9 2012-2017 OCS five-year plan to allow for an oil and
10 gas lease sale off Virginia in this cycle. The
11 Governor is equally interested in moving forward with
12 siting for offshore wind, energy as well. We are
13 pleased this PEIS will consider G&G activities for all
14 three program areas managed by BOEM, oil and gas
15 exploration and development, renewable energy and
16 marine minerals.

17 We feel Virginia is also ideal for the
18 development of offshore wind resources, and we have
19 been working with all the interested military and
20 civilian stakeholders to prepare and plan for this
21 development.

22 To summarize a few key points, Virginia is
23 pleased that BOEM is taking this important step towards
24 leasing off the Virginia coast. Virginia's official
25 policy in the code of Virginia favors oil and gas

1 exploration and production.

2 Governor McDonnell's energy plan calls for
3 all of the above approach including offshore
4 conventional and renewable energy development.

5 Eighty percent of Virginia's voters favor expanded
6 offshore energy development, and our elected officials
7 at all levels support development on a bipartisan
8 basis. America needs this domestic energy source, and
9 while Virginia enjoys a lowering unemployment rate, we
10 need the jobs. The lack of modern data hinders efforts
11 to assess available resources.

12 In conclusion, on behalf of Governor
13 McDonnell, I want to thank Interior and BOEM for coming
14 to Norfolk to hold this important hearing. Thank you
15 very much.

16 MR. BEAUDREAU: Eileen Levandoski.

17 MS. LEVANDOSKI: Is there a possibility of
18 upping those lights so I can read?

19 MR. BEAUDREAU: We'll check.

20 MS. LEVANDOSKI: Little better. Good
21 afternoon. My name is Eileen Levandoski. I am the
22 Virginia Conservation Program Manager with the Sierra
23 Club, and I am a resident of Virginia Beach.

24 The seismic study is completely unnecessary
25 when it comes to supporting Virginia's offshore wind

1 development. Such geological and geophysical studies
2 are already covered by the Programmatic Environmental
3 Assessment that BOEM has already approved for the
4 Mid-Atlantic wind energy areas that includes Virginia.

5 Secretary of Interior Salazar and others
6 contend that seismic testing will not only reveal how
7 much oil and gas may be on the Outer Continental Shelf
8 but will also benefit for the research to the offshore
9 wind industry. However, it's really "dynamite versus a
10 hammer" when comparing the level of seismic study
11 necessary for oil and gas versus that for offshore
12 wind.

13 The oil and gas industry wants to know what
14 is hundreds and thousands of feet below the seafloor.
15 To get information from that far below the ground, they
16 use extremely loud airguns. But the renewable energy
17 industry only wants to know what's on the seafloor and
18 just below, so they use echo-sounders and sub-bottom
19 profilers that are generally many orders of magnitude
20 quieter than airguns.

21 The difference is on the order of 250 plus
22 decibels for airguns versus 200 decibels for sub-bottom
23 profilers and echo-sounders. That's a huge gap since
24 intensity goes up ten times for every ten decibels you
25 gain. Not to mention that airguns put out broadband

1 sound, potentially affecting everything in the ocean
2 that can hear, while the sources used by renewable
3 industry are limited to a small part of the frequency
4 spectrum.

5 Having our wildlife and fishing and tourism
6 industries to explore for oil and gas is also
7 unnecessary since we don't want drilling to go forward
8 in any case. Almost 2,000 Virginians participated in
9 Hands Across the Sand protest to speak out against
10 using drilling off our Virginia coast. Our coastal
11 environment is just too precious to risk with any
12 drilling-related activity, to include seismic.

13 While the Gulf and its people are to date
14 still reeling from the BP Gulf oil spill disaster, other
15 spills have since occurred off the coast of Scotland in
16 the North Sea and off the Brazilian coast. The risk
17 continues to be real and formidable. Why even kick off
18 the process with exploration?

19 Harmful seismic studies aren't needed for
20 offshore wind development, a clean energy source that
21 we can all support. The Sierra Club is ready to join
22 BOEM to help power America with clean renewable energy,
23 but we won't accept offshore drilling off our coast and
24 we won't accept putting our marine life at risk with
25 seismic airguns. Thank you.

1 MR. BERGSTEDT: Please don't forgot to
2 provide your written comments. Thank you. Mike Ward.

3 MR. WARD: Good afternoon. My name is
4 Michael Ward, Executive Director of Virginia Petroleum
5 Council, division of the American Petroleum Institute.

6 Thank you for the opportunity to speak today
7 about this PEIS, which will support the issuance of
8 geological and geophysical study on the activities on
9 the Atlantic Outer Continental Shelf.

10 The oil and natural gas industry has a long
11 history of working with the Department of Interior to
12 develop this country's natural resources to the benefit
13 of U.S. economy and all Americans. Our industry stands
14 ready to invest in exploration off the Atlantic OCS.
15 This PEIS is a needed first step to begin the process
16 of generating the data to allow for more robust
17 estimates for the potential for oil and natural gas
18 development in this area.

19 Generating new data is very important for the
20 Atlantic OCS, given the current estimates are based on
21 decades-old data and have not benefited from the
22 technological advances in seismic surveying and
23 computer modeling used by the industry today.

24 Although it's difficult to accurately
25 estimate the amount of resources without the benefit of

1 drilling, current estimates are likely to be
2 conservative, given that the history has shown active
3 exploration and development often leads to increased
4 resource estimates.

5 However, the belief that moving forward with
6 this decision can quickly lead to filling the
7 information gap that we need in potential oil and gas
8 resources is misguided. This gesture falls short in
9 initiating forward-thinking and comprehensive energy
10 policy.

11 In fact, the data-collection activities
12 envisioned by the Administration will not likely happen
13 unless companies are convinced the prospects for
14 leasing in the Atlantic OCS in the near future are
15 real. As we all know, the current OCS policy does not
16 allow for lease sale for Virginia or the Atlantic until
17 2017 at the earliest.

18 It is important to remember that the
19 government does not generate this data. As you
20 mentioned, seismic companies do. And they generally do
21 this on a speculative basis. They hope to sell the
22 data to operators who are looking to purchase lease
23 sales in an area or in lease areas. Since there is no
24 lease sales scheduled in the Atlantic and thus no
25 potential customers, seismic companies have little

1 incentive to gather new data.

2 Also, it's noticed that the North Atlantic
3 planning area is not included in this plan. That's
4 another step that should be followed because wherever
5 seismic work will occur, marine exploration is
6 carefully regulated by the Federal Government and
7 managed by the operator to avoid impacting marine
8 mammals. Current regulations require that trained
9 marine mammal observers are onboard to watch for
10 mammals. When starting a seismic survey, operators use
11 a ramp-up procedure to gradually increase the sound
12 level being produced, which allows animals to leave the
13 area if the sound is uncomfortable. Also, operations
14 stop if a marine mammal enters an "exclusion zone"
15 around the operation and not restarted until the zone
16 is all clear for at least 30 minutes.

17 Considering economic benefits, we can create
18 more jobs and generate more revenue if allowed to
19 responsibly develop and produce here in the United
20 States more of the oil and natural gas we all need.

21 The more development, especially on public
22 and federally controlled waters, requires that industry
23 and government share a vision of the potential benefits
24 and act as partners to fully realize them.

25 While Atlantic OCS leasing and development

1 would help the nation and its economy, it would also
2 have a significant positive effect on Virginia's
3 economy. It would bring much needed jobs in a variety
4 of industries. According to a recent Wood Mackenzie
5 study, opening up the Atlantic offshore study areas
6 that are currently unavailable could bring over
7 thirteen thousand jobs to Virginia.

8 We are not talking about jobs directly
9 associated with oil and natural gas development, but
10 the jobs created indirectly by those companies that
11 supply equipment and other support services, both
12 onshore and offshore.

13 In addition, offshore development can
14 generate much needed revenue for critical services,
15 including roads, environmental conservation and
16 education. According to a Wood Mackenzie study, \$1.9
17 billion in revenue could be generated for the
18 Commonwealth of Virginia from 2012 to 2030 if offshore
19 development were allowed to take place in areas
20 currently off-limits from development.

21 We appreciated the opportunity to comment on
22 this PEIS for geological and geophysical studies in the
23 Atlantic. The oil and natural gas industry stands
24 ready to invest in safe exploration and the development
25 of the OCS should Administration policies change to

1 take full advantage of all the opportunities that are
2 present. Thank you.

3 MR. BERGSTEDT: Thank you. Barry DuVal.

4 MR. DUVAL: Thank you, Mr. Director and
5 members of the Administration. Thank you for being
6 here today. I am Barry DuVal. I am President and CEO
7 of the Virginia State Chamber of Commerce. I
8 appreciate the process of public hearing and public
9 input. I served six years as Mayor of Newport News and
10 also four years as Secretary of Commerce and Trade for
11 the Commonwealth of Virginia and have a sense of both
12 the value of our ecosystem as well as the impact it has
13 on our commerce within the Commonwealth of Virginia.

14 I am here today as President and CEO of
15 Virginia State Chamber of Commerce which has over
16 thirteen thousand businesses. We represent over one
17 million employees in Virginia, and I am here today to
18 encourage you to move this process along in the most
19 expeditious path as possible.

20 We believe at the Virginia State Chamber that
21 all the above both espoused by our governor currently,
22 Governor McDonnell, as well as President Obama is a
23 compatible path to go down. We believe that offshore
24 wind energy as well as oil and gas include all of the
25 above.

1 The Virginia business community sees that
2 there is great potential for economic benefit for the
3 private sector, but we also believe there is
4 opportunity for revenues for state and Federal
5 Government. And equally importantly, we believe that
6 we have proven in other places in the world that you
7 can explore for oil and gas as well as produce them in
8 an environmentally sound and economically sound
9 fashion.

10 So I want to encourage you on behalf of the
11 business community of Virginia to take steps forward
12 that will allow this process to move in an expeditious
13 fashion. Look at the national implications of the
14 decisions that are made. It seems to me that we are
15 somewhat at a crossroads in America. We can kind of
16 continue to bring energy in from other parts of the
17 world that are less friendly towards us or we can look
18 at our own domestic resources and realize that with the
19 proper environmental controls, we can find ourselves on
20 a path to energy independence.

21 So I encourage this process to move forward.
22 Clearly without the data we won't be able to implement
23 the actual work, but I want to thank you, the Director,
24 and thank you those who are here for the public hearing
25 as part of this process. I understand the value of

1 what you're doing and we hope that the results of your
2 study will allow us to take the next step in exploring
3 this offshore energy resource.

4 Thank you for allowing me to speak today.

5 MR. BERGSTEDT: Thank you. Deborah Murray.

6 MS. MURRAY: Good afternoon. My name is
7 Deborah Murray. Thank you for the opportunity to
8 speak. I am an attorney with the Southern
9 Environmental Law Center based in Charlottesville,
10 Virginia.

11 The Southern Environmental Law Center is a
12 regional organization, and we've worked for more than
13 twenty-five years to protect the coastal resources in
14 Virginia, the Carolinas, Georgia and Alabama.

15 We are opposed to the Administration's plans
16 to allow for seismic exploration for oil and gas
17 because of the environmental harm, the harm to marine
18 animals as well as the potential threats to our
19 fisheries and coastal economies.

20 The potential risks are tremendous. As just
21 one example, the airguns that release blasts of
22 compressed air every ten seconds for days, weeks and
23 even months on end, the noise that's generated is
24 extremely loud. Imagine living next-door to a site
25 where dynamite blasts occur every few seconds. And

1 this noise can mask whale calls over thousands of miles
2 interfering with their ability to communicate with one
3 another and to breed, and in some cases forcing these
4 whales to abandon their habitat over areas as large as
5 a hundred thousand square miles.

6 In closer proximity, the airgun blasts can
7 cause injury, death, loss of hearing to mammals and
8 other animals that depend on sound. The Northern Right
9 Whale is especially vulnerable. As pointed out in the
10 slides, it calves off of the coast of Georgia and
11 Florida and migrates up and down the Atlantic coast.
12 This species is virtually -- it is right on the brink
13 of extinction with only some 300 to 400 individuals
14 remaining.

15 The seismic surveys can also threaten our
16 fisheries. Studies have shown and in fact it has been
17 shown that the use of these airguns can displace
18 commercial fish over vast expanses as well, over
19 thousands of square kilometers. This is important not
20 only for the fish but also for our coastal economies.

21 In just Virginia alone, the commercial sales
22 of fish amounts to more than \$1.7 billion and for
23 recreational sales in Virginia annually over
24 \$580 million. And the commercial sales support more
25 than 24,000 jobs. We are opposed to the

1 Administration's plans to allow for seismic exploration
2 not only because of these environmental threats and
3 others but also because it is a first step toward
4 allowing oil and gas exploration which we oppose.

5 Instead, we would urge the Administration to
6 abandon these plans and instead to redirect and focus
7 its efforts on continuing to expand fuel efficiency
8 standards, to improve efficiency of cars, reduce the
9 demand for oil and save consumers money and to also
10 develop alternative renewable energy sources.

11 We cannot drill our way to lower gas prices.
12 The information from the energy information agency
13 shows that even if we were to fully develop all the
14 recoverable oil reserves anywhere off our coast in this
15 entire country, it would only lead to a lowering of gas
16 prices at the pump of three cents, and that itself
17 would take over twenty years.

18 So in closing, I want to thank you for the
19 opportunity and we urge the Administration to adopt
20 Alternative C. Thank you.

21 (Clapping)

22 MR. BERGSTEDT: Catherine Molina.

23 MS. MOLINA: Thank you for the opportunity to
24 comment. My name is Cathy Molina. I am an associate
25 attorney with the Southern Environmental Law Center in

1 Charlottesville, Virginia. As my colleague, Deborah
2 Murray, just stated, SELC is opposed seismic activities
3 in the Mid- and South Atlantic.

4 To offer a regional perspective for my
5 colleague's comments, in four coastal states of the
6 South Atlantic; Virginia, North Carolina, South
7 Carolina and Georgia, more than 36,000 jobs are
8 supported by the seafood industry and more than 29,000
9 jobs are supported by the recreational fishing
10 industry. Together these two industries which depend
11 on healthy fisheries and coastal environments generate
12 more than \$6.5 billion in sales annually. Seismic
13 exploration would jeopardize the regional economy if
14 these resources are harmed.

15 In addition to adverse effects on fisheries,
16 noise from seismic surveying can also harm sea turtles,
17 and additional vessel traffic presents an increased
18 risk of shipwrecks. Species of sea turtles that live
19 and migrate through the Atlantic include a number that
20 are listed as federally endangered including the
21 loggerhead and leatherback sea turtles. These animals
22 respond negatively to noise and there is concern that
23 intense noise may drive them and other species to the
24 surface where they are more vulnerable to the hazards
25 of ship strikes, predators and fishing.

1 Further, because of their swimming habits and
2 the amount of time they spend underwater, sea turtles
3 would be exposed to the highest levels of sound. These
4 harms and the harms outlined by my colleague in her
5 earlier comments show that the Administration should
6 keep dangerous oil and gas exploration off of our
7 coasts and look instead to clean renewable energy
8 sources such as offshore wind.

9 Thank you again for the opportunity to speak.

10 (Clapping)

11 MR. BERGSTEDT: Georgia Saunders.

12 MS. SAUNDERS: Good afternoon. I am a
13 concerned citizen. I live in Virginia Beach and I am
14 very much opposed to this seismic exploration and
15 drilling off of our coast. I hear from my friends in
16 the Gulf of Mexico every single day of shrimp caught --
17 catches of shrimp with no eyes, fish with lesions,
18 bleeding lesions, dolphins sick from a mysterious
19 disease that no one seems to know the cause of even
20 though they dumped all that toxic chemicals into the
21 water, fishermen who no longer have a livelihood and
22 are still battling to get their money just so they can
23 pay for their house, so they can feed their families.
24 Is that what you want to happen here in Virginia?

25 I am always proud when I talk and I say,

1 well, that's never going to happen in Virginia. We
2 love our waters too much. We love our coastline too
3 much. We are not going to let that happen, especially
4 not for greedy corporate profits. That's all I have to
5 say. Thank you.

6 (Clapping)

7 MR. BERGSTEDT: Mike Brown.

8 MR. BROWN: Good afternoon. My name is Mike
9 Brown. I am here representing the Southeast Energy
10 Alliance which is the southeastern chapter of Consumer
11 Energy Alliance. CEA is a nonpartisan nonprofit group
12 dedicated to expanding the dialogue between the energy
13 and consuming sectors to ensure balanced national
14 energy policy. I am pleased to be here and I thank you
15 for your time today.

16 Considering that more than thirty years have
17 passed since the last estimates of Atlantic OCS energy
18 resources were completed, we must allow for seismic
19 studies to be conducted in an environmentally friendly
20 manner so that proper resource assessments can be made
21 to support future lease sales.

22 With the availability of newer and better
23 seismic exploration technologies, it is likely current
24 estimates of oil and natural gas resources in the
25 Atlantic will change. New technology will allow for

1 the development of resources that were previously
2 thought unrecoverable as well as finding new locations.

3 In fact, further exploration has led to
4 increased resource estimates in parts of offshore
5 Alaska and the Gulf of Mexico where oil estimates
6 increased by four hundred percent and natural gas
7 estimates doubled between '95 and 2003. Quite simply,
8 there is much for us to learn about the energy
9 resources contained within the Atlantic waters and we
10 must begin that process now.

11 We must recognize the tremendous economic
12 impact and opportunity that safe and responsible
13 offshore energy exploration presents to the citizens of
14 individual states and the nation at large.

15 According to a 2010 report from the Southeast
16 Energy Alliance, oil and gas development off Virginia
17 could add approximately 365 in gross domestic product
18 annually, generate almost \$19.5 billion in revenue for
19 federal, state and local governments and create about
20 1900 jobs in the Commonwealth.

21 Bipartisan leadership within the Commonwealth
22 overwhelmingly supports exploration and development of
23 its offshore energy resources. Virginia understands
24 well the value that offshore energy production can add
25 to the state's economy and energy security. In

1 addition, our policymakers have thoroughly considered
2 the steps necessary to ensure any further development
3 does not impede with military operations in the area.

4 In conclusion, CEA feels that with the
5 appropriate mitigation measures, seismic surveys can be
6 undertaken with little or no impact to marine life. As
7 such, we hope that the process surrounding the
8 development of the PEIS moves forward expeditiously so
9 this essential data can be available as soon as
10 possible to support future resales and ensure
11 development of the Atlantic proceeds.

12 The Southeast Energy Alliance thanks the
13 Bureau for its work and effort on this process, and I
14 thank for your time.

15 MR. BERGSTEDT: Susanne Bell.

16 MS. BELL: Hi, I thank you for allowing me to
17 be here to speak today. I am Susanne Bell, and I am
18 actually a member of the Sierra Club. I am a member
19 activist, a long time resident previously of
20 Chesapeake, Virginia and involved in local politics
21 where I was assigned to be on the Mayor's Task Force
22 for the Planning Commission Comprehensive Plan for the
23 South Military Reinvestment Project.

24 Now, I am here as a citizen today and a
25 member activist of the Sierra Club. I am here to stand

1 up for the voiceless that cannot speak. I am against
2 the seismic survey which is intended to reveal
3 locations of oil and gas deposits below our Virginia
4 Beach shores. I recently moved back to Virginia Beach
5 where I grew up because of the beautiful shores,
6 because I have family in the area, all of us enjoy the
7 oceanfront.

8 I realize this is the first step of the
9 offshore drilling which I am against only because of
10 the impact that it will have on our environment, and I
11 know that you-all have done a lot of research and you
12 spent a whole year on this project, and I think that
13 the way of the future is the alternative fuels.

14 I think the way of the future is, as you can
15 see, it's being picked up everywhere. I mean, there is
16 no reason why you couldn't have invested all this
17 year's time in talking to our military, which we have
18 so much of here that would work with you on getting the
19 beautiful offshore wind mills which would provide us
20 with the energy that we need which is clean energy.

21 The endangered Right Whale, there are only
22 400 in the world, they would be affected. The
23 environmental impact of this would be huge on our
24 marine life. This would affect their breeding. The
25 airgun testing could affect their hearing, their

1 central nervous system which has not been investigated.

2 The only way this would not affect the fish,
3 even if you are doing it, you know, if it's a vessel
4 coming through would be different. I mean, if you are
5 slowing it down on vessel time, you know, you are
6 slowing it down, as you said, the vessel time. If all
7 of our fish had earmuffs, you know. The central
8 nervous system, it would effect and impact life as we
9 know it would be changed for these poor sea creatures.

10 All by the hand of man. Now, how can you
11 harm the innocent wildlife and fishing which would
12 effect direct tourism in Virginia Beach which is big
13 revenue, big big revenue for the city of Virginia
14 Beach? We cannot afford another oil disaster on any of
15 our coasts at all.

16 I could not imagine the heart break of the
17 lives lost of the innocent, the ones without a voice,
18 the voiceless. The ones that are held accountable by
19 God, we realize something has to be done. Clean
20 sources are, you know, we know are all available. We
21 all would support the wind energy, the offshore wind
22 development. Harmful studies aren't needed for this.
23 This is the way of our future and our children's future
24 to save our mother earth. That's all I have to say.
25 Thank you.

1 (Clapping)

2 MR. BERGSTEDT: Bob Matthias.

3 THE WITNESS: Ladies and gentlemen, thanks
4 for allowing me to speak today. I am Bob Matthias with
5 the city of Virginia Beach. The city of Virginia Beach
6 has committed to energy development off the coast of
7 Virginia. We, therefore, are completely in support of
8 the proposed geological and geophysical studies are
9 needed before either offshore wind energy can take
10 place or offshore oil and gas development can move
11 forward.

12 The city has been a leader of the development
13 of wind energy off the coast of Virginia. In 2009
14 Mayor Will Sessoms started an Alternative Energy Task
15 Force which provided a report to Council last year.
16 Although it addresses much issues, the report as
17 adopted by Council strongly supports the development of
18 offshore wind energy and offshore oil and gas
19 development.

20 Several examples exist in the City's
21 leadership in developing offshore wind energy. The
22 City is a founder of the Virginia Offshore Wind
23 Coalition or VOW. We have a City staffer who is a
24 gubernatorial appointee to the Virginia Offshore Wind
25 Development Authority, and the City provided five

1 hundred thousand dollars for an engineering study to
2 analyze the sensibility of constructing a
3 meteorological tower on the Chesapeake Light Tower to
4 investigate the feasibility of that location providing
5 market quality studies on wind development off the
6 coast of Virginia Beach.

7 We believe large scale wind development can
8 happen off the coast with little to no environmental
9 impact. In fact, when visiting the Chesapeake Light
10 Tower multiple times as we pursued that site as a
11 meteorological tower, we noticed an almost complete
12 absence of any evidence of large scale bird activity.

13 And as for offshore oil and gas development,
14 it will take place close to 50 miles off the coast of
15 Virginia Beach, at least by 2020, the Council when
16 adopting the Alternative Energy Task Force Report added
17 a caveat, that it should be done to the safest extent
18 possible and have no detrimental effect on the
19 operations of the United States Department of Defense,
20 National Aeronautics and Space Administration or
21 Wallops Island, which hopes to develop a growing space
22 exploration and launch site.

23 I will also add we are also very interested
24 in minerals. We put a lot of sand in our beach over
25 the years, and we actually have quite a bit of

1 information that we've gathered between the Corps and
2 Virginia Institute Marine Science. We would be happy
3 to share with you on mineral resources, primarily sand
4 within five miles of the coast.

5 Again, thank you for the opportunity to
6 testify today. I will provide you with a copy of the
7 resolution adopted by Council supporting Mayor Sessoms'
8 Alternative Energy Task Force Report. Thank you.

9 (Clapping)

10 MR. BERGSTEDT: Bryan Pennington.

11 MR. PENNINGTON: Good afternoon. I am Bryan
12 Pennington, Director of the Inner Government Relations
13 for the City of Norfolk, and on behalf of Norfolk City
14 Council, I would like to welcome you to our fair city
15 and we appreciate having the opportunity to host you in
16 this important occasion.

17 We understand that there has not been any
18 geological or geophysical studies off the coast of
19 Virginia since the 1970s. And we feel it makes a lot
20 of sense to better understand what resources may
21 actually be available. Technology has greatly improved
22 since the 1970s, as we feel we might not have all of
23 the most accurate facts about what is contemplated out
24 on the shoreline.

25 We believe informed decisions are best

1 decisions so Norfolk supports the proposed geological
2 and geophysical studies contemplated in the referenced
3 program in the EIS. Norfolk also continues to support
4 responsible environmental stewardship. Thank you.

5 (Clapping)

6 MR. BERGSTEDT: Shiela Rybak.

7 MS. RYBAK: My name is Shiela Rybak, and I
8 live in Virginia Beach. Thank you for giving me this
9 opportunity to express my concerns. All I would like
10 to say is no, no, no to seismic exploration off our
11 coasts and yes, yes, yes to renewable sources of
12 energy. We have the wind. We have the sun.

13 The environmental impact on our sea mammals
14 would be incredible. It is very fine to say we make
15 sure the whales are out of the way and we make sure
16 there is nothing in the area. That's kind of a joke.
17 How do you make sure when you are fifty miles off the
18 coast that there is not sea mammals in the area?

19 I believe this whole thing is about money and
20 power, and the most sensible thing we should do is look
21 into wind and solar. Have we learned nothing from the
22 Valdez Exxon spill and the BP debacle? That was
23 supposed to be so safe. They knew there were problems
24 with it and they did nothing, and people are
25 devastated. The oceans are devastated. The mammals

1 are devastated, and I have no title.

2 I am just one of the general public. I am a
3 caring consumer. I care very much for the marine
4 mammals and the tragedy they have to suffer from our
5 greed.

6 What we need to do more than anything is we
7 need to learn to conserve more. If everybody did their
8 part just a little bit, save, think about how much
9 gasoline you are burning when you are just going around
10 the corner to get a bottle of milk. Just think how
11 much water you are running down the drain.

12 Every choice you make of every day effects
13 some other living creature on this earth, and it is up
14 to us to start caring more and using less.

15 If every one of us had to go to Europe which
16 I wish we could, England is my home. They pay eight to
17 nine dollars a gallon of gasoline. I hope and pray
18 that we will eventually get to have to pay that much
19 because that will get the tremendous vehicles off the
20 road, the SUVs, the massive un-energy efficient
21 automobiles. The whole thing is we have to care that
22 we share this planet with every other living creature
23 that would like to live here in peace.

24 I also am a voice for the voiceless, and I
25 care very much and it just absolutely devastates me

1 that we can only think about money and power and greed.

2 Thank you so very much.

3 (Clapping)

4 MR. BERGSTEDT: James Barton.

5 MR. BARTON: Hello. My name is James Barton,
6 and I am an internationally recognized expert on sea
7 dump munitions. In this capacity in the United States,
8 I have addressed the presidential commission, a
9 Congressional oversight committee hearing and federal
10 court case.

11 I have prepared a brief one-page position
12 paper that I think would be of interest to you and many
13 of the people in the room. The title of that is The
14 Need to Establish Threat Mitigation Protocols for
15 Offshore Natural Resource Development in Waters
16 Suspected to Contain Unexploded Munitions.

17 Responsible development of offshore natural
18 resources in waters fouled with unexploded munitions
19 can be accomplished but only if basic threat factors
20 are weighed at the planning stage. We have the
21 technology and superior service providers available to
22 conduct such operations, and given proper guidance and
23 funding, the potential for adverse impacts of these
24 efforts can be greatly minimized.

25 I give you a little background. The eastern

1 seaboard is littered with unexploded munitions from
2 decades of industrial scale dumping and live fire
3 exercises. Everything in the arsenal has been posited
4 off our shores. In addition to heavy iron bombs and
5 projectiles, there are thin cased chemical weapons, and
6 aluminum bodied one ton bulk containers filled with
7 liquid agent. Residues from once liquid state agent
8 can form more or less a solidified shoe at the bottom
9 of individual munitions and bulk containers.

10 Threat one: When chemical filled containers
11 are ruptured through the use of high powered seismic
12 technology, these shoes are also broken up, making them
13 more susceptible to disbursement across the seafloor.
14 This has already occurred in the Baltic Sea, where
15 solidified chunks of blister agent and white phosphorus
16 regularly wash ashore. Beachcombers mistake these for
17 amber and pocket them. Once the outer crust is brushed
18 away, they either get a blister agent burn or their
19 pants literally catch on fire.

20 The solution: Conduct archival research to
21 locate the general position of major dump sites. Use
22 more traditional and less destructive forms such as
23 wide area assessment such as magnetometer and side scan
24 sonar to pinpoint and investigate whether chemical
25 munitions are present. Chart these locations and avoid

1 the use of seismic testing in these areas.

2 Threat No. 2: Unlike large scale munitions
3 dumps, individual explosive filled iron bombs and
4 projectiles deposited through live fire exercises can
5 migrate great distances from where they first came in
6 contact with the seafloor. When these come into
7 contact with man-made structures like platforms, cables
8 or pipelines, two things are likely to occur. The
9 first is friction wear damage. The second is
10 dissimilar metals in the munition and structure
11 combined to advance electrolytic activity which quickly
12 overwhelms the cathodic protection originally designed
13 for a clean seabed, thereby weakening the structure.

14 The solution: In the North Sea where such
15 occurrences are common, inspection of these structures
16 performed using ROV or AUV technologies takes place
17 with greater frequency than in waters where unexploded
18 munitions are not present. They also embrace
19 remediation strategy to remove these items and have
20 done so successfully on numerous occasions. The cost
21 associated with these efforts are calculated at the
22 very beginning of the planning process.

23 And that's the extent of my prepared
24 statement. But in lieu, in light of the fact that you
25 have mentioned that this is an ongoing effort and

1 lasted in the Arctic, I would also point out there are
2 numerous radioactive wastes from the former Soviet
3 Union in the Arctic. We are talking dozens of reactors
4 and hundreds if not thousands of tons of radioactive
5 wastes in barrels and so forth. So these materials as
6 well can be damaged.

7 And I have identified chemical weapon sites
8 in the Aleutian Islands and other places in Alaska. So
9 for me as an expert, the question is where can I go
10 that I don't find munitions? I estimate there is a
11 couple million tons in the Great Lakes. I can point to
12 a ten mile spot in the Potomac River, a stones throw
13 from here, that has six to ten million munitions in
14 them. So they are everywhere.

15 We have been living with them silently and
16 okay, no big deal, but until you start to looking at
17 what we could do to help disburse these things or right
18 now they are pretty much where they are set in their
19 ways. But I personally don't want to see as a 20-year
20 resident of Norfolk and retired global bomb technician,
21 I don't want to send my family to the beach and have
22 their pants catch on fire. We can avoid this with a
23 little care and forethought. That's all I have to say.

24 (Clapping)

25 MR. BERGSTEDT: Ellis James.

1 MR. JAMES: Thank you. My name is Ellis W.
2 James. Mr. Director, we welcome you and the panel to
3 our wonderful city. I guess it would be easy for Ellis
4 James to say to you simply follow the science, follow
5 the reports because you've got most of them in hand
6 already.

7 There is currently an effort underway to
8 suggest that the data that was gathered 30 years ago
9 approximately is not really accurate for the present.
10 I submit to you there has been no major significant
11 change, otherwise the energy companies and the oil and
12 gas companies would have come back to the table that
13 they walked away from 30 some years ago.

14 It would be simple to say the way you avoid a
15 spill is not to drill. I'd like to pose a question for
16 you to seek an answer to in terms of not only
17 recognizing the terrible impacts on wildlife and sea
18 mammals that seismic testing will create and the
19 potential for devastating the city of Virginia Beaches
20 as well as the Southside Hampton Roads economy if there
21 is drilling and then there is an accident. I guess you
22 have paid close attention to the fact that people in
23 the Gulf and businesses in the Gulf are having a lot of
24 trouble being able to get the money that they were
25 promised as reparations for what the accident caused.

1 Now, none of the proponents, with all due
2 respect to them, have suggested how they are going to
3 deal with the issue of fallout from a major accident.
4 I'd like to call one other thing to your attention.
5 Natural gas has suddenly gone from boom to a
6 precipitous position on the cliff. Natural gas has
7 plummeted to about \$2.08 and the experts and the
8 analysts, think it's going to go as low as possibly a
9 dollar.

10 What's the problem? The problem is simple;
11 the United States has been bringing in all of this
12 natural gas, which after all when you drill for oil, we
13 get the natural gas, too, in most instances. The
14 United States capacity for storing natural gas is about
15 to significantly run out. Approximately within now to
16 the end of the year, our capacity for storing natural
17 gas is going to be done.

18 If that were to occur, everything that the
19 Administration hopes for and everything that the
20 industry hopes for in terms of freeing us from
21 dependence on others for our energy sources is going to
22 be up for grabs in my opinion.

23 We will see a strange site; LNG type ships
24 taking natural gas to other parts of the world because
25 our storage capacity, somebody forgot to double-check

1 what the influx of all of this natural gas is and
2 results in. Somebody forgot to double-check how it was
3 going to be handled.

4 I would certainly hope that BOEM would
5 closely look at that issue because it has a lot to do
6 with where we go and how we move forward. It is
7 obvious from the shirt that I proudly wear that I am
8 very much opposed to the offshore drilling, and I say
9 that to you with all due respect to my friends on the
10 other side of the issue. We need to take a much better
11 significant look at what it is we are proposing to do
12 in the Mid-Atlantic. We do not need to ruin our
13 Atlantic coast. Thank you.

14 MR. BERGSTEDT: We have several more people
15 signed up to speak but some important business has to
16 be taken care of and I would propose a five-minute
17 break and to reconvene. We can then hear from the rest
18 of the people who have signed up to speak and anyone
19 else who would like to speak after that. Five minutes,
20 please.

21 (Short recess taken at 2:34 after which the
22 proceedings continued at 2:44 p.m.)

23 MR. BERGSTEDT: Ladies and gentlemen, if you
24 could please take your seats. Tom.

25 MR. BENNETT: Let me just mention Director

1 Beaudreau sends his apologies. He was called away to
2 speak at the Maritime Association group that is cross
3 town here but he will be seeing all of the comments
4 whether he is actually here to receive them or not and
5 he appreciates everyone's participation.

6 MR. BERGSTEDT: Sam Schwartz

7 MR. SCHWARTZ: Thank you. I am representing
8 Senator Mark Warner today. The Senator apologizes that
9 he couldn't be here but sent a letter.

10 I applaud the Bureau of Ocean Energy
11 Management for convening a series of public meetings on
12 the environmental impact of proposed geological and
13 geophysical activities in the Outer Continental Shelf
14 along the Mid- and South Atlantic coasts. I am
15 particularly pleased that BOEM chose Norfolk as the
16 site for this meeting. I think it is important that
17 the Hampton Roads community have the ability to speak
18 directly to federal officials and ask questions about
19 offshore resources, energy exploration and seismic
20 testing.

21 I believe one of the most important pieces of
22 information we can gain from this process of
23 exploration is to get a clear, detailed accounting how
24 much oil and gas is present in the Atlantic Outer
25 Continental Shelf areas. Currently we are relying on

1 25-year-old data. In order to make an informed
2 cost-benefit analysis, we must have more information
3 about the amount and type of hydrocarbon resources and
4 any information on geological hazards. I support the
5 Bureau's attention to this because that is necessary to
6 ensure safe, operations and environmental protections.

7 I also urge the Administration to revise the
8 map of the Mid-Atlantic OCS to actually reflect
9 Virginia's resources as outlined in legislation that I
10 introduced along with Senator Jim Webb; the Virginia
11 Outer Continental Shelf Energy Production Act of 2011.
12 That legislation also provides for revenue sharing with
13 the Commonwealth of Virginia that would pay for
14 transportation infrastructure improvements as well as
15 land and water conservation as well as alternative
16 energy advancement. Development of Virginia's OCS
17 resources with accompanying revenue sharing between the
18 federal and state governments will attract well-paying
19 jobs and boost much needed domestic energy production.

20 I look forward to working with the Bureau to
21 ensure Virginia's resources are developed in an
22 environmentally sound and safe manner, including a fair
23 distribution of revenues between the federal and state
24 governments.

25 Sincerely, Mark R. Warner, United States

1 Senator.

2 MR. BERGSTEDT: Thank you.

3 Shannon Kindrick.

4 MS. KINDRICK: Good afternoon everyone. I am
5 Shannon Kindrick, District Director for Congressman
6 Scott Rigell. Thank you for the opportunity for
7 hearing the voices of the citizens. The Congressman
8 represents the entire Atlantic seaboard and state of
9 Virginia, and we are well aware of the risks that are
10 imposed and the concerns mentioned by the citizens, but
11 we also think it's important to learn the opportunities
12 that exist with this exploration.

13 So with that said, I would like to share this
14 letter from Congressman Scott Rigell addressed to the
15 Honorable Ken Salazar, Secretary of the Department of
16 the Interior.

17 Dear Secretary Salazar, I appreciate the
18 opportunity to participate in the public comment
19 process on the Administration's Draft Programmatic
20 Environmental Impact Statement for Mid-Atlantic energy
21 development. While I am encouraged that the
22 Administration is giving consideration to the vast
23 energy potential waiting to be developed off our
24 shores, I am disappointed in the slow, tedious and
25 dismissive approach that has been taken thus far.

1 Leaving Virginia's Lease Sale 220 out of the
2 212 -- sorry, 2012-2017 five-year Outer Continental
3 Shelf (OCS) energy plan was a clear indicator that this
4 Administration has no intention of seeing offshore
5 energy production in the Mid-Atlantic region any time
6 soon.

7 I welcome the opportunity for seismic studies
8 to supplement our understanding of the offshore energy
9 resources, but I do not see a legitimate market for
10 that data when there is no plan to allow the energy
11 potential to be developed. Energy producers will only
12 be willing to purchase the data when there is a clear
13 evidence that -- I'm sorry, when there is clear
14 evidence they will be able to recover their investments
15 by harvesting the energy resource.

16 The ban on coastal energy is a ban on jobs
17 and a ban on the revenue we need so Virginia can have
18 healthy schools, healthy children, and better roads.
19 This is why I introduced the Mid-Atlantic Energy and
20 Jobs Act of 2012 (HR3882) to open in a environmentally
21 responsible way the OCS off the coast of Virginia for
22 energy development. The legislation would help move
23 America away from its dangerous reliance on foreign oil
24 and create an estimated 18,000 direct and indirect
25 local jobs.

1 This is not the time for another
2 government-funded study. It's time to unleash the
3 greatest economic engine the world has ever known - the
4 American entrepreneur - to create jobs, cut our
5 dangerous reliance on foreign energy and grow the
6 economy.

7 Yours in Freedom, Scott Rigell, Member of
8 Congress.

9 MR. BERGSTEDT: Sally McNeilan.

10 MS. MCNEILAN: Thank you. I am a member of
11 the Virginia Offshore Wind Coalition Executive
12 Committee and I am an employee of Food Grow. The G&G
13 studies you are proposing are extremely important for
14 the development of energy, both the renewable and
15 conventional, but more importantly, we have no idea of
16 what is off our coast.

17 We have this huge area. It is a frontier
18 area. There is very limited knowledge and it is only
19 spotty, and we don't know what's out there. A few
20 years ago off of Florida, there was a -- Woods Hole
21 discovered several tracks of white coral. No one knew
22 they were there. We don't know what's out there. We
23 may discover things out there when we are doing these
24 studies.

25 Yes, we will be investigating one to two

1 hundred meters. That is important for both resources,
2 for foundation designs and that sort of thing, but we
3 will also be discovering what is there. And if what is
4 there is things that should be protected, then you will
5 have the opportunity to make another Pennekamp or
6 something like that and protect areas that need to be
7 protected and allow development where there are the
8 resources. This is extremely important. These are our
9 national resources and we need to obtain this
10 information in a responsible manner.

11 MR. BERGSTEDT: Christine Morbach.

12 MS. MORGAN: Christine Morgan.

13 MR. BERGSTEDT: Morgan, excuse me.

14 MS. MORGAN: My name is Christine Morgan. I
15 am here as a citizen, resident of Virginia Beach and
16 small business owner. I know that Senator Wagner said
17 that a vote against a study is a vote for ignorance.
18 In most cases I would agree with that, but in some
19 cases it might actually be a vote against unneeded
20 spending and unneeded effort.

21 I am opposed to the seismic testing that is
22 being proposed right now. This is the third time I
23 have been here to a hearing on this subject so I will
24 say it again. We do not want this seismic testing
25 because we do not want drilling in any way, shape or

1 form. (Clapping)

2 Contrary to what you have been hearing from
3 our elected officials, most residents of Virginia Beach
4 do not want this activity. And the last I heard, the
5 Navy and Nassau, and even my own mayor, last I heard,
6 he didn't want it either. So I guess I am operating on
7 old information here.

8 Seismic testing is dangerous. It's
9 disruptive to marine life. We have already heard a lot
10 about it, and I am sure as you know, Mr. Beaudreau, as
11 a geologist, there is also the question no one brought
12 up of that the seismic testing is so intense it
13 actually could trigger a submarine landslide. I have
14 been reading a little bit about that studies, earlier
15 studies. Have found cracks in the continental shelf
16 off the coast of Maryland and there already has been an
17 event of that nature resulting in, you know, a small
18 tsunami, but nevertheless, it's something to consider.

19 Drilling is dangerous. It's dangerous
20 business. It's not going help Virginia in the least.
21 It is also in my opinion completely unnecessary. The
22 oil and gas industry already have leases that they
23 aren't even using yet. And again, you know, I admire
24 President Obama for putting a hold on things.

25 I know that Mr. Domenech wondered what the

1 difference was between two years ago and now, but
2 apparently he forgot about the deepwater incident which
3 we are still seeing the effects of.

4 I just don't believe for one minute that oil
5 drilling can be done safely. I think -- I'm sorry,
6 obviously I am not a public speaker but I really feel
7 strongly about this. Accidents are a given. It's a
8 dirty business. It threatens our tourism industry,
9 jeopardizes our already healthy economy. It interferes
10 with a promising wind-generation industry, and it puts
11 at great great risk everything that makes our area
12 unique.

13 I am an optimist, and I believe that our
14 elected officials are trying to work for our greater
15 good, therefore I cannot fathom why they are so willing
16 to freely give away our most precious resource.
17 Please, let's leave Virginia alone. Thank you.

18 (Clapping)

19 MR. BERGSTEDT: Barbara Suruga.

20 AUDIENCE MEMBER: I am speaking on behalf of
21 Ms. Suruga who had to leave early. Ms. Suruga says: I
22 vote in Virginia Beach. Two years ago this summer
23 after the BP blowout, I was walking on our beach at
24 89th Street. Along with seashells I found a bottle
25 cap, an oil encrusted bottle cap. It must have made

1 its way from the BP Horizon oil well disaster. Its
2 impact was felt even here. BP is still not capable of
3 cleaning up its mess.

4 If you Google oil spills, you will see that
5 they are worldwide and continual, continual meaning
6 that there are lines that continue to leak copious
7 amounts of oil into the environment. I vote no to
8 drilling. I vote no to oil, gas and coal, all dirty,
9 dangerous and non-renewable as well as fracking energy.
10 I vote yes to wind, solar, tidal and all clean, safe,
11 renewable energy sources.

12 I encourage everyone to watch the documentary
13 Thrive online. Thank you for your time. God bless
14 America and its Democratic process. Thank you.
15 (Clapping)

16 MR. BERGSTEDT: That concludes the list of
17 people who signed up to speak before the meeting. Is
18 there anyone else who would like to make a comment
19 while we are still in session? Yes, sir. Come up to
20 the microphone, please, and say your name and please
21 spell it for the court reporter.

22 MR. GAGNON: My name is Chuck Gagnon. I am
23 referenced in the EIS should we miss the spelling. One
24 of you gentleman mentioned PAM, Passive Acoustic
25 Monitoring. It's what I have been doing for 40 years.

1 And in areas of the world, I have watched one
2 or two seismic profiler ships grow to thirteen or
3 fourteen. I have watched surveys go from the 1970s and
4 they still continue in the 2010s. These surveys once
5 they start, they don't stop. One of the elements are
6 the fourth dimension. You have a 2D, 3D, and fourth
7 dimension is time. So we repeatedly go out and
8 resurvey the same area over and over again and add
9 noise. It's quite a sneaky process.

10 Just in the last few days, I pulled up a
11 bottom mounted hydrophone, and I was monitoring a
12 profiler vessel off of Brazil from over 2,000 miles
13 away. And I am sure I am correct, I know exactly where
14 the ship was, what the ship's name is, et cetera. This
15 sound travels a considerable distance on a horizontal
16 plain. You will look at the studies and they will talk
17 about 30 miles out or 40 miles out, and the models
18 don't reflect what really happens in the ocean. So the
19 sound doesn't just go straight down. It spreads out
20 significantly.

21 And it impacts up into the hundreds of hertz.
22 It's not just down in the tens or 30 hertz region where
23 the industry will tell you the bulk of the noise is.
24 It does spread up, if you are close enough, in the
25 thousands of hertz.

1 So I am opposed to putting this type of noise
2 because I believe it will not be a one-time thing given
3 that if we find anything out there and given our thirst
4 for hydrocarbons and our stand-off from the green side
5 of business to where we are not pursuing the currents
6 and solar and wind energies because of lobbying, et
7 cetera, I stand against it having watched it for 40
8 years, watched what the ocean noise level does.

9 And what I do is I track whales. That's what
10 I do for a business. So I know a lot about whether
11 they react or not and all that, but as a citizen of
12 Virginia Beach, retired Navy squid type guy, I am
13 opposed to putting all this noise off the coast.

14 You stand here and you look out into the
15 ocean, you will see a vessel and you will not know
16 what's going on. You will not realize how intense that
17 noise is. It's quite significant. I will gladly
18 provide you with a DVD of it up close and personal and
19 you will hear that thump and all the echoes and all the
20 paths that come back to you as a receiver, and it's
21 quite significant. Thanks very much.

22 (Clapping)

23 MR. BERGSTEDT: Yes, sir.

24 MR. STANTON: Good afternoon. My name is
25 Charles Stanton. I am the Regional Representative for

1 Senator Jim Webb. I want to welcome Director Beaudreau
2 and the rest of the staff to Hampton Roads.

3 But for informational purposes, I wanted to
4 let everybody know the Senator is going to be issuing
5 comments for the record that will be coming from the
6 Washington office directly so I just wanted to let you
7 know that he will have some input on this issue as
8 well. Thank you much.

9 MR. BERGSTEDT: Yes, sir.

10 MR. FLEMMING: Thank you. I apologize for
11 not having anything written. My name is Bill Flemming.
12 I am a Virginia Beach resident. My background is I
13 have a Ph.D. in physics, although it's not anything
14 related to geology.

15 I have a friend who was involved in the
16 earlier studies by the oil companies up and down the
17 east coast. He was involved in the research to see if
18 there was any evidence of oil off the east coast.

19 He was a research geologist. And I happened
20 in February to have lunch in Houston, Texas with a
21 geophysicist who happened to also be involved in oil
22 exploration in another part of the country. Both of
23 them said there is no evidence of any oil of any
24 appreciable amount. Therefore, the studies that are
25 being proposed I expect will provide additional perhaps

1 more detailed evidence that there isn't anything out
2 there of economic significance to worry about.

3 That said, a lot of data that was collected
4 previously by the oil companies has been withheld. The
5 little bit that was released had some interesting
6 information including the discovery of a meteor hit at
7 the mouth of the Chesapeake Bay so I wanted to speak as
8 a scientist that any data that is collected from these
9 studies should be made open and available to all the
10 universities so that research can be done using that
11 data.

12 In addition, it's been mentioned that there
13 is going to be the use of acoustic sensors, and there
14 is concern about the lives of whales and mammals either
15 by acoustics damage or boat strikes.

16 So I would like to propose that these
17 acoustic sensors be left in place or additional
18 measures be done to leave acoustic sensors in place so
19 that it's easier to track the migration of Right
20 whales, other whales, other mammals and large schools
21 of fish such as tuna and herring so that we have a
22 better idea of where they are and are able to better
23 protect them. Thank you. I will post e-mail comments
24 later.

25 MR. BERGSTEDT: Thank you, sir. Is there

1 anyone else? Yes, ma'am.

2 MS. LANGSTON: Yes. Thank you for coming to
3 our beautiful state of Virginia, especially Norfolk and
4 Virginia Beach area. My name is Diane Lee Langston.
5 And I'd like to say that my family came here in the
6 mid-1600s. Therefore, I am a conservative.

7 I want to conserve the beauty of Virginia
8 including her glorious waters, therefore I stand in
9 opposition to any seismic activity, and I stand in
10 support with previous speakers of your Alternative C.

11 Now, I worked for the United Nations
12 Development Program for more than 25 years. My husband
13 is a environmental engineer. We could have lived
14 anywhere in the world. We could have retired anywhere
15 in the world but we came back to Norfolk because of the
16 beautiful history here and the beautiful seashore and
17 the beautiful waters.

18 We live on Lafayette River which is a back
19 water of Chesapeake Bay. We enjoy the herring, the
20 ibis, the other, the doves, all of the waters around
21 us. My mother used to crab in that river. We are
22 working now with the City of Norfolk to restore the
23 pristine waters of the Lafayette River. We think any
24 oil drilling especially would be unnecessary.

25 I recall that Sarah Palin when she was

1 governor of Alaska, she appeared on the Charlie Rose
2 show about four years ago and she vociferously
3 complained that the oil companies were not sufficiently
4 using their leases in Alaska. Therefore, as one of the
5 previous speakers noted, there are many other avenues
6 for these oil companies to use their current leases.

7 Secondly, getting oil, if there is any oil
8 off of the coast of Virginia, will not lead to our
9 independence or security in energy because those oil
10 resources will be put on the global market and we will
11 have to again still compete with China and other
12 industrial countries including India for these oil
13 resources.

14 So we stand in support of mass transit, of
15 alternative energy uses, of wind mills and solar. I
16 would love to be able to afford to put solar panels on
17 my house right now. I have been wanting to put a wind
18 mill in my backyard if the city of Norfolk would
19 permit.

20 So please, please, think of the future of our
21 children here in Virginia and the seaboard of the east
22 coast. And thank you so much for coming to our
23 beautiful state.

24 (Clapping)

25 MS. GLENN: Hello. My name is Becca Glenn,

1 B-e-c-c-a G-l-e-n-n. I am a resident of Portsmouth and
2 I also work for an ocean conservation group called
3 Oceana, which has hundreds of volunteers, donors and
4 e-activists right near Hampton Roads.

5 I am strongly opposed to allowing airgun
6 surveys off our coasts because of the harm that would
7 be caused to the marine ecosystem. These airguns are
8 about the loudest sound humans make underwater short of
9 explosives, and so loud that they are known to cause
10 behavioral changes, hearing loss, injury, and death in
11 marine mammals. In fact, the Administration's own
12 estimates are that these surveys would injure up to
13 138,500 marine mammals.

14 While BOEM has included time/area closures in
15 Alternatives A and B, it is difficult to put area
16 limits on the impacts of airguns because the sound and
17 disruptions to marine life can travel through the water
18 for hundreds or thousands of miles. Just one airgun
19 array in the North Atlantic caused endangered fin and
20 humpback whales to abandon habitat over an area of more
21 than 100,000 square files.

22 Airguns displace commercial species of fish
23 as far as thousands of square kilometers away which has
24 reduced catch rates of species like cod, haddock and
25 rockfish, and led fishermen in Norway and other parts

1 of the world to seek industry compensation for their
2 losses.

3 A number of people here today have mentioned
4 that existing data is 25 years old, and there is a
5 reason for this; because oil and gas is an old and
6 outdated industry. We have the option now to use
7 newer, better, and cleaner technologies to bring energy
8 and jobs to Virginia. Countries in Europe and Asia are
9 operating these modern energy generation sources like
10 offshore wind, in some cases for as many as 20 years.
11 It's long past time for us to catch up.

12 I urge you to adopt Alternative C which would
13 allow for less destructive renewable energy exploration
14 while excluding airgun surveys. Thank you.

15 (Clapping)

16 MR. BERGSTEDT: Anyone else? Okay, if you
17 haven't seen the document yet, you have information on
18 where you can take a look at it to offer any comments
19 in writing that you wish to make. And with that, I
20 would close the meeting.

21 (Thereupon, the proceedings concluded at 3:09
22 p.m.)

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CERTIFICATE OF COURT REPORTER

I, Lois B. Boyle, RMR, do hereby certify that I reported verbatim the Bureau of Ocean Energy Management meeting.

I further certify that the foregoing is a true, accurate and complete transcript of said proceedings.

Given under my hand this 4th day of May 2012 at Norfolk, Virginia.

Lois B. Boyle, RMR
Notary Registration No. 203748

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