

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

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5 In Re:)
6 Programmatic Environmental)
Impact Statement)
7 Proposed Geological and)
Geophysical Activities in the)
8 Mid- and South Atlantic OCS)
Planning Areas)

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TRANSCRIPT OF PUBLIC HEARING

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AFTERNOON SESSION

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Sheraton Suites
422 Delaware Avenue
Wilmington, Delaware
Thursday, April 26, 2012
1:05 p.m.

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19 HELD BY: JAMES BENNETT - Division of
Environmental Assessment Chief

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APPEARANCES:

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JILL LEWANDOWSKI
MEGAN BUTTERWORTH
KIM OLSEN
ROBIN SCHURICHT
CAREN MADSEN

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1 MR. BENNETT: Well, good afternoon,
2 everybody. Welcome to this public hearing on the
3 draft programmatic environmental impact statement
4 for geological and geophysical activities in the
5 Mid and South Atlantic.

6 Safety first. The exit is right
7 behind you there. There are also exits this way,
8 in the event of an emergency. The stairs are
9 over by the elevator. And also, the restrooms
10 are just to the left by the reception desk.

11 My name is Jim Bennett. I'm the
12 chief of the Division of Environmental Assessment
13 with the Bureau of Ocean and Energy Management at
14 headquarters. And I want to note that the Bureau
15 of Ocean Energy Management, which was formed in
16 October of last year through reorganization, is
17 responsible -- we are a bureau within the U.S.
18 Department of the Interior, and we're responsible
19 for the development and the environmental
20 protection of Outer Continental Shelf resources.

21 We are here to take your comments on
22 the draft programmatic EIS, but I want to make
23 sure that you're aware we have some people here
24 that if you have issues that you want to discuss
25 or questions that you have aside from any

1 comment-taking that we're going to do, we're here
2 for that purpose, as well.

3 These people include Jill
4 Lewandowski, who is a marine biologist with our
5 headquarters office. Megan Butterworth, who is
6 also a marine biologist at headquarters. And we
7 also have some folks from CSA International, who
8 do a lot of work for us on our Outer Continental
9 Shelf activities, including Kim Olsen, who is the
10 deputy project manager for this project, and
11 Robin Schuricht, who is outside at the reception
12 desk.

13 So, like I said, we're here to hear
14 your comments. If you have questions, we'll be
15 happy to talk with you. And we would like,
16 before we take the comments, to give you a brief
17 overview of what the project is, and what the
18 environmental impact statement contains.

19 And with that, I'll turn it over to
20 Jill Lewandowski.

21 MS. LEWANDOWSKI: Okay. So we're
22 going to take just a few minutes now to go
23 through the different parts of the document, the
24 purpose for it, what sort of content you can find
25 in there, what are the different alternatives or

1 policy options that we're considering here. And
2 you know, then, at that point, we'll move on to
3 taking actual official notes.

4 Just to give you an idea of where we
5 are, we have been doing a number of public
6 hearings since April the 16th. We're nearing the
7 end of them now. There's a few more -- two
8 happening today, both in Wilmingtons, and one
9 more in Atlantic City tomorrow.

10 So far we've had a pretty good
11 turnout in some cities, and there's been a lot of
12 interest, so we have been pleased with the
13 turnout and the sorts of comments that we have
14 been receiving.

15 What happens, if you're not familiar
16 with the NEPA process, this EIS is being issued
17 under the National Environmental Policy Act, and
18 that's basically the opportunity for us as the
19 Federal government to share with you what we're
20 thinking of, the things that we're considering as
21 we're looking at these potential actions, the
22 sorts of mitigations we're thinking of
23 considering, the different alternatives.

24 And what we do after we develop the
25 draft programmatic EIS is we put it out for

1 public comment. And that's probably what you all
2 have seen at this point, and we allow a comment
3 period of 60 days.

4 During that 60 days, people can
5 submit comments in writing. You can come to the
6 public meetings that we have, you can contact us
7 if you have questions. It's all generally
8 focused on being able to solicit that information
9 on what you think about the analysis that we've
10 provided so far, and what options that you have a
11 preference for.

12 So again, we're here today to
13 provide you a little bit of an overview, and then
14 to also collect some comments from you. And we
15 do consider public input to be a very important
16 part of the NEPA process. It helps guide us into
17 what the stakeholders generally are feeling and
18 thinking about which direction that we should go.

19 Now, the purpose of the EIS,
20 basically, it was developed to look at a suite of
21 geological and geophysical measures that we had
22 gotten about -- and we'll talk about this in a
23 minute, but we had received a number of
24 applications from industry, from the oil and gas
25 industry, to go ahead and explore the Outer

1 Continental Shelf in the Atlantic.

2 We've also had a number of potential
3 wind farm locations that have also needed an
4 opportunity to explore those sites. And then we
5 do have a number of sand and gravel projects that
6 we operate in the Atlantic, where they also have
7 to use a lot of the same technology, albeit at
8 different intensive levels, to actually explore
9 these.

10 So what we wanted to do is look at
11 all of this programmatically, and see
12 cumulatively what the effects could be, may or
13 may not be, and what significant effects there
14 may or may not be, and make some decisions based
15 on that.

16 So pretty much as we go through it
17 and I explain the alternatives, most of it is
18 based on a different level of mitigation
19 measures. And we'll explain that in a minute,
20 and you'll see how we employ that to maybe help
21 provide some parameters to the surveys that may
22 or may not be decided on.

23 This gives you an idea. We did want
24 to make the point that we have had interest from
25 industry. As the Government, we are not going

1 out there doing these surveys ourselves.
2 Generally industry has to come to us and request
3 it. And right now, we've had about 11 different
4 applications over the last few years to conduct
5 these more deep seismic surveys for oil and gas.

6 We know there's been a number of
7 interests we've had for site assessment plans for
8 renewable projects like wind farms. And then, of
9 course, I mentioned we also have a sand and
10 gravel program that goes on, and those geological
11 surveys associated with the sand and gravel also
12 have to be permitted.

13 This slide gives you an idea of the
14 types of areas and the interest levels. Where it
15 darker, that's where more people have expressed
16 interest in exploring them, than where it
17 lighter.

18 And of course, this doesn't put into
19 effect any mitigations. This does not assume
20 that all these folks would be out there at the
21 same time, even if we were to approve them.

22 So, the proposed action. I
23 mentioned there's a number of permits that we've
24 had in, but just to make it clear, it's for the
25 two planning areas. We do actually have actually

1 four planning areas in the Atlantic, but the only
2 two we're talking about here are the Mid-Atlantic
3 and the South Atlantic.

4 So it does not cover anything
5 essentially north of Delaware or south of sort of
6 the -- not even the midpoint of Florida. And it
7 is to cover not just oil and gas program
8 activities, but also renewable program activities
9 and marine minerals, is what we would call sand
10 and gravel.

11 Geological and geophysical. If
12 you're not familiar with those terms, geological,
13 that's a lot of things that are done sort of in
14 the ground to test, whether it be to drill, from
15 light, sort of shallow test drilling, not the
16 type of drilling you would see like with an
17 exploratory -- where they're actually going to
18 drill a well that could actually produce. This
19 is just some test drilling.

20 Geophysical, most people are
21 familiar with seismic surveys. That's the type
22 of survey, geophysical survey that gets the most
23 interest. And they can use a lot of different
24 sources, sounds sources to do that. Sometimes
25 it's airguns, sometimes it could be a boomer, a

1 sparker, a chirper.

2 There's a lot of different things
3 that can be used, and the type of equipment
4 that's used and the size of it has a lot to do
5 with what kind of effect there might be or may
6 not be on the environment.

7 Routine operations, we're going to
8 go through pretty much in the analysis. We do
9 have a suite of subject matter experts that do
10 the analyses, with CSA International.

11 Basically what happens in an
12 analysis is you have meteorologists,
13 archaeologists, biologists, physical
14 oceanographers, socioeconomic.

15 You have all those folks that are
16 looking at this, and you're looking at what's
17 been proposed and you're looking at all the
18 different alternatives, and you're looking at all
19 the available information and the science, and
20 you're trying to decide and provide a written
21 analysis of what you think the impact could be to
22 the various resources, with and without the
23 mitigation.

24 And so, when we -- we do it
25 generally by routine operations, and you can see

1 the list there. And we also do the same analysis
2 for what we would call accidental events. In
3 this case it would be a fuel spill from a seismic
4 vessel.

5 And all the different "-ologies" I
6 mentioned, this slide gives you a little bit of
7 an idea of the different resource areas. This is
8 not a complete slide, but it will give you an
9 idea that we are trying to look at the
10 environment and the ecosystem as a whole, and not
11 just a few, you know, select resource groups out
12 of that.

13 Three alternatives that we've
14 identified in here. And again, we take the
15 proposed action, which is the level of activity
16 that's been put in front of us, whether it's been
17 through, again, applications we've received or
18 whether it's through interest that we know and
19 have been informed of that will be coming up.

20 And from there, when it comes --
21 because this is an EIS, it has a heavy focus on
22 noise exposure, because these -- the actions
23 themselves do put noise into the water.

24 So the alternatives that we've
25 broken down in here are basically the first one,

1 alternative A, is going to include a lot of basic
2 mitigation that we already associate with seismic
3 surveys in other areas of the U.S.

4 We've also put on there a time area
5 closure for North Atlantic Right Whales, and also
6 put in some additional mitigation. And I'm going
7 to show you those maps in a minute, so you'll get
8 to see visually what we're talking about.

9 Alternative B, I would say that
10 takes all the mitigations that were in
11 alternative A and it adds some additional ones to
12 it. It expands the time area closures. It adds
13 a small time area closure for sea turtles that
14 are nesting in Florida.

15 It talks about a separation distance
16 between surveys that are operating at the same
17 time, in order to allow a greater movement
18 corridor if an animal needs to move around, move
19 around vessels that are operating.

20 And alternative B does also require
21 a passive acoustic monitoring. If you're not
22 familiar with that, we basically do require that
23 there's visual observers that are out there on
24 these vessels, and that within a certain distance
25 from the vessel, from the sound source, they look

1 for marine mammals and sea turtles. And if they
2 see one, then the equipment either can't be
3 started up or it has to be shut down.

4 What passive acoustic monitoring
5 does is it adds another component. In addition
6 to the visual observers, you actually have
7 somebody down there listening. That's all
8 they're doing. They're listening to the sounds
9 that are going on out there.

10 You can actually triangulate a
11 position of a whale, if you're able to pick up
12 their noise. Because we recognize you can't
13 always see the animals, you know. And if you can
14 listen as well as look, that could potentially be
15 a greater protective measure.

16 And then alternative C is kind of a
17 combination of no action and status quo. No
18 action meaning that we wouldn't move forth on any
19 oil and gas, but right now we do have some
20 approvals that are going on for the smaller
21 surveys that are associated with renewables and
22 sand and gravel. So that would sort of maintain
23 its status quo, where we would look at those
24 actions one action at a time.

25 Okay. This is alternative A. So

1 we're looking here at the Right Whale closures,
2 and down in this area here you can see is where
3 there is critical habitat that's been designated
4 for the North Atlantic Right Whale.

5 And that's because that's an area
6 that's been identified by the National Marine
7 Fisheries Service as an area they do breed. They
8 have very new calves there, and it's an area that
9 has lots of protections to it, regardless of what
10 sort of anthropogenic activities might happen
11 there.

12 And there's also these corridors,
13 during certain times of the year, these pockets
14 that have been designated by NMFS again to be
15 reduced speed zones. So if you have a lot of
16 commercial vessels coming in there, there's an
17 issue with ship strikes from large ships and
18 Right Whales.

19 So we are just sort of -- we feel
20 that as a basic option in this alternative A,
21 that that's something that has to be in there;
22 that basically, we would have these time area
23 closures.

24 MR. PFEISTER: How far out do
25 those -- do these areas go?

1 MS. LEWANDOWSKI: They're about 20
2 nautical miles.

3 MR. PFEISTER: 20 nautical miles?

4 MS. LEWANDOWSKI: Yeah. 20 nautical
5 miles. And so, I do also want to make the point,
6 and it's a very important point. These are time
7 area closures for the use of seismic airguns.
8 There are other sources that can be used to do
9 these surveys that don't produce -- that are not
10 as intensive with the noise that they produce.
11 And those kind of surveys we would still consider
12 on a case-by-case basis with the appropriate
13 protective measures.

14 MR. NICHOLS: Do the alternative
15 time area closures pertain to the renewables
16 currently, or are they excluded in this closure?

17 MS. LEWANDOWSKI: Well, if a
18 renewables use -- the question was, do these time
19 area closures, would they also apply to
20 renewables? Yes, if they use the seismic airgun
21 it would. Same for sand and gravel.

22 So we're really making that
23 distinction between the use of the seismic
24 airguns versus a small suite of other tools that
25 can be used, that we don't feel put the same

1 amount of energy into the water as an airgun.

2 So it really doesn't matter what
3 it's used for. It's just whether or not it's
4 used.

5 Okay. This is alternative B, and
6 you can see there's some additional areas. That
7 20 nautical mile corridor has generally been sort
8 of extended through this whole area. Down off of
9 Florida there's been -- there's a sea turtle
10 nesting area here, that there's a small closure
11 area that we would add with that.

12 And again, to reinforce, the closure
13 areas would be for the use of airguns. If
14 someone were to come to us not proposing to use
15 airguns, we would look at that, even if it falls
16 within those times of year. Okay?

17 And this is just a close-up off of
18 Brevard County, Florida, where you can see, here
19 is the sea turtle closure area.

20 And I'll show you a slide in a few
21 minutes that compares all of these alternatives
22 together. Oh. Actually, here it is. So,
23 alternative A would have the Right Whale closure.
24 Alternative B would expand that. And of course,
25 C is a sort of no action/status quo.

1 The seismic survey protocol, that's
2 the same across alternatives A and alternative B.
3 And the seismic survey protocol is basically, you
4 have to have visual observers on board, you have
5 to establish a distance from the vessel that you
6 need to observe, and if a whale or a dolphin or a
7 sea turtle were to come up, or a pinniped, a
8 seal,' were to come up within that established
9 area, then that visual observer could shut down
10 the survey until the animals were to pass. Or
11 you don't start up the survey.

12 The protocol also has a measure in
13 there for ramp-up, and that's basically where you
14 slowly turn on your sound source, and you add to
15 it gradually, so you don't put it on at full
16 intensity at once. You actually sort of build.

17 And the thought behind that is that
18 animals, if they find it bothersome, have the
19 opportunity to move away from the area before it
20 actually gets to a hearing level that might be
21 more bothersome.

22 MR. NICHOLS: My name is John
23 Nichols. I live in Middletown, Delaware. I'm
24 questioning the mitigation measures and asking
25 whether or not the -- any of the mitigation

1 measures currently apply to any activity
2 associated with renewable energy?

3 MS. LEWANDOWSKI: Renewables? Yes.

4 MR. NICHOLS: Which ones, please.

5 MS. LEWANDOWSKI: Right now, again,
6 if it's not an airgun, the time area closure --
7 we haven't imposed a time area closure yet. This
8 would be an airgun or non-airgun issue. If a
9 renewable was to propose an airgun and it was
10 within that time period within the time area
11 closure, that alternative would say the answer is
12 no, you can't.

13 If they propose another type -- and
14 this could be the same for oil and gas or sand
15 and gravel. If they propose another type of
16 sound source during that time period where the
17 closure is in place, we could consider it. Okay?
18 It's really, it's not what it's for, it's really
19 what equipment it's using. Okay?

20 MR. NICHOLS: Okay.

21 MS. LEWANDOWSKI: And then the
22 seismic survey protocol, that is -- sand and
23 gravel, renewables, they all use that.

24 Passive acoustic monitoring. What
25 we do for alternative A is we have it optional

1 there. And why would it be optional? Well,
2 right now, as it stands, if you can't observe
3 that exclusion zone, that distance from the
4 vessel, then you can't start up your survey.

5 What we're saying in alternative A
6 is if you can still observe it acoustically by
7 listening through passive acoustic monitoring,
8 then that's an incentive for you to use it, and
9 you could start your surveys at night, if you
10 were able to observe your exclusion zone
11 acoustically.

12 Alternative B would require that
13 that be in place at all times. And then when you
14 get down to these -- the separation between the
15 simultaneous surveys, alternative A does not
16 require that. Alternative B would. And again,
17 that separation, the thought behind that is to
18 allow sort of a corridor for animals to move in
19 between vessels that might be out there at the
20 same time.

21 Also, guidance for vessel strikes,
22 marine debris awareness. These are all things
23 that we already have in place in other areas that
24 we would also implement here. And there's also
25 protocols for the non-airgun surveys that are

1 consistent with what we apply for any type of
2 survey that's out there. Okay?

3 Just real briefly, so far with the
4 draft, the initial analyses that the subject
5 matter experts have completed, this gives you a
6 general sense of where we felt were -- what we
7 felt were the sort of range, or the limit of
8 impacts to these different sources.

9 And you can see, certainly marine
10 mammals, sea turtles, are definitely going to be
11 the ones that rise up, and having the greatest
12 potential for negligible to moderate impacts,
13 because the sound sources that are being used for
14 these surveys, for the most part these are the
15 animals that will be able to hear them. And so,
16 because they hear them, there's a greater
17 potential for them to have effects.

18 We also will use this NEPA process,
19 and all the information that we gather through
20 it, to do a host of other consultations under a
21 variety of other statutes.

22 We will do, under the Native Species
23 Act, we will consult with the Fish and Wildlife
24 Service and the National Marine Fisheries Service
25 about any endangered species that might be in the

1 area, any additional measures that may or may not
2 have to be put in place for those species.

3 We will also do a consultation under
4 the National Historic Preservation Act to make
5 sure that any cultural resources out there, any
6 shipwrecks, all of those things, are protected.

7 We will also, we ourselves are not
8 going to have the responsibility for doing the
9 Marine Mammal Protection Act, but we are having
10 National Marine Fisheries Service on as a
11 cooperating agency, because they are in charge of
12 issuing the Marine Animal Protection Act
13 authorizations.

14 And industry will basically need to
15 go to them if there's a survey proposed that
16 could potentially take a marine mammal. And we
17 would have directives in any authorization we
18 issue that that would have to be in place. And
19 that's just some of them.

20 We also do essential fish habitat
21 consultations. So we can ensure that any
22 activities that we might authorize, that we know
23 what the different issues are with fisheries and
24 fish, and that we can put any necessary
25 mitigations in there, if need be.

1 So, the next steps is May 30th is
2 the end of the comment period. From there, we
3 will take all the comments that we received
4 through these public meetings, all the written
5 comments that came in, a lot of agencies will
6 also provide us different comments, and we'll
7 basically just go through all of them.

8 We do look at all of them, we do
9 read all of them. We try to then, in our final
10 document, respond to all of them. There will be
11 a section in there that is just a response to all
12 the comments that we received.

13 And where new information has been
14 brought up, or something we hadn't considered,
15 then we go back to the drawing board and we look
16 at our analysis and we decide -- you know, we
17 look at the new information and we decide what
18 may or may not need to be changed, based off of
19 that.

20 And so, the goal at this point, as
21 far as our timeline, is that we would finish this
22 final EIS by this November. And then what
23 happens after you initiate an EIS is the agency
24 with the action has to issue a record of
25 decision, and that will be our agency's decision

1 on what we're going to do, and it will be based
2 off of the analysis in this NEPA document, as
3 well as all of the other environmental
4 consultations that we do, as well as a host of
5 other information that's put before our director.
6 And that record of decision is expected in
7 December of this year.

8 Again, I already mentioned, we have
9 close of the comment period. Mr. Bennett's going
10 to come up and just lay out how we're going to
11 move to the next step of this public meeting, as
12 far as collecting your comments, but I do want to
13 point out, we do have an e-mail address up there
14 where additional comments can always be e-mailed
15 to.

16 We also have a website for this
17 document, and there's information on the website
18 that gives you background fact sheets on
19 geological and geophysical surveys. It shows you
20 the applications from oil and gas that we've
21 received to date. There's a lot of great
22 information up there.

23 But do, if you're going to have
24 comments beyond what you provide today, do make
25 sure you get it in by the close of that comment

1 period on May 30th.

2 Okay. And with that, I think I'll
3 turn it back over to Mr. Bennett.

4 MR. BENNETT: Thank you, Jill.

5 Okay. We're going to take comments now. I want
6 to thank you, Jill, and I want to again mention
7 to everybody, if you have questions about the
8 information that was provided, we'll be happy to
9 talk with you, particularly after we close out
10 the comments. But we do want to give the
11 opportunity for people to make public comment.

12 I only have a couple of people
13 signed up right now, and the way we'll work this
14 is we'll call on those folks, those two people,
15 and then we'll open up the floor afterwards for
16 people to make additional comments.

17 Normally we ask folks to self-police
18 at three minutes or so for comments, but I don't
19 think we're going to have too much of a problem
20 here with the volume of comments, so I don't
21 think that's an issue. And again, we'll allow
22 time afterwards to speak further, if need be.

23 I do want to note that what is of
24 most value to us is comments on the draft
25 environmental impact statement, so that we can

1 assure that we have the best available
2 information to provide to decision-makers. And
3 I'd also ask you to please address your comments
4 here to the panel.

5 And with that, we can start with
6 John A. Nichols.

7 MR. NICHOLS: My name is John
8 Nichols. I live in Middletown, Delaware, and I'm
9 here in support, in favor of the seismic studies
10 offshore. As everyone in this room is aware, we
11 have an energy -- we have energy issues in this
12 country. Absent this type of study, we're not
13 going to be able -- be able to even identify what
14 the potential solutions are. This is not going
15 to take place until 2018.

16 It's a beginning point. I'd also
17 ask that any standards that are applied to oil
18 and gas also apply equally to the renewable
19 industry as it pertains to the study and any
20 mitigation proposals that would be put forth.

21 To the extent that any studies are
22 conducted by the Federal government, I would ask
23 that any of those -- for offshore wind, that I --
24 that those costs be borne by the industry
25 directly; that we as a taxpayer aren't paying for

1 them.

2 Currently, wind and solar amount to
3 an infinitesimal amount of energy in this
4 country. This offshore wind proposal to site
5 turbines out there has its own environmental
6 impact. We should be studying that, as well.

7 Wind right now is subsidized 100
8 times more than fossil fuels, and these are
9 direct pass-through subsidies. My concern is
10 that by siting -- by developing these programs to
11 site offshore wind, we, the citizens of the state
12 and the country, are going to have to continue to
13 subsidize what is a very inefficient source of
14 energy.

15 So, frankly, in my opinion, we could
16 just eliminate the studies for the offshore wind.
17 It is a waste of money. Thank you.

18 MR. BENNETT: Thank you. Amy Rowe.

19 MS. ROWE: Hello, my name is Amy
20 Rowe. I live in Newark, Delaware. I have a
21 Ph.D. in energy and environmental policy. My
22 area of expertise is migratory fish, migratory
23 marine fish, and I am making a statement today on
24 behalf of the Delaware chapter of the Sierra
25 Club. I serve as the conservation chair for the

1 Delaware chapter of the Sierra Club, and I have
2 reviewed the environmental impact assessment
3 draft.

4 The Delaware chapter of the Sierra
5 Club opposes high-intensity seismic exploration
6 of the Atlantic Continental Shelf, and we oppose
7 that for several reasons. This action would
8 place the nation as a whole, the state of
9 Delaware, and the Atlantic aquatic biodiversity
10 at risk. It's a risk that we believe is too
11 dangerous to take.

12 We are at a crossroads in our
13 nation's energy policy, and we have tremendous
14 opportunities to develop renewable energy sources
15 that can provide energy to our nation without the
16 devastating impacts and climate impacts of fossil
17 fuels.

18 Pardon me?

19 UNIDENTIFIED SPEAKER: Nothing.

20 MR. BENNETT: Please.

21 MS. ROWE: Thank you. Pursuit of
22 the nation's resources of offshore oil and gas
23 exploration diverts us from the needed task at
24 hand.

25 Climate change poses a serious risk

1 to Delaware. We have miles of coastline and
2 large expanses of low-lying areas, and Delaware
3 is particularly vulnerable to the impacts of
4 climate change.

5 The nation's continued commitment to
6 developing renewable energy resources places the
7 state -- developing offshore wind resources -- or
8 offshore oil and gas resources, places the state
9 of Delaware at a disproportionate risk to climate
10 change and sea level rise.

11 The lessons from the Deepwater
12 Horizon oil spill two years ago should provide
13 caution in the development of offshore oil and
14 gas. Delaware's coastal and aquatic resources
15 provide tremendous value to the state, which
16 would be harmed in the case of an oil spill. And
17 Deepwater Horizon has proven the risks of such
18 activities.

19 The high-intensity seismic testing
20 itself places wildlife at risk. The draft PEIS
21 claims that these risks are moderate, minor, or
22 negligible, though we disagree.

23 Acoustic pollution has been
24 demonstrated in peer-reviewed and scientific
25 literature to cause significant and detrimental

1 impacts to aquatic life. The greatest amount of
2 wildlife depends on the Continental Shelves for
3 foraging, habitat, and reproduction, on earth,
4 and acoustic and seismic testing places not only
5 endangered species, such as whales and sea
6 turtles, directly at risk with noise pollution,
7 but it also threatens the multitude of species
8 which aquatic life depends upon.

9 So we, the Delaware chapter of the
10 Sierra Club, ask the Bureau of Ocean Energy
11 Management to protect the state of Delaware and
12 the marine environment by prohibiting acoustic
13 seismic testing and offshore oil and gas
14 development on the Atlantic Continental Shelf.
15 Thank you.

16 MR. BENNETT: Thank you. Okay.
17 That's all we have signed up. Did anyone -- is
18 anyone here who wants to speak that is not signed
19 up and wants the opportunity to speak? Could you
20 make sure you state your name clearly for the
21 reporter.

22 MR. PFEISTER: So my name is Doug
23 Pfeister, P-f-e-i-s-t-e-r. I'm with the Offshore
24 Wind Development Coalition. And I just wanted to
25 make two points. Actually, a point and a

1 question. And I just wanted to emphasize the
2 significant differences between offshore wind and
3 offshore renewable energy, as compared with
4 offshore oil and gas.

5 Offshore renewable energy is a clean
6 energy source. We just use the wind, in the case
7 of offshore wind, to produce the electricity, and
8 the wind resource is actually quite high
9 offshore, as well.

10 And not only is the wind resource
11 high, there is a huge resource out there in terms
12 of area, in terms of the OCS, that can be --
13 where offshore turbines can be placed and
14 generate a lot of electricity. A lot of
15 electricity.

16 So, I want to emphasize those
17 differences. They are important. The resource
18 is quite large on the OCS for offshore wind.

19 And then I guess my question is,
20 or -- I don't know, are you taking questions, or
21 are you just taking comments?

22 MR. BENNETT: We can provide a
23 clarification point of fact, if you have that
24 sort of a question.

25 MR. PFEISTER: Okay. I just wanted

1 to compare the document, and I haven't gone
2 through it extensively, with the final EA that
3 came out for the Mid-Atlantic -- for the
4 Mid-Atlantic wind energy areas on the site survey
5 work that would be going on there.

6 So I wanted to -- if you could
7 respond to that, that would be great. If you
8 could talk about the comparisons between the two
9 documents. If you can't, that's just something I
10 would like to flag, that those two documents,
11 unless there's good reason, should be consistent
12 with one another.

13 MR. BENNETT: Okay. Well, we can
14 take that as a comment. I think it's a more
15 involved conversation than we have in this forum,
16 but we'll be happy to talk with you afterwards.

17 MR. PFEISTER: Okay. Thank you.

18 MR. BENNETT: Is there anyone else
19 who has not had an opportunity to speak that
20 would like to do so? If not, is there anyone
21 that wants to say anything more with regard to
22 their comments? Yes?

23 MR. NICHOLS: Yeah. I'd like to
24 address the wind energy issue.

25 MR. BENNETT: And he's John Nichols.

1 MR. NICHOLS: Specifically again --
2 it's John Nichols. Two years ago the State of
3 Texas, which has the most installed wind capacity
4 of any state in the United States, had a record
5 demand during a particularly hot summer day.

6 They have 10,000 megawatts of
7 installed wind. During that particularly hot
8 summer day, they got exactly 5 percent of the
9 wind energy, from the state the size of Texas, in
10 order to meet consumer demand during that peak
11 demand day. That's 500 megawatts of the
12 installed 10,000.

13 Wind is a waste of money. And the
14 reason it's a waste of money is because of
15 meteorological events, these high pressure
16 systems that cover Texas, which shut down wind
17 turbines, in an area larger than the area we're
18 looking at with respect to development of
19 offshore wind potential. Shut it down. The same
20 thing is going to happen on the Atlantic coast.
21 It will shut it down, from Florida to Maine.

22 Any expenditure of monies on
23 offshore wind is a waste of money. 30 percent
24 average capacity, 5 percent peak demand. And
25 these are global numbers.

1 We should not be putting any more
2 money into wind. We should not be looking at
3 this as a resource. It is a waste of money. The
4 transmission cost alone will break the bank. In
5 the last year, offshore wind costs have gone up
6 100 percent.

7 So I am opposed to development of
8 the Outer Continental Shelf for offshore wind. I
9 am supportive of oil and gas. It's a dense
10 energy resource. The cost per unit of energy is
11 substantially less. It's the only use that our
12 Offshore Continental Shelf should be put to.

13 Thank you very much.

14 MR. BENNETT: Thank you. Is there
15 anyone else who wants to expand their comments?

16 MR. PFEISTER: I'd be happy to
17 respond to that, unless you feel that it's --

18 MR. BENNETT: Well, no. We're not
19 asking you to respond. If you have an additional
20 comment to make to the panel for the purposes of
21 this public hearing, we'll be happy to hear it.

22 MR. PFEISTER: Okay. I'd like to
23 make an additional comment then.

24 MR. BENNETT: All right.

25 MR. PFEISTER: Again, this is Doug

1 Pfeister with the Offshore Wind Development
2 Coalition. I'll just speak to offshore wind. I
3 don't know land-based wind as well as I know
4 offshore wind.

5 And the point that this gentleman
6 just made, it's very different for offshore wind,
7 because of how the wind blows offshore. In fact,
8 as demand goes up during the day for electricity,
9 so does the wind resource offshore.

10 I can't speak to other geographic
11 areas in the United States, especially those on
12 land, but offshore specifically, the wind goes up
13 as demand for electricity goes up. So, that's
14 the sole point I'd like to make about offshore
15 wind and demand.

16 MR. BENNETT: Okay. Thank you for
17 your comments. Is there anyone else who would
18 like to expand their comments? If not, we are
19 adjourned.

20 Thank you very much for your
21 comments. We appreciate you being here. And I
22 want to remind everyone that the comment period
23 is open until May 30th. Even if you haven't had
24 an opportunity to provide the comments verbally
25 here, please feel free to get us comments, either

1 by snail mail or via the web. We appreciate it.

2 We are adjourned. Thank you.

3 (Hearing concluded at 1:38 p.m.)

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REPORTER'S CERTIFICATE

I, JULIANNE LaBADIA, Registered Diplomat
Reporter and Notary Public, do hereby certify
that the foregoing record, pages 1 through 35
inclusive, is a true and accurate transcript of
my stenographic notes taken on April 26, 2012, in
the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my
hand and seal this 27th day of April, 2012, at
Wilmington.

Julianne LaBadia, RDR, CRR

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