

June 13, 2018

Honorable Paul Gosar
Chair, Energy and Minerals Subcommittee
Committee on Natural Resources
U.S. House of Representatives
2057 Rayburn HOB
Washington, DC 20515

Honorable Alan Lowenthal
Ranking Member, Energy and Minerals Subcommittee
Committee on Natural Resources
U.S. House of Representatives
125 Cannon House Office Building
Washington, DC 20515

Dear Chairman Gosar and Ranking Member Lowenthal,

On behalf of our millions of members and supporters, we write to express our strong opposition to the offshore title of the “Enhancing State Management of Federal Lands and Waters Act.” This draft bill sacrifices the public interest for the offshore oil and gas industries’ profit. The onshore title is equally objectionable and will be addressed separately.

The offshore title perverts the principle of states’ rights, stipulating what amounts to an extortive choice: allow inherently dangerous offshore drilling to threaten your coast or pay the federal government potentially billions of dollars. This violates the spirits of both federalism, on which our country was built, and the outer Continental Shelf Lands Act, which this bill would amend. While OSCLA requires collaboration between the federal government and potentially producing states in determining if and when to offer new lease sales, this bill would impose an adversarial relationship, putting the financial interests of coastal state governments and the United States directly at odds.

This bill would mandate that coastal states be forced to approve or disapprove each lease block of a federal offshore lease sale off its coast (within an area defined by the Bureau of Ocean and Energy Management). If a state wants to disapprove more than 50% of the lease blocks within a lease sale in order to protect its coastal economies, beaches and communities, then it would have to pay, within a month, a portion of the projected revenue from the lease sale to the federal government. The required payment is 10% of the anticipated value of the entire lease sale plus an additional 10% for each lease block that brings the number of lease blocks withdrawn (at the state’s objection) to over 50 percent.

The bill would also seek to buy off state opposition to harmful drilling by offering 50 percent of the bonus bids, rentals and royalties received for leasing to a state that does not object to lease blocks being sold; and an unspecified percentage to a state that approves 50 percent or more of the lease blocks being offered for sale.

This is simply extortion of states that want to preserve and protect their coastal resources from the inevitable hazards and harms of fossil fuel industrialization. Under threat of owing huge amounts to the federal treasury, states may be forced to accept drilling. And the revenues included in this bill are clearly designed to bribe states into allowing harmful drilling off their coasts.

The bill would also effectively nationalize the offshore geological and geophysical oil and gas survey industry to the detriment of taxpayers, ocean ecosystems, and business. Seismic airgun blasting, the predominant technology used for G&G surveys harms fisheries, marine mammals like the endangered North Atlantic Right Whale, and coastal communities that rely on healthy ocean ecosystems. The bill directs the Interior Department to create an OCS Geological and Geophysical Mapping Program and calls for further seismic testing; but data produced by the program would not necessarily be made available to the public and would be exempted from disclosure requirements. This lack of transparency serves no one but the oil industry.

Further, this proposal stands as a transparent end-run around the tidal wave of opposition to expanded drilling already expressed by the majority of coastal states and the American public. It effectively attempts to punish the many states who are on record putting citizens in control of our coastal resources instead of the oil industry, while cutting the broader public out of the process. Moreover, this proposal is a fundamental rejection of the concept of public lands and waters. Federal waters belong to all Americans, and their use must reflect the broad public interest, not just that of individual states—especially if those states are forced to choose between immediate economic solvency and a sustainable future.

The expansion of offshore drilling and the use of seismic airgun blasting are not in the public interest. Millions of Americans, including hundreds of towns all along our coasts and the majority of coastal states, have called for their oceans to be protected from these dangerous activities. The offshore title of this bill is an attempt to override the input of the public in a giveaway to oil and gas industry. Today's hearing should be the last we see of it.

Signed,

Alaska Wilderness League

Azul

Center for Biological Diversity

Citizens Campaign for the Environment

Clean Water Action

Defenders of Wildlife

Earthjustice

Environment America

Environmental Action Committee of West Marin

Environmental Defense Center

Environmental Protection Information Center

Friends of the Earth

GreenLatinos

Group for the East End

Institute for Ocean Conservation Science at Stony Brook University

Klamath Forest Alliance

League of Conservation Voters

Nassau Hiking and Outdoor Club

National Parks Conservation Association

Natural Resources Defense Council

Northern Alaska Environmental Center

Ocean Conservation Research

Oceana

Operation SPLASH

Pacific Environment

Public Citizen

Seatuck Environmental Association

Sierra Club

Southern Environmental Law Center

Surfrider Foundation

The Wilderness Society

Voices for Progress

Waterkeeper Alliance

Western Environmental Law Center