

**FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY**  
**Sanctuary Advisory Council Boundary Expansion Working Group**  
**Meeting Minutes**  
**April 30, 2018**

**Meeting Attendance Roster:**

Clint Moore	Oil and Gas Industry	Present
Shane Cantrell	Fishing – Commercial	Present
Natalie [Hall] Davis	Diving Operations	Present (webinar)
Jesse Cancelmo	Recreational Diving	Present
Scott Hickman	Fishing - Recreational	Present
Buddy Guindon	Fishing - Commercial	Present
Adrienne Correa	Research	Not Present
Charles Tyer	NOAA OLE	Present (webinar)
Randy Widaman	Diving Operations	Present
Jake Emmert	Conservation	Not Present

**Total member attendance:** 8 of 10 members

**Others in attendance:**

Leslie Clift (Flower Garden Banks National Marine Sanctuary (FGBNMS)), G.P. Schmahl (FGBNMS), Emma Hickerson (FGBNMS), Marissa Nuttall (FGBNMS), Steve Gittings (NOAA; webinar), Joanie Steinhaus (Turtle Island Restoration Network, SAC member), Matthew Roache (NOAA OLE), Morgan Kilgour (Gulf of Mexico Fishery Management Council (GMFMC)), Tom Bright (webinar), Theresa Morris (TIRN; webinar), Sharon McBreen (Pew; webinar)

**5:15 PM** – Meeting called to order by Clint Moore

Adoption of Agenda – Buddy Guindon moved to adopt, Randy Widaman seconded motion. No discussion, all in favor, motion approved.

Minutes from April 4. Randy Widaman moved to adopt, Shane Cantrell seconded motion. No discussion, all in favor, motion approved.

Minutes from April 12. Randy Widaman moved to adopt, Buddy Guindon seconded motion. No discussion, all in favor, motion approved.

### **5:18 PM – Public comment**

See attached letter from the oil and gas industry association (5-company trade group: American Petroleum Institute (API), National Ocean Industries Association, Independent Petroleum Association of America, International Association of Drilling Contractors, and the International Association of Geophysical Contractors).

Clint Moore read pages 2 and 3 of the Association's letter, including the letter's support for 9 banks for the NAZ (no activity zone) Plus Plan (NPP) version 3 map boundaries.

Jesse Cancelmo said the letter sounds as though API does not want to give up anything, and questioned if this is the first time they have given a reason for rejecting the boundaries of Alternative 2 (e.g., new technology). He asked about the constituency of the oil and gas trade groups, and questioned if API is qualified to make the statement that the NPP v. 3 boundaries are more than sufficient to provide additional protection to the 9 banks. Jesse offered his opinion that the BEWG (Boundary Expansion Working Group) does not spend enough time in the "macro view", looking at the big picture. He summarized by saying everyone needs the ocean, and the ocean needs us. The BEWG has been meeting to address these needs, and that it should keep future generations in mind. Jesse wants to elevate biology and the importance of ocean life, and thinks BEWG should bring this focus back.

Scott Hickman urged cooperating with the oil and gas industry in order to achieve sanctuary expansion, and the reality of the current administration. He added he is glad Clint's industry moved away from Alternative 1. Natalie Davis suggested taking the inch given by the oil and gas industry, and not stretching beyond. Buddy concurred with Natalie, and feels the BEWG's plan will amount to significant protection in the Gulf of Mexico. Scott asked Clint if he thinks his industry will support the additional 5 banks. Clint responded he is hopeful. However, one large group, the Offshore Operators Committee, withdrew from the public comment letter because they do not want any sanctuary expansion.

Charles Tyer will review each of the 14 banks and share with the BEWG any enforcement concerns.

G.P. Schmahl reviewed the SAC (Sanctuary Advisory Council) charter guidelines regarding quorum and abstentions, noting that decisions are made by majority vote of those present. Also, he clarified that although Charles is a non-voting member of the SAC, every member of working groups can vote.

### **5:50 PM BEWG (Boundary Expansion Working Group)**

During this meeting, Marissa Nuttall assisted with GIS (geographic information systems) maps.

#### Rezak Bank

**Shane Cantrell motioned to accept Clint's NPP map boundaries for Rezak, seconded by Scott.**

**Jesse motioned to amend Shane's motion to consider Jesse's proposed map boundaries, seconded by Charles.** Discussion followed. It was noted that the Rezak and Sidner Banks complex is designated a HAPC (habitat areas of particular concern). Clint said Jesse's map will not work from his industry's and personal standpoint because this area is a focus of his decades long exploration efforts and there are several significant prospects around this bank. Discussion ended and the BEWG voted 2:6. **Amended motion failed.**

**BEWG voted to accept Clint's NPP map boundaries for Rezak 7:0:1. Motion carried.**

#### Sidner Bank

**Shane motioned to accept Clint's NPP map boundaries for Sidner Bank, seconded by Scott.** Discussion followed. Shane commented he wants the peaks of these banks protected and that regulatory regimes are already in place for the oil and gas industry. Sidner has a designated HAPC. Charles questioned the distance between the widest part of the "V" on the northern boundary. Marissa responded 0.4 miles, or approximately 680 meters (m).

**Charles motioned to amend Shane's motion to draw a line across the "V" on the northern boundary so that it becomes enforceable. Scott seconded.** Clint said this mud flat area is a spot where he would quite possibly want to drill, and Charles' boundary modification would take away access points. Shane asked if ROV (remotely operated vehicle) transects or other data have been conducted on the "fingers" of Sidner Bank. Emma responded FGBNMS has not yet visited the northern fingers of Sidner Bank. Shane asked to display the black coral model layer, and asked about any other coral model layers. G.P. said Sidner Bank is where the Cubera Snapper spawning aggregation was documented on the southeast tip, and G.P. is not certain the boundaries encompass this fish aggregation site. Discussion ended and the BEWG voted to amend the motion 5:2:1. **Motion carried.**

Scott asked if the new line joining the two northern fingers of Sidner Bank would withdraw the support of Clint's industry. Clint responded no.

**Discussion ended and the BEWG voted to accept Clint's NPP map boundaries as amended for Sidner Bank. 7:0:1. Motion carried.**

G.P. said he is uncomfortable about members of the BEWG making statements that the result of the recommendations will affect them financially. Clint responded that every stakeholder here at this table will be affected by these boundaries. Both the fishing industry and the oil & gas industry will be under new regulations. He said that we went over this over a year ago talking about stakeholders and the whole SAC purpose and why you have stakeholders on this council. There are places where fisherman have far more financial interest. GP said it applies to any member of this committee. Clint then added that even ecotour or free diver stakeholders [have potential conflicts]. Clint cited Billy Causey (former NOAA NMS Regional Director) who said it best, "Stakeholders are by their very nature stakeholders". G.P. responded he thinks it opens the action to be challenged and urged members to read their charter. Shane said it opens G.P. up to a challenge too if a decision is based on that [financial]. Clint said he is representing his constituents and he thinks that everyone else is too.

#### Parker Bank

**Shane motioned, seconded by Scott to accept Clint's NPP map boundaries for Parker Bank.**

**Jesse motioned to amend Shane's motion to accept Jesse's boundary recommendation, seconded by Shane.** Discussion followed. Jesse said too much constraint is on the biology with Clint's NPP map boundaries. He added the oil and gas industry would have enough room with the map boundaries Jesse recommended. Shane said Jesse's recommendation will not be accepted by the oil and gas industry. Scott asked about the width of the small circle to the east of Parker Bank. Marissa responded 0.4 mile. Discussion ended and the BEWG voted on Jesse's amendment. 2:6. **Motion failed.**

**The BEWG voted to accept Shane's motion to accept Clint's NPP map boundaries for Parker Bank. 6:0:2. Motion carried.**

#### Elvers Bank

**Shane motioned, seconded by Buddy to accept Clint's NPP map boundaries for Elvers Bank.** This proposal includes 3 separate areas – two small polygons to the north and south, and a large polygon in the middle. Discussion followed. Shane questioned the odd shape of the middle polygon. Clint responded it is a collapsed graben on top of a salt dome. Shane asked about the "alley way" between the large polygon and the small one to its south. He also questioned the distance between the two polygons. Marissa responded 0.2 mile. Clint said he would not be opposed to joining these two polygons.

Emma commented that Clint's NPP map boundaries do not have any buffers built in. Marissa confirmed there is no buffer around the small polygon on the south at Elvers Bank on Clint's NPP map. Clint questioned why this bank was selected for the DEIS (Draft Environmental Impact Statement). G.P. replied data from the PBSF (potentially sensitive biological feature) study funded by BOEM, and Elvers was one of the banks

BOEM suggested for the study. He added that data from Elvers Bank were as diverse as the banks recommended in the 2007 SAC recommendation.

G.P. asked Clint why he created a polygon that includes mud flats, and that this seems inconsistent to all other recommendations Clint has proposed.

The discussion turned to the shipping fairway that crosses Elvers Bank. Clint showed a map with Geyer and Elvers along the east-west shipping fairway, and said the oil and gas industry can be located right next to a shipping fairway, and subsurface infrastructure (anchor chains) go under a fairway boundary, as long as it is below 125 feet from the sea surface.

Clint said his industry thinks Elvers Bank is a very subtle feature, and is a gateway to all of the salt features to the south, going 100 miles to the edge of the Sigsbee scarp edge. It is the beginning of the uncovered Sigsbee salt slope, and all these features are noted for their seismic anomalies that could be one of BOEM's 20,000 seismic anomalies. All of these to the south of Elvers could be: 1) corals and sponges; 2) chemosynthetic communities; or 3) carbonate substrate (places where corals and sponges grow). What the industry knows is that the features south of Elvers are far more likely to be large areas of benthic communities in general. Thus, having such a subtle feature as Elvers included in the expansion, is opening up for greater future expansion to the south. The company marine biologists question why Elvers is more significant than the areas to the east. Industry believes Elvers is not unique and not nationally significant, and should not be in the sanctuary. Clint added the industry letter requests the NAZ Plus Plan boundaries for all 5 additional banks, including Elvers (if it is included), and he will support that. He added that his industry strongly opposes Alternatives 4 & 5, because they would add more areas to the south, including in the Garden Banks protraction area, which are some of these thousands of seismic anomalies. The sites to the south are right in the heart of this salt ridge/basin area. He added that is why his constituents are telling him they don't want Elvers. (Note: references to "Garden Banks protraction area" herein pertain to the BOEM protraction area known as "Garden Banks", which contains about 1,000 OCS BOEM blocks, each of which measures about 3x3 nautical miles in size.)

Marissa said she has participated on the FGBNMS ROV cruises to Elvers Bank. She reported Elvers is completely unique, has amazing habitats different from all other sites, several new species of very rare coral, and is very diverse and dense.

Clint mentioned the excitement when *Lophelia* Bank was first discovered off South Carolina in 1999. He cited its growth on two WWII shipwrecks included in Alternative 5. He added *Lophelia* is also being found growing on many of his industry's subsea seafloor production equipment, and regulations require it to be cleaned off. Clint added he shares Marissa's excitement for exploration, but what are today's discoveries and exploration excitement may be far more common in the future. The areas to the south may have *Lophelia* too. Clint then questioned how far south FGBNMS explored in the

PSBF study. G.P. replied the PSBF study was restricted to areas with NAZ in BOEM's NTL (notice to lessees) 2009 G-39, and thus, FGBNMS did not explore south.

G.P. mentioned the current work of the NOAA ship *Okeanos Explorer* that is targeting seismic anomalies. In some cases, mud flats are present, and in other cases, hardbottom areas are found, showing that the presence of a seismic anomaly does not guarantee that exposed hard bottom is present. Emma stated FGBNMS is trying to protect areas with the highest density of corals. G.P. mentioned the coral portal ([Portal.gulfcouncil.org](http://Portal.gulfcouncil.org)) that shows areas with ground-truthed biology. FGBNMS can email the BEWG with this webpage.

Jesse asked for clarification on the API letter regarding Elvers Bank. Clint responded his industry is concerned this bank is a “gateway drug”, in that if Elvers Bank is included in the sanctuary, then others on the shelf slope would be next to be considered for sanctuary designation.

(Note: The following amendment to the Elvers motion was not ultimately voted on because it was amended by Charles amendment.) **Jesse motioned for an amendment to accept Jesse’s recommendation for map boundaries for Elvers Bank. Seconded by Charles.** Discussion followed. Jesse discussed how compromise is important. He added his map boundary is a compromise because it gives back more operational room for oil and gas industry than provided by Alternative 3. Jesse stated three distinct polygons for Elvers Bank does not make sense for enforcement or for the protection of known biology. Charles again questioned the width of the small, northern polygon. Marissa responded 0.25 miles.

**Charles then motioned that the northern polygon be expanded to a minimum of 0.5 mile diameter, and join the two southern polygons. Shane seconded.** Discussion followed. Charles referenced the ease of enforcement if these boundaries are adopted. Scott spoke in favor of this motion. Clint said he opposes Charles’ amendment to Clint’s NPP plan for Elvers Bank and cited API’s letter. Jesse questioned Clint about the FGBNMS scientists who have visited Elvers Bank and report its diversity and density, and that Clint and his industry seemingly discount the scientists’ groundtruthing work in this area. Clint responded he shares FGBNMS staff’s excitement, but thinks areas to the south of Elvers Bank may prove to be even better. Discussion ended and the BEWG voted 7:1. **Motion carried to adopt Charles’s amendment to the motion.** The co-chair leading the meeting stated that the passage of the amendment to the amendment replaces Jesse’s amendment, and becomes the amendment to the original motion.

**The BEWG voted on the amended main motion. 7:1. Motion carried.**

#### Buffer Removal

Shane asked if Clint’s NPP map boundaries include a buffer of 100-200 m off from the NAZ. Marissa responded Clint’s maps did not intentionally include buffers, though it could have occurred by default when drawing the boundary lines.

At a previous BEWG meeting on April 4, 2018, the BEWG voted to include buffers in addition to Clint's NPP map boundaries for the following banks: Stetson plus 150 m buffer, Sonnier plus 150 m buffer, Geyer plus 300 m buffer, MacNeil plus 100 m buffer, and Alderdice plus 150 m buffer.

**Shane made a motion to remove the buffers on Stetson, Sonnier, MacNeil, and Alderdice Banks. Seconded by Buddy.** Discussion followed. Shane said his intent was to keep a buffer around the NAZ, but these 4 banks have smaller NAZ and the map boundaries captured the ring feature instead of staying tight to the NAZ. Emma said existing HAPC around these areas are different from each other. Discussion ended and the BEWG voted 7:1. **Motion to remove previously approved buffers carried.**

The BEWG has now decided on the map boundaries for 17 banks. G.P. mentioned Bryant Bank was not voted on by the BEWG, but was included in the DEIS Alternative 3. Bryant Bank is located just south of Bouma Bank. Emma noted the high number of coral colony counts there. Bryant Bank is defined as the ridge that connects Bouma Bank with Rezak Bank. Shane questioned the width of the ridge. Marissa responded approximately 200 m. Charles asked about drawing a polygon to encompass Bryant Bank, with the minimum width of 0.5 mile. Morgan Kilgour said Bryant Bank does not have a designated HAPC, and is not in a current GMFMC coral amendment, but may be included in a larger polygon considered in a future coral amendment. **Charles motioned to draw a 0.5 mile polygon along the ridge to connect the 2 banks of Bouma Bank and Bryant Bank. Seconded by Jesse.** Clint said this block is one with significant oil and gas accumulations, and he would oppose the inclusion of this polygon for sanctuary expansion. Charles asked FGBNMS staff if NOAA has determined within this area if species of national significance are present. Shane added ROV transects have very high coral colony counts. Clint said he and his industry would not support it. Clint said this is not a large bank and is part of the new areas that were added in Alternative 3 and would be perceived as a problem by his industry by creating a precedent of a narrow feature 6 miles long. Charles said this bank was recognized by NOAA as a bank that deserved protection. Jesse noted this polygon is significantly smaller than the boundaries proposed by Alternative 3. Clint said this polygon would restrict access to his industry. Discussion ended and the BEWG voted 3:5. **Motion failed.**

#### Regulations

See attached letter on regulatory recommendations shared by Clint.

Clint asked if there are any other regulations that any other working group member would like to add to this list. None heard.

The BEWG discussed fishing regulatory recommendations made by GMFMC. Morgan Kilgour said GMFMC has not seen the new boundaries the BEWG has created. She thinks GMFMC would like to review the BEWG's recommendations.

G.P. spoke about the formal consultation with GMFMC. NOAA will enter a discussion with GMFMC regarding how FGBNMS could implement the GMFMC recommendations. However, this process is waiting on the SAC recommendation. This presentation is planned for the GMFMC meeting in August in Corpus Christi. One of the issues is that NAZ are based on depth contour lines, and NOAA boundaries cannot be based on depth contour lines alone. G.P. said it is possible to move forward with sanctuary expansion with no regulations, and enter a separate regulatory process in consultation with GMFMC. Buddy said the next job for GMFMC will be to create boundaries around the NAZ. Morgan said questions will be raised regarding enforceability, and GMFMC might have a different opinion now that the polygons have been reduced from larger boxes to smaller areas around the NAZ. Morgan said GMFMC recommendations are specific to Alternative 3.

Next BEWG scheduled meeting will be Wednesday, May 2.

**8:02 PM** Shane motioned to adjourn, Randy seconded. Meeting adjourned.

# **Boundary Expansion Working Group - DRAFT** **Regulatory Recommendations for Expansion Areas**

## **Fishing**

- 1) Include all fishing regulatory recommendations of the Gulf Coast Fisheries Management Council (GCFMC) for all expansion areas, as contained in any and all of their letters received since June 2016
- 2) Include regulations that fully allow free-diving spearfishing at all new banks, but not the three current and expanded bank areas of the present FGBNMS.

## **Oil & Gas**

- 1) Continue to allow seismic surveying acquisition inside the boundaries of the new bank expansion areas, adopting/deferring to just the BOEM & BSEE regulations for these activities.
- 2) Continue to allow BOEM oil & gas leasing of the areas inside the boundaries of the new bank expansion areas.
- 3) Continue to allow pipelines inside the boundaries of the new bank expansion areas, adopting/deferring to just the BOEM & BSEE regulations for these activities.
- 4) Continue to allow produced formation salt water mixing with seawater from any oil & gas platform in the new bank expansion areas, adopting/deferring to just the BOEM & BSEE regulations for these activities.

## PUBLIC COMMENT



April 30, 2018

Clint Moore, Co-chair, FGBNMS Boundary Expansion WG  
Shane Cantrell, Co-chair, FGBNMS Boundary Expansion WG  
Flower Garden Banks National Marine Sanctuary  
National Oceanographic and Atmospheric Administration  
4700 Avenue U, Building 216  
Galveston, Texas 77551

Mr. Moore and Mr. Cantrell:

The American Petroleum Institute ("API"), National Ocean Industries Association ("NOIA"), Independent Petroleum Association of America ("IPAA"), International Association of Drilling Contractors ("IADC"), and the International Association of Geophysical Contractors ("IAGC") ("the Associations") offer the following comments in advance of the upcoming meeting of the Boundary Expansion Working Group ("BEWG") of the Flower Garden Banks National Marine Sanctuary ("FGBNMS") Advisory Council (herein referred to as "SAC").

The Associations' members have significant interest in ensuring that future opportunities for offshore oil and natural gas exploration and development are not unduly restricted by expanding sanctuaries to include new geographic areas for which expansion is not necessary, or with boundaries larger than those needed to protect appropriate reef or bank areas consistent with the best available science and data and the multiple uses of stakeholders. The Associations and our members support appropriate preservation of marine areas and resources through the Sanctuaries Program, and the Associations strongly support the following key principles:

- Identify sites that are truly unique places of "national significance" (National Marine Sanctuaries Act ("NMSA"), Sections 301 & 303);
- Base the value proposition, threat identification and benefit assessments on science and evidence (NMSA, Section 303);
- Allow for multiple use with reasonable access regulations and reasonable mitigation measures that directly address threats (NMSA, Sections 301(b)(6) & 303(b)(1));
- Recognize other agencies' statutory responsibilities and protective regulations and avoid duplicative regulation and unnecessary restriction of activities that do not threaten Sanctuary resources (NMSA, Sections 301 & 303(b)); and,
- Use a collaborative, consensus-building, transparent process for selection and management of Sanctuary resources (NMSA, Sections 303(b)(2), 304 & 315).

After following the progress of the BEWG over the course of its deliberations, the Associations are expressing our support for the No Activity Zone<sup>1</sup> ("NAZ") PLUS Plan version 3 boundary maps on the nine (9) banks (Sonnier, Alderdice, McGrail, Geyer, Bright, McNeil, 28 Fathom, Stetson, and Horseshoe) contained in DEIS: Sanctuary Expansion<sup>2</sup> Alternative 2, which were recommended for expansion by the 2007 SAC. In our view, the NAZ PLUS Plan version 3 boundaries contemplated by the BEWG for these nine (9) banks: 1) are more than sufficient to provide additional protection to these banks; 2) do not include any existing oil and natural gas production platforms; and, 3) allow for access to potential deposits of oil and natural gas that may be present deep under the seafloor along the flanks of the salt domes underlying the banks.

At the present time, many of our members are hesitant to support the addition of any part of the five (5) banks (Bouma, Rezak, Sidner, Parker and Elvers) until they have time to thoroughly consider potential impacts to their current and future oil and natural gas leasing and development activities. However, if the BEWG chooses to recommend the inclusion of these banks to the SAC, we strongly urge that the NAZ PLUS Plan version 3 boundaries be used. We are closely following and will continue to be actively engaged in the BEWG's and SAC's process for considering the addition of new banks. In our members' initial review of the five (5) additional banks being considered, Elvers Bank is particularly problematic, since it is off the shelf on the slope adjacent to even larger seafloor salt-supported domes and ridges that are all in deepwater oil and natural gas industry focus areas to the south of the shelf. Including this subtle, low-relief seafloor bank is unwarranted and not supported by current best available science. Designation of this bank also sets an unacceptable and unsupportable precedent for consideration of any future features to the south, east, and west. The four (4) large Bureau of Ocean Energy Management ("BOEM") protraction areas potentially impacted in the future by the inclusion of Elvers now extend 100 miles from the shelf edge south to the Sigsbee Escarpment, and contain roughly 4,000 OCS blocks where our industry will be drilling, developing, and producing for decades to come.

In addition, please understand that the Associations no longer support the boundaries adopted by the SAC in 2007. We do not support any enlargement of the existing boundaries of the two East & West Flower Garden Banks. Because of new technology better defining the domes' areal extent, the boundaries proposed in 2007 would now likely preclude production of much of the potential oil and natural gas resources that might be found on the deep flanks of the salt domes underlying the banks. The larger areal extent of this now DEIS Alternative 2 could eventually receive future prohibitions on leasing by further extensions of the current Executive Order prohibiting leasing in all national marine sanctuaries, which would seemingly render many of the salt dome flank areas non-drillable in the future, if included in the sanctuary expansion.

As the Associations have made clear in our previous comments on the FGBNMS expansion, we do not view many of the areas under consideration for inclusion in the Sanctuary

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<sup>1</sup> No Activity Zone as defined by BOEM in its Western and Central Gulf of Mexico Topographic Features Stipulation Map Package for Oil and Gas Leases in the Gulf of Mexico, March 2018, <https://www.boem.gov/Topographic-Features-Stipulation-Map-Package/>

<sup>2</sup> Office of National Marine Sanctuaries, 2016, Flower Garden Banks National Marine Sanctuary Expansion Draft Environmental Impact Statement, U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of National Marine Sanctuaries, Silver Spring, MD; <https://flowergarden.noaa.gov/management/expansiondeis.html>

as being of "special national significance" as mandated by the NMSA. Clearly these new areas are not of the same "special national significance" or scientific importance as the live coral reef areas in the existing FGBNMS. Therefore, the regulations governing oil and natural gas activities in these proposed new sanctuary areas should not be the same as in the existing FGBNMS areas, since in the future, industry will likely need to acquire new nodal seafloor and streamer seismic surveys on and across these banks. Thus, we generally support BEWG's consideration of these banks, but our support is contingent on retaining our industry's ability to acquire future seismic surveys under current existing federal agency regulations for these proposed areas. These areas are already under extensive protection by other federal agencies and the Associations see no need for additional regulations beyond what is currently required by BOEM and the Bureau of Safety and Environmental Enforcement ("BSEE"). We are also concerned about regulations that would impede and/or impact existing and future pipelines in these new areas. Finally, the Associations firmly want to emphasize that continued leasing of these new areas must be allowed, thereby providing drilling access by directional drilling to potential oil & gas resources underlying the main bank areas.

Further, in many offshore areas, BOEM has established regulatory programs that protect marine resources and establish restrictions on energy and minerals development. For example, BOEM regulatory programs have established requirements for pre-drill shallow hazard surveys, archeological surveys, biological surveys, and identification of sensitive underwater features (hard-bottom areas, pinnacle trends, etc.) as part of the exploration or development plan process. BOEM uses this information to assess and, if warranted, establish mitigation measures to minimize or avoid negative impacts on sensitive areas identified in these surveys before any offshore drilling or development activities occur. Any future sanctuary designation or expansion of the FGBNMS should consider all applicable BOEM and BSEE requirements and evaluate whether they provide adequate oversight to avoid regulatory duplication, confusion, overlap, inefficiency, and especially, unreasonable delays. In short, the Associations advocate for a regulatory environment where all agencies responsible for protection and use of the marine environment work collaboratively to create straightforward, clear and consistent requirements for the energy industry to continue safe and environmentally responsible offshore operations.

The Associations encourage the BEWG and the SAC to make the final BEWG recommendations to the SAC available to the public via the FGBNMS website prior to the May 9th, 2018 SAC meeting. This will help to foster transparency of the process and give interested stakeholders an opportunity to review the recommendations. We also encourage NOAA Office of National Marine Sanctuaries and the FGBNMS SAC to consider how best to address such changes to the DEIS alternatives moving forward with the proposed rulemaking and preparation of a final EIS and regulations.

We appreciate the SAC reviewing and taking into consideration the Associations' comments on the DEIS. The Associations fully support the thorough and transparent process being used by the BEWG as it determines its boundary recommendation to provide to the full SAC. We are hopeful that this transparency will continue as the SAC fully deliberates and votes on the matter at its meeting on May 9th. Our members will continue to review and assess the BEWG recommendation and we plan to offer additional comments to the SAC. We appreciate the opportunity to work with NOAA on this matter going forward. Should you have any questions, please contact Andy Radford at 202-682-8584 or by email at [radforda@api.org](mailto:radforda@api.org).



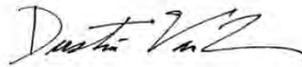
Andy Radford  
American Petroleum Institute



Jason McFarland  
International Association of Drilling  
Contractors



Jeff Vorberger  
National Ocean Industries Association



Dustin Van Liew  
International Association of  
Geophysical Contractors



Dan Naatz  
Independent Petroleum Association of America