



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

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April 20, 2015

Mr. John C. Johnson, Supervisor
Data Acquisition and Special Projects Unit
Resource Evaluation
Bureau of Ocean Energy Management
Gulf of Mexico OCS Region
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123-2394

Dear Mr. Johnson:

Following a 2010 Congressional mandate, the Bureau of Ocean Energy Management (BOEM) developed a Programmatic Environmental Impact Statement (PEIS) analyzing the potential impacts of Geological and Geophysical (G&G) exploration off the Mid- and South Atlantic Planning Areas since there was no National Environmental Policy Act (NEPA) coverage for permitting G&G activities in this area. The final PEIS examined G&G activities for three program areas: (1) oil and gas, (2) renewable energy, and (3) marine minerals for activities between 2012 and 2020. The National Oceanographic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS) and other federal, state and local agencies were consulted during preparation of the PEIS. The Record of Decision (ROD) for the PEIS released in July 2014 allows BOEM to consider permit applications for G&G activities throughout the Planning Areas, consistent with the mitigation measures set forth in the PEIS.

BOEM's Atlantic Outer Continental Shelf (OCS) Region currently has 10 applications to conduct G&G activities in the Atlantic Ocean offshore the mid- and south Atlantic states. Five of those applications have proposed G&G activities offshore Florida, with several directly adjacent to state waters. In addition, one of the pending applications is for activities in BOEM's Straits of Florida Planning Area.

Florida is concerned about the effects of G&G activities on its marine and coastal resources including sea turtles, marine mammals (including the North Atlantic Right Whale) and fishery resources and their habitats located in these areas. Much of Florida's economy is dependent on these healthy and sustainable marine and coastal resources.

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While the final PEIS and ROD establishes a framework for further environmental review of specific actions and identifies mitigation requirements that focus on avoiding injury and impact to marine animals, discussions in both the PEIS and NOAA's NMFS Endangered Species Act Section 7 Consultation Biological Opinion (BO) for the mid- and south Atlantic indicate that data and information concerning the effects of activities to be conducted under the PEIS are either severely limited or absent.

Without the data necessary to definitively determine effects to these resources, Florida recommends delaying permitting until data/information that is currently not available can be collected and effects assessed using this new information. Florida would appreciate the opportunity to work with BOEM, NMFS, USFWS and others to help develop a prioritized list of data gaps and the studies necessary to address them. Should BOEM, however, decide to proceed with G&G permitting in the mid-or south Atlantic, we recommend that permits require studies identified by federal and state agencies be conducted during the activity to assist in filling data gaps. Again, Florida stands ready to work with all relevant agencies in determining which studies are most critical and would provide the most useful information.

We look forward to working with you on this issue. Should you have questions, please contact Debby Tucker, Environmental Administrator of the Department of Environmental Protection's OCS Program, at Debby.Tucker@dep.state.fl.us or 850-245-2181.

Sincerely,



Carla Gaskin Mautz
Deputy Chief of Staff

cc: Donna S. Wieting, NOAA
Brian Cameron, BOEM
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