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August 17, 2017

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

BY ELECTRONIC SUBMISSION ONLY

***RE: BOEM 2017-0050
Request for Information and Comments on the Preparation of
the 2019-2024 National Outer Continental Shelf Oil and Gas
Leasing Program***

Dear Secretary Zinke:

The New York State Departments of State (DOS), Environmental Conservation (DEC), and the New York State Energy Research & Development Authority (NYSERDA; collectively, “the Agencies”) have jointly reviewed the recently published Request for Information and Comment as your agency looks to a new National Outer Continental Shelf (OCS) Oil and Gas Leasing Program (National OCS Program) plan. Under the direction of Governor Cuomo, New York State has developed a state energy plan that seeks to grow our clean energy industry, reduce emissions which contribute to the frequency of extreme weather events, and manage our coastal waters in a manner to mitigate potential harm to our communities and environment. Any renewed consideration of oil and gas development off the coast of New York would disrupt existing plans to develop clean off-shore wind generation and harm our continued efforts to protect and preserve the quality of life for New Yorkers.

New York State has adopted one of the most ambitious clean energy goals in the country: a Clean Energy Standard that requires 50 percent of all electricity consumed in New York to come from renewable energy sources by 2030. To help us achieve this goal, Governor Cuomo further committed New York to the nation-leading goal of installing 2.4 gigawatts of offshore wind in the Atlantic Ocean by 2030. This is enough electricity to power nearly 1.2 million homes. As discussed in the Request for Information (Federal Register Notice, Vol 82, No. 126), consideration of national energy needs is to include renewable and non-renewable resources. Offshore wind provides a steady renewable energy supply that directly addresses State energy policy goals and creates needed locally-sourced energy for the regional market. Offshore wind also has the potential to leverage New York’s strong and growing technology

sector, providing a path to new renewable energy careers and the promise of an entirely new industry for New York.

New York is committed to the responsible development of offshore wind in the Atlantic Ocean. As shown by the extensive studies and work currently underway in consultation with the Bureau of Ocean Energy Management (BOEM) regarding the potential siting of offshore wind resources, the State is cognizant and responsive to the importance of offshore resources and activities, including marine shipping and navigation, recreational boating, commercial and recreational fishing, coastal and ocean habitats, fish, marine mammals, sea turtles, seabirds, corals, and other biological resources when considering future sites for offshore wind development. This is consistent with New York's commitment to an ecosystem-based management approach to our coastal and ocean resources. As the Department of the Interior proceeds with the development of the National OCS Program, the Agencies strongly encourage consultation with BOEM staff to understand the significant investments New York has already made in catalyzing responsible renewable energy generation in the Atlantic Ocean, reducing greenhouse gas emissions, and developing a resilient energy system. Renewed consideration of oil and gas leasing would counter these State policy and programmatic activities that focus on reducing reliance on fossil fuel development.

Activities associated with any OCS oil and gas exploration and production offshore would have reasonably foreseeable effects on New York's coastal uses and natural resources that go beyond discrete siting concerns and threaten New York's coastal economy. These effects pertain to enforceable coastal policies of New York's federally approved Coastal Management Program and would be subject to federal consistency review in accordance with the federal Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1451 et seq.). The review would include State coastal policy 29, which specifically addresses the diversity of OCS uses and resources important to New York State's coastal and statewide economy. Of particular concern are potential effects that oil and gas activities may have on the current and future conditions of the State's energy economy and ocean environment, including the potential for oil spills and contamination. An oil spill offshore New York's Atlantic coast could be expected to affect most, if not all, of Long Island's south shore, devastating coastal ecosystems and crippling the State's tourism economy, which generates billions of dollars in economic impact annually.

The Agencies urge you to consult the 2013 New York DOS Offshore Atlantic Ocean Study, including associated supplemental studies, and DOS's Geographic Information Gateway (<http://opdgig.dos.ny.gov>) for a review of the known and predicted areas that support existing coastal and offshore uses and resources important to the State. BOEM's consideration of the potential effects of oil and gas development activities on uses and resources important to New York should not be limited to the identified North Atlantic Planning Area. Over 5,000 natural resource maps have been developed for the Mid Atlantic from New York to Virginia on the Mid-Atlantic Ocean Data portal (<http://portal.midatlanticocean.org/>). In addition, many marine resource studies are now being conducted by DEC through implementation of the NYS Ocean Action Plan.

Of particular concern, BOEM should evaluate the extent, severity, and economic and ecological impacts that potential hazards, such as oil spills and contamination, which result from development in the Mid-Atlantic Planning Area may have on New York's ocean and coastal environment so that State and federal

decision-makers can appropriately consider these effects. As part of this analysis, BOEM should consider the cumulative effects of oil and gas activities in relation to existing uses and future changes in the offshore environment, such as changing oceanographic conditions, shifts in biological distributions, and potential anticipated or planned changes in vessel traffic patterns, frequency, and density. BOEM should pay particular attention to the shelf-edge and shelf-slope of the Atlantic OCS, which support some of the most diverse benthic habitats in the region in the form of vast underwater canyons. These deepwater canyons are biodiversity hot spots, supporting an interdependent ecosystem that includes cold-water corals, seabirds, important commercial and recreational fish species and large whales. In consideration of the multiple factors relevant to developing the National OCS Program, New York's firm and long-standing commitment to the health and vibrancy of our ocean environment must be of utmost concern.

The Agencies appreciate the opportunity to provide this input as BOEM initiates the preparation of the National OCS Program and look forward to providing additional comment as the National OCS Program progresses. Please contact Michael Snyder, Ocean and Great Lakes Program Manager at DOS (518-486-4644; michael.snyder@dos.ny.gov); Karen Chytalo, Assistant Director of Marine Resources at DEC (631-444-0430; karen.chytalo@dec.ny.gov) and Doreen Harris, Director of Large Scale Renewables at NYSERDA (518-862-1090 x 3337; Doreen.Harris@nyserda.ny.gov) for further detail on our submitted comments and future opportunities to provide comment.

Sincerely,



Rossana Rosado
Secretary
Department of State



Basil Seggos
Commissioner
Department of
Environmental Conservation



Alicia Barton
President and CEO
Energy Research and
Development Authority

Cc: Ms. Kelly Hammerle, National Program Manager, Bureau of Ocean Energy Management