

Testimony of Michael Messmer, Senior Federal Policy Manager, Oceana
Prepared for the Senate Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
Concerning the Department of the Interior (Bureau of Ocean Energy Management and the U.S.
Fish and Wildlife Service) and the Environmental Protection Agency
Friday, June 10, 2022

Thank you, Chair Merkley, Ranking Member Murkowski, and members of the Subcommittee for this opportunity to submit testimony. I am Oceana's Senior Federal Policy Manager for Oceana's Climate and Energy Campaign. Oceana is the largest international advocacy organization devoted solely to ocean conservation.

Department of the Interior (DOI) & Offshore Energy

Oceana urges the Committee to adopt the following in the FY2023 Interior, Environment, and Related Agencies Appropriations Act for the Bureau of Ocean Energy Management (BOEM) and the U.S. Fish and Wildlife Service (USFWS):

- Restrict federal funds from being used to allow for any new oil and gas leasing, pre-leasing, or related activities in Outer Continental Shelf planning areas along the Pacific coast, Atlantic coast, Florida's coast, and in the Arctic Ocean.
- Office of Renewable Energy Programs: Increase funding for BOEM's Office of Renewable Energy Programs (OREP) to at least \$70,000,000 to advance offshore wind leasing, permitting, and research.
- Environmental Studies Program: Increase funding for BOEM's Environmental Studies Program to at least \$53,000,000 for offshore wind-related studies.
- Ecological Services Planning and Consultation: Increase funding for US Fish and Wildlife Service Ecological Services Planning and Consultation line item to at least \$152,807,000 to fund additional staff that can help Fish and Wildlife Service conduct offshore wind permitting consultations.

My testimony will focus on two major areas relating to offshore energy: first, the need to restrict federal investments that support new leasing in federal waters for offshore oil and gas development; and second, the need to increase investments necessary to support responsibly developed clean offshore wind power.

As I submit this testimony, Russia's criminal and devastating attack on Ukraine has broken the peace in Europe, causing a humanitarian crisis, prompting a mass exodus of refugees, and throwing global fossil fuel markets into chaos. The national security and economic risks of relying on dirty fossil fuels are on full display. Yet we see Big Oil using the crisis as an excuse to try to expand its footprint and price gouge customers while their profits soar. It is more important than ever that we reduce our dependence on fossil fuels and expand investments in clean, renewable energy.

Prohibiting funding for new offshore oil and gas leasing activities would effectively ensure a one-year moratorium on the expansion of offshore drilling. There is longstanding precedent for this, as Congress—for nearly three decades—heeded concerns from the communities it represents and restricted spending on offshore federal oil and gas leasing via the appropriations process. Without moratoria provisions, Congress relinquishes its power to influence the future of offshore drilling to the Executive Branch. Such funding restrictions have been part of the House

Interior, Environment, and Related Agencies Appropriations Act for the past three years. Oceana asks the Subcommittee to make it a priority to include the offshore drilling funding prohibition in its FY2023 bill.

In January 2018, DOI's BOEM released its 2019-2024 Draft Proposed Program (DPP). This was the initial draft of the Trump Administration's plan to radically expand offshore oil and gas leasing to nearly all U.S. waters. Due to fierce opposition, they never finalized their plan. President Trump joined Presidents Bush, Clinton, and Obama in using his executive authority to protect large areas of the OCS from new offshore drilling by establishing a ten-year moratorium on leasing for offshore oil and gas off North Carolina, South Carolina, Georgia, and Florida.

Offshore drilling threatens the continued prosperity of coastal communities and states with economies tied to clean, oil-free shorelines and waters. A recent Oceana analysis found that tourism, fishing, and recreation support around 3.3 million American jobs and \$250 billion in GDP each year.¹ If fisheries are properly managed and coastlines are protected, these jobs can be sustained for generations to come. This stands in stark contrast to offshore drilling for oil and gas: when the oil and gas run out, so will the jobs. Coastal communities want a reliable source of revenue – not more dirty drilling. As of today, opposition and concern over offshore drilling activities has been expressed by:

- Nearly every East and West Coast governor, including Florida, Georgia, South Carolina, North Carolina, Maryland, Delaware, New Jersey, New York, Connecticut, Massachusetts, New Hampshire, Maine, California, Oregon, and Washington
- Nearly 400 local municipalities
- Over 2,400 local, state, and federal bipartisan officials
- East and West Coast alliances representing over 58,000 businesses
- Pacific, New England, South Atlantic, and Mid-Atlantic fishery management councils
- Department of Defense, NASA, U.S. Air Force, and Florida Defense Support Task Force

More offshore drilling would also spell disaster for our climate. A recent Oceana analysis found ending new leasing for offshore oil and gas could prevent emissions of more than 19 billion tons of greenhouse gas, which is equivalent to taking every car in the nation off the road for 15 years—or almost three times the United States' annual greenhouse gas emissions.²

By shifting from fossil fuels to clean, renewable energy sources like offshore wind, the United States can help address this crisis. Oceana was pleased to see the Biden Administration's goal to deploy 30 GW of offshore wind power by 2030 while protecting biodiversity and cultural resources, including imperiled marine life such as the critically endangered North Atlantic right whale. Increased funding for BOEM's offshore wind permitting and research work will ensure offshore wind energy is developed in a way that minimizes negative impacts to marine wildlife.

To ensure our federal agencies can keep pace with the ambition of the Administration's offshore wind goals, it is imperative that federal resources keep pace with their needs. Right now, federal agencies are struggling to keep up with the demand for leasing, siting, and permitting of offshore wind projects. The significant increase in projects must be met with a significant investment in

¹ Oceana (Jan. 2021) Offshore Drilling Fuels the Climate Crisis and Threatens the Economy. Washington, D.C. Available: https://usa.oceana.org/sites/default/files/2021/01/27/final_climate_economy_fact_sheet_m1_doi.pdf.

² Oceana (Jan. 2021) Offshore Drilling Fuels the Climate Crisis and Threatens the Economy.

the science and technologies needed to research and reduce the impacts offshore wind may have on our communities, environment, and wildlife.

BOEM's OREP serves as the lead offshore wind permitting agency, responsible, in coordination with other federal agencies, for approving the leasing, construction, and operation of facilities. Through BOEM's Environmental Studies Program (ESP), BOEM provides communications and outreach to better understand tribal and indigenous interests, facilitates consultations, organizes community meetings, and more to incorporate these facets into decision-making. OREP complements the ESP by providing further research into the environmental effects of offshore wind. USFWS scientists, working with states and stakeholders, identify key habitats for fish and wildlife, ensuring resources are protected and mitigation measures help reduce risks to potentially affected species. We ask that you support the following increases to BOEM and USFWS line items:

- Office of Renewable Energy Programs: Increase funding for BOEM's Office of Renewable Energy Programs to at least \$70,000,000 to advance offshore wind leasing, permitting, and research.
- Environmental Studies Program: Increase funding for BOEM's Environmental Studies Program to at least \$53,000,000 for offshore wind-related studies.
- Ecological Services Planning and Consultation: Increase funding for USFWS Ecological Services Planning and Consultation line item to at least \$110,000,000 to fund additional staff that can help Fish and Wildlife Service conduct offshore wind permitting consultations.

Coastal communities deserve the peace of mind drilling protections will bring. Despite strong and bipartisan opposition to opening new areas to offshore drilling, we are seeing some make the short-sighted calculation to push for more drilling.

With gas prices rising as a result of Russia's war on Ukraine, oil and gas companies are using this moment to try and deepen our dependence on fossil fuels. Currently, oil and gas companies have stockpiled eight million acres of unused offshore oil and gas leases in the Gulf of Mexico. They do not need any more leases. Any new drilling would take years, even decades, to reach the market, doing nothing to lower the rising prices Americans are paying at the pump today. It will, however, serve to line the pockets of an industry whose leaders are not interested in lowering prices for Americans, not interested in meeting the challenges of the climate crisis, and not interested in heeding the voices of coastal communities.

Our national security is directly tied to U.S. energy independence. It is more important than ever that we move away from our dependence on fossil fuels and expand investments in clean, renewable energy. This means protecting our coasts from dirty and dangerous offshore drilling and expanding responsibly developed clean offshore wind power. Congress must restore the precedent of enacting appropriations moratoria to protect our oceans and coastal communities.

We ask the Subcommittee and the Committee to prohibit the use of any funding provided to DOI in the FY2023 Interior, Environment, and Related Agencies Appropriations Act for the purposes of any new oil and gas preleasing, leasing, and related activities. Additionally, we urge the Committee to fund needed increases to support the responsible development of clean offshore wind power.

Environmental Protection Agency & Plastic Pollution

The growing plastic pollution crisis presents another issue directly linked to fossil fuels, climate change, and ocean health. As plastic production ramps up, solutions to manage this material have proven to fall woefully short. From the extraction of raw materials, to the production of market goods, to downstream litter and waste, plastic drives climate change and produces pollution that disproportionately affects frontline communities.³ ⁴ Most plastics are made from petrochemicals derived from fossil fuels, and if plastic were a country, it would be the fifth-largest emitter of greenhouse gases.⁵ Climate change, environmental justice, and the plastics crisis are closely linked, making it impossible to address one problem without considering the others.

We ask the Committee to protect our ocean, waterways, wildlife, climate, and public health from plastic pollution and prohibit procurement of single-use plastics inside national parks. We applaud Secretary Haaland for announcing on World Ocean Day that DOI will phase out single-use plastics in the National Park Service and all the public lands managed by DOI. We urge the Committee to direct DOI to expedite the development and implementation of the new plan to phase out single use plastics.

It is estimated that more than 250,000 tons of preproduction plastic pellets, also known as nurdles, spill into the ocean annually.⁶ They are found along U.S. beaches and across all five of the Great Lakes, contaminating local waterways and contributing to the degradation of fenceline communities near plastic production facilities.⁷ To date, there is no national framework for responding to or preventing spills within the United States. We ask the Committee to direct the EPA Administrator to submit a report to Congress including (1) an estimate of current and projected production, use, and distribution of preproduction plastic pellets in the United States; (2) a comprehensive list of preproduction plastic pellet spills within the United States' lands, ocean, and waterways; (3) an assessment of clean-up and remediation processes; and (4) potential regulatory solutions.

Effective analysis and recommendations for reducing the creation of new plastics are necessary to alleviate environmental, socio-economic, and climate impacts of plastics. We ask the Committee to direct the EPA Administrator to submit to Congress the report authorized in Section 307 of Save Our Seas 2.0 (Public Law 116-224).

Reuse and refill technologies, like beverage refilling stations, are part of a just transition away from single use plastics, provide consumers with choices, and reduce undue economic and environmental pressure on the waste stream. We urge the Committee to direct the EPA Administrator to establish a competitive grant program to fund pilot-scale packaging reduction, reuse, and refill projects. The program should prioritize small businesses, minority-led initiatives and enterprises, and programs to serve environmental justice communities.

Thank you again for the opportunity to submit this testimony.

³ UNEP (2021) Neglected: Environmental Justice Impacts of Plastic Pollution Available: <https://news.un.org/en/story/2021/03/1088712>

⁴ Conservation Law Foundation (2022) How Plastic is Made Fuels a Toxic Waste Problem, Plastic production pollutes our environment and our communities. Available: <https://www.clf.org/blog/how-plastic-is-made/>

⁵ Center for International Environmental Law (2019) Plastics & Climate: The Hidden Costs of a Plastic Planet. Available: <https://www.ciel.org/plasticandclimate/>

⁶ Eunomia (2016) Marine Plastics: We Should Fight Them on Beaches. *Eunomia Research & Consulting*. <https://www.eunomia.co.uk/marine-plastics-we-should-fight-them-on-the-beaches/>.

⁷ Corcoran et al. (2020) A comprehensive investigation of industrial plastic pellets on beaches across the Laurentian Great Lakes and the factors governing their distribution. *Science of The Total Environment*, 747, 141227.