

# U.S. House of Representatives

## Committee on Natural Resources

Washington, DC 20515

January 24, 2018

The Honorable Rob Bishop  
Chairman  
House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Bishop:

As you are aware, on January 4<sup>th</sup> of this year the Department of the Interior released the 2019-2024 National Outer Continental Shelf (OCS) Oil and Gas Leasing Draft Proposed Program (DPP), which proposed lease sales in every OCS planning area on the Atlantic, Pacific, and Gulf Coasts, as well as every planning area offshore Alaska except for the North Aleutian Basin. On January 9<sup>th</sup>, however, Secretary Zinke met with Florida Governor Rick Scott at the Tallahassee airport, and afterwards tweeted, “After talking with @FLGovScott, I am removing #Florida from the draft offshore plan.” He later added, “I support the governor’s position that Florida is unique and its coasts are heavily reliant on tourism as an economic driver. As a result of discussion with Governor Scott’s [sic] and his leadership, I am removing Florida from consideration for any new oil and gas platforms.” He also included, “Local voice matters.”

While there was no indication that Secretary Zinke adhered to the process required by Section 18 of the OCS Lands Act for determining which areas will be included or excluded from a 5-year leasing program, the Secretary did not specify which waters around Florida he was “removing,” and it wasn’t clear if “oil and gas platforms” was intended to refer to oil and gas leasing, the press and other coastal governors interpreted the tweet to indicate that the State of Florida was indeed removed from further consideration from the 2019-2024 program.<sup>1</sup> While there is no doubt that clean oceans and healthy beaches are a foundation of Florida’s robust tourism economy, the same can be said for numerous states across the country, which was pointed out by numerous governors in letters to Secretary Zinke seeking leasing exemptions for their own states. Despite meeting with a number of those governors since his tweet, Secretary Zinke has not acknowledged that the local voices of any other state matters to him as much as the local voices of Florida.

The situation was further muddled at a January 19<sup>th</sup> hearing of the Energy and Mineral Resources Subcommittee, during which the acting director of the Bureau of Ocean Energy Management, Walter Cruickshank, stated that the Secretary’s tweet was, “not a formal action,” and that “we will be including [Florida] in the analysis for the decisions that will come out later this year.” Then, in an interview on *Breitbart News Sunday* on January 21<sup>st</sup>, Secretary Zinke

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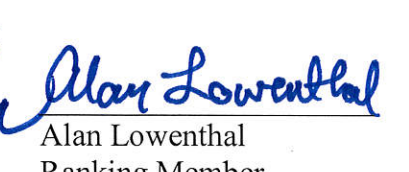
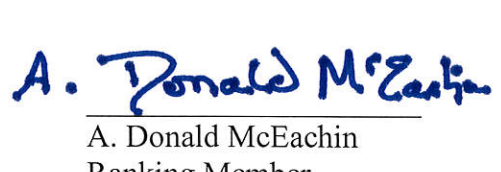
<sup>1</sup> For example, D. Weigel and J. Wagner, *Decision to exempt Florida from offshore drilling prompts bipartisan uproar*, The Washington Post, January 10, 2018.

reiterated that Florida was, in fact, no longer part of the 5-year planning process, saying, "It was the right move to remove Florida's coastline from consideration."

The American people, and in particular the people of Florida, are rightly confused about the current situation with the 5-year program. Has the Secretary made a final decision outside of the OCS Lands Act process to remove the waters around Florida from further consideration? If so, does he mean both the Atlantic and Gulf Coasts, and how far from the shoreline would be protected? Also, what factors did he use to decide that Florida was unique, and how have other states that have asked to be excluded not met Florida's standard? Why is the Secretary telling the people of Florida different information than the agency in charge of developing the program? If Florida is truly still under consideration, as the Acting BOEM Director has indicated, why did the Secretary make his announcement in the first place? Furthermore, press reports indicated that the "agreement evolved during meetings over the last 12 months,"<sup>2</sup> yet the DPP states that BOEM did not receive any comments from Governor Scott directly, and the comments that were received from other Florida agencies did not state a position on whether the waters around Florida should be open for leasing.<sup>3</sup> Why were the conversations between Secretary Zinke and Governor Scott not reported?

Besides the confusion of the current situation, it appears that Secretary Zinke is engaged in either politically-driven arbitrary and capricious decision-making, or is making false statements regarding the development of the 2019-2024 OCS leasing program. Through its actions, the Department of the Interior has already made it clear that it will not meaningfully respond to letters from Democratic Members of Congress; for example, a letter from Florida Senator Bill Nelson on January 10<sup>th</sup> requesting additional information about the Secretary's pronouncements continues to go unanswered. This is not a partisan issue, however. Bipartisan majorities on both coasts oppose new oil and gas leasing in the Atlantic and the Pacific, and the American people deserve frank and forthright answers from their public servants.

We therefore respectfully request that you schedule at the earliest possible opportunity a full committee oversight hearing on this issue and insist that Secretary Zinke himself appear before the committee to provide answers about the five-year program planning process. This issue is far too important to allow the Secretary to stonewall, and we hope you will join us in opposing efforts by the Department of the Interior to play politics with America's coastlines.

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| Raúl M. Grijalva                                                                    | Alan Lowenthal                                                                       | A. Donald McEachin                                                                    |
| Ranking Member                                                                      | Ranking Member                                                                       | Ranking Member                                                                        |
| House Committee on                                                                  | Subcommittee on                                                                      | Subcommittee on                                                                       |
| Natural Resources                                                                   | Energy & Mineral Resources                                                           | Oversight & Investigations                                                            |

<sup>2</sup> P. King and K.E. Swartz, *Zinke rolls out Fla. Exemption on Twitter*, Environment & Energy Publishing, January 10, 2018.

<sup>3</sup> Bureau of Ocean Energy Management, *2019-2024 National Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program*, page 9-2 and Figure 9-1.