



America's Offshore Energy Industry

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## JOINT MEDIA RELEASE

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### ***Permits for Atlantic Seismic Surveys enter 1000<sup>th</sup> Day Waiting for NOAA Fisheries Action***

*Demonstrates the Agency's dysfunction and failure to act according to law*

**Houston, Texas** – April 23, 2018 – Today marks the 1000<sup>th</sup> day since NOAA Fisheries recognized as 'final and complete' Incidental Harassment Authorization (IHA) applications for seismic surveys on the Atlantic Outer Continental Shelf (OCS) under the Marine Mammal Protection Act (MMPA), and 1383 days since the Bureau of Ocean Energy Management (BOEM) signed its Record of Decision (ROD) considering permitting Atlantic geological and geophysical (G&G) activities.

Five companies (TGS, ION, WesternGeco, CGG & Spectrum) have pursued their MMPA authorizations or IHAs, many submitting applications immediately following the BOEM's July 2014 ROD. NOAA Fisheries [proposed IHAs](#) for these 5 surveys in June 2017 and did not deem these IHA applications complete until July 2015.

"The MMPA requires the agencies to make decisions on IHA applications within 120 days, yet it is now 1000 days later, and final decisions on the IHAs and BOEM's geophysical permits are still pending," said Nikki Martin, President of the International Association of Geophysical Contractors (IAGC). "This inexplicable delay represents a complete bureaucratic breakdown by federal agencies in what should be an otherwise straightforward process. Blowing past its 120-day statutory deadline by 880 days and counting, NOAA Fisheries confirms the [Government Accountability Office's January report](#) documenting the agency's derelictions, finding numerous and unjustifiable administrative failures that have contributed to the current quagmire surrounding the authorization of seismic surveys in the Atlantic OCS."

The BOEM and NOAA Fisheries have stated time and time again over the years and throughout changing political administrations that there has been "no documented scientific evidence of noise from acoustic sources used in seismic activities adversely affecting marine animal populations or coastal communities" (see BOEM's, [August 22, 2014 Science Note](#)). "The geophysical and exploration industries have routinely applied for and obtained MMPA authorizations in other regions, yet it has taken nearly four years to process authorizations for proposed seismic surveys in the Atlantic OCS. It is clear that the MMPA, as it stands today, is not equipped to meet the needs of the 21<sup>st</sup> century nor does it provide assurance of agency

accountability regarding statutory timelines and processes that are predictable and unbiased. This is why the IAGC and NOIA fully support the passage of the SEA Act ([HR 3133](#)) and the SECURE Act ([HR 4239](#)) to modernize the MMPA,” said Martin.

Randall Luthi, President of the National Ocean Industries Association (NOIA) said, “The legislation pending before the U.S. House will accomplish what is a reasonable expectation of a federal regulatory program: transparent standards based on the best available science, efficient processes, elimination of redundancy and agency accountability of **firm timelines adhering to current statute**. These bills would provide clear direction and reasonable timelines to the agencies and regulated entities for processing MMPA authorization requests for seismic surveys, and other offshore activities such as marine research programs, infrastructure projects, and coastal restoration efforts.”

The [IAGC](#) and NOIA call upon NOAA Fisheries to acknowledge its failure to meet existing statutory timelines and issue decisions on the five pending Atlantic seismic IHA applications without further delay.

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### **About the IAGC**

The IAGC represents more than 110 member companies worldwide from all segments of the geophysical industry, and is the only trade organization solely dedicated to representing the industry. It is the leader in geophysical technical and operations expertise. For more than 45 years, the IAGC has worked to optimize the business and regulatory climate, and enhances public understanding to support a strong, viable geophysical industry essential to discovering and delivering the world's energy resources.

### **About NOIA**

NOIA is the only national trade association representing all segments of the offshore industry with an interest in the exploration and production of both traditional and renewable energy resources on the nation's outer continental shelf. NOIA's mission is to secure reliable access and a fair regulatory and economic environment for the companies that develop the nation's valuable offshore energy resources in an environmentally responsible manner. The NOIA membership comprises about 250 companies engaged in business activities ranging from producing to drilling, engineering to marine and air transport, offshore construction to equipment manufacture and supply, telecommunications to finance and insurance, and renewable energy.

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