

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

May 17, 2023

Ms. Elizabeth Klein
Director, Bureau of Ocean Energy Management
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240-0001

Dear Ms. Klein,

Thank you for appearing before the Subcommittee on Energy and Mineral Resources oversight hearing on Wednesday, April 26, 2023, to present testimony at the hearing entitled, *"Examining the President's FY 2024 Budget Request for the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, and the U.S. Geological Survey."*

Your testimony was extremely helpful in defining the Subcommittee's understanding of the issue and I appreciate the effort you took to prepare and present your testimony.

Please forward your responses to Lonnie Smith, Clerk of the Subcommittee on Energy and Mineral Resources, at lonnie.smith@mail.house.gov by May 24, 2023. Your assistance in meeting this deadline is requested, as failure to meet it will be noted in the printed transcript.

Once again, thank you for your extensive effort in making this a valuable hearing.

Sincerely,



Pete Stauber
Subcommittee on Energy and Mineral Resources
Chairman

Committee on Natural Resources
Subcommittee on Energy and Mineral Resources
Oversight Budget Hearing
1324 Longworth House Office Building
April 26, 2023
2:00 PM

“Examining the President’s FY 2024 Budget Request for the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, and the U.S. Geological Survey”

Questions from Chairman Westerman for Director Liz Klein, Director, Bureau of Ocean Energy Management

1. Can you provide a detailed timeline of BOEM's plans to publish a final 5-year OCS plan, including environmental reviews?
2. What steps is the agency taking to schedule Gulf of Mexico lease sales in 2024 and 2025 to meet the nation's energy needs?
 - a. How would a one year or two-year delay in investing in the offshore industry affect ancillary industries such as maritime transport and offshore support services, cyber security, oil-spill prevention, and has the potential impact of such delays been assessed?
3. In recent notices regarding the IRA-mandated Gulf of Mexico lease sales, BOEM has reduced the areas that are being offered for lease, resulting in nearly 10 million fewer acres being offered for lease. Much of this area was previously issued for lease with certain stipulations aimed at preserving the OCS as a multiple-use resource.
 - a. Why did BOEM remove acreage previously offered with mitigation measures?
 - b. Do you believe that the OCS should remain a multiple-use resource?
4. The National Marine Fisheries Service (NMFS) requires a Letter of Authorization to perform offshore geological and geophysical testing. Due to errors made in the preparation of the final rule and NMFS’ overly conservative modeling, companies cannot currently obtain these permits.
 - a. Has BOEM cooperated with NMFS in resolving problems with Letters of Authorization for offshore geological and geophysical testing?
5. Has BOEM contacted EPA regarding the need for new discharge permits for offshore operations?
 - a. Do you know when EPA plans to issue the new permit, and if not, can you inquire and provide that information to the committee?
6. Can you provide the exact amount of decommissioning liabilities the U.S. taxpayer has acquired in the 60+ year history of offshore oil and gas development? Can you provide this information to the Committee?

Questions from Rep. Chris Smith for Director Liz Klein, Director, Bureau of Ocean Energy Management

1. Two weeks ago, BOEM, NOAA Fisheries, and the Responsible Offshore Development Alliance issued a report that claims, "Physical changes associated with (offshore wind) developments will affect the marine environment—and, subsequently, the species that live there — to varying degrees. These include construction and operation noise and vibration, electromagnetic fields, and thermal radiation from cables, as well as secondary gear entanglement." This statement seems to conflict with other statements of BOEM and the Biden Administration used to dismiss claims that offshore wind industrialization may be contributing to marine mammal deaths by interfering with their hearing. Given that no project of such magnitude has ever been constructed on the US East Coast as those off the coast of New Jersey, how can BOEM be sure of the practical effect of 3,400 wind turbines on the marine environment?
2. In terms of offshore wind development and fisheries, it has often appeared that BOEM and NOAA Fisheries are not effectively working together. How can BOEM improve its coordination with NOAA fisheries, commercial and recreational fishing communities, and regional councils? I'm specifically curious about where BOEM can require OSW developers to share data with fisheries managers and scientists and multi factor bidding which potentially can encourage restoration and research efforts.

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Question from Rep. Mullin for Director Klien, Bureau of Ocean Energy Management (BOEM)

1. ***My understanding is that BOEM is working to ensure that the local coastal and inland communities near the Morro Bay Wind Energy Project are being engaged to minimize economic and cultural disruptions. The Santa Ynez Band of Chumash Indians has found that there will be no adverse effects for the Morro Bay Wind Energy Area under Section 106 of the National Historic Preservation Act. This finding is based on additional BOEM work to protect sacred and other cultural resources in the area. Please share what the Bureau has done thus far to mitigate the impacts on indigenous cultural sites and what additional funding is still needed to ensure that the Traditional Cultural Landscape will be fully funded.***