

ROB BISHOP, UT  
CHAIRMAN  
DON YOUNG, AK  
LOUIE GOHMERT, TX  
DOUG LAMBORN, CO  
ROBERT J. WITTMAN, VA  
JOHN FLEMING, LA  
TOM McCLINTOCK, CA  
GLENN THOMPSON, PA  
CYNTHIA LUMMIS, WY  
DAN BENISHEK, MI  
JEFF DUNCAN, SC  
PAUL A. GOSAR, AZ  
RAÚL R. LABRADOR, ID  
DOUG LaMalfa, CA  
JEFF DENHAM, CA  
PAUL COOK, CA  
BRUCE WESTERMAN, AR  
GARRET GRAVES, LA  
DAN NEWHOUSE, WA  
RYAN ZINKE, MT  
JODY HICE, GA  
AUMUA AMATA COLEMAN RADEWAGEN, AS  
TOM MacARTHUR, NJ  
ALEX MOONEY, WV  
CRESENT HARDY, NV  
DARIN LAHOOD, IL

JASON KNOX  
STAFF DIRECTOR

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

March 31, 2016

RAÚL M. GRIJALVA, AZ  
RANKING MEMBER  
GRACE F. NAPOLITANO, CA  
MADELEINE Z. BORDALLO, GU  
JIM COSTA, CA  
GREGORIO KILILI CAMACHO SABLAN, CNMI  
NIKI TSONGAS, MA  
PEDRO R. PIERLUISI, PR  
JARED HUFFMAN, CA  
RAUL RUIZ, CA  
ALAN LOWENTHAL, CA  
MATTHEW CARTWRIGHT, PA  
DON BEYER, VA  
NORMA J. TORRES, CA  
DEBBIE DINGELL, MI  
RUBEN GALLEGO, AZ  
LOIS CAPPS, CA  
JARED POLIS, CO  
Wm. LACY CLAY, MO

DAVID WATKINS  
DEMOCRATIC STAFF DIRECTOR



This document is for GAO internal use only.  
Do not share externally without CR approval.

16-0926

The Honorable Gene Dodaro  
Comptroller General of the United States  
U.S. Government Accountability Office  
441 G Street, N.W.  
Washington, D.C. 20548

Dear Comptroller General Dodaro:

Various entities, including oil and gas companies and federal agencies, conduct seismic surveys on the outer Continental Shelf (OCS) to collect geologic data such as the location of oil and gas resources, areas best suitable for offshore wind turbines, and possible fault zones. This surveying is critical for continuing operations in the Gulf of Mexico, but is also important in our Arctic, Atlantic and Pacific OCS areas. To conduct seismic operations on the OCS, these entities must obtain certain approvals from the Department of the Interior's Bureau of Ocean Energy Management (BOEM) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS).

BOEM is responsible for ensuring that offshore energy resources are made available for development in a timely and efficient manner while protecting the environment. It does this, in part, by reviewing and approving seismic permit applications. Because seismic activities may impact marine mammal activities, NMFS—which has oversight responsibility for marine mammals—may need to provide incidental harassment authorizations (IHAs). These federal approvals require coordination between BOEM and NMFS.

In 2011, Interior and NOAA entered into a memorandum of understanding (MOU) to ensure that the development of OCS energy resources was based on sound scientific research and the expertise of both agencies to provide for the stewardship and conservation of living marine resources and ecosystems. The MOU specifies a number of specific responsibilities and procedures for both agencies to ensure that OCS oil and gas activities are effectively and efficiently coordinated. For example, the MOU establishes coordination requirements for the seismic permitting process. Additionally, the MOU requires BOEM and NMFS to identify and undertake environmental studies and analyses as well as share information and meet regularly to identify the best available science to support future regulatory decisions, among other provisions.

The committee is concerned about the consistency, timeliness, and transparency of the seismic permitting process for all of BOEM's regions, including implementation of the MOU between Interior and NOAA. In view of these concerns, we request that GAO examine the following:

1. What is the status of seismic permit applications submitted since 2011 in each OCS region, including the number of permit applications submitted, withdrawn, pending, and approved, and the rationale for each?

2. What are the timeframes for issuing approvals from the date the permit is first submitted to the agency? Do they vary by region and if so, why?
3. NOAA lists five separate categories of activities for IHAs: Construction, Military, Oil and Gas, Other Energy, Research and Other. Has seismic surveying been permitted for purposes other than oil and gas research? How does the approval process, including timeframe, for seismic surveying for non-oil and gas activities compare with seismic surveying for research or other categories of activities that are permitted by NOAA?
4. How does each BOEM region carry out the seismic permitting process?
5. To what extent have BOEM and NOAA satisfied the provisions of the MOU concerning seismic permitting coordination?
6. To what extent has NOAA complied with statutory timelines within the Marine Mammal Protection Act regarding issuance of IHAs and when timelines are not met what is the reason?
7. To what extent have BOEM and NOAA satisfied the provisions of the MOU specifying that the decisions are to be based on sound scientific studies and objective data?
8. To what extent are studies that BOEM and NOAA rely on to make permitting decisions made available to the public or provide opportunity for public and stakeholder input?
9. How many staff has NOAA and BOEM dedicated to seismic permitting and has each agency dedicated an appropriate workforce towards issuing permits/permit review?
10. How does litigation from outside organizations impact the permitting process?
11. Seismic data has been acquired for decades in the Gulf of Mexico without documented harm to marine mammals, how many line-miles or square kilometers have been approved for seismic data acquisition in the Gulf since 1980?

In the course of your investigation, should you discover any other iniquities in the seismic permitting process at the agency or department level, please include such findings when you next meet with my staff, Kate MacGregor, and please direct any questions you may have to her on the subject of this request. I appreciate your time in investigating this important issue.

Sincerely,



Rob Bishop  
Chairman  
Committee on Natural Resources

# Request Letter Form

---

**Date Received:**

---

**Team Assignment:**

---

**For Action:**

---

**For Information:**

---

**Comments:**

---

**Advisor Name:**

**Date:**

---

For EAM