

February 27, 2015

Braxton Davis, Director
N.C. Division of Coastal Management
400 Commerce Avenue
Morehead City, N.C. 28557

Via: michele.walker@ncdenr.gov

RE: Spectrum Geo, Inc. and GX Technology Applications for Federal Consistency Review of Permit Applications Submitted to U.S. Department of Interior – Bureau of Ocean Energy Management for 2D Geophysical and Geological Surveys

Dear Mr. Davis,

On behalf of the N.C. Coastal Federation, I am submitting these comments in response to Spectrum Geo, Inc. and GX Technology's applications for a favorable federal consistency review by the N.C. Division of Coastal Management. The applications requests approval to conduct geophysical and geological surveys in our offshore waters.

There is significant scientific evidence that seismic surveys may cause harm to various marine organisms. The federal consistency review process is the opportunity for the Division to raise questions regarding the potential effects that these activities on aquatic life, and to find that seismic surveys are not consistent with our state's coastal management plan as long as there is not conclusive scientific evidence that requested testing will not harm our offshore marine life.

The federation believes that these requests are inconsistent with the coastal management plan for N.C. for the following reasons:

- a. There is sound scientific evidence that adverse impacts to the state's fisheries and fish habitat could occur as a result of seismic testing;
- b. Unacceptable levels of harm to sea turtles and other endangered species may result from seismic testing; and
- c. Unacceptable harm to marine mammals protected by the federal and state laws may also occur.

The N.C. Coastal Area Management Act, the federal Coastal Zone Management Act, and the Coastal Habitat Protection Plan exist in cooperation to preserve and manage coastal zones by providing substantial protection of the State's abundant natural resources of the coast, marine environment, and Atlantic Ocean. It is



required that the development of energy resources in State and offshore waters should avoid impacting coastal and public trust resources adversely.

It is proven through varieties of scientific research that the impacts of seismic testing on fish, cetaceans, and marine invertebrates are damaging. In addition to the seismic testing that negatively impacts fish populations and their habitats, the survey vessels themselves have the potential to disrupt recreational and commercial fishing operations that typically occur in offshore waters.

You are receiving formal comments from other parties on these applications that provide documentation of the scientific research referenced in this letter. These studies raise plenty of unanswered questions about potential negative effects of seismic testing, and when such uncertainty exists, the burden is on the applicant and not your agency to prove that these activities will not cause unacceptable harm. Lacking such proof, it is impossible to make a finding that these activities are consistent with the N.C. coastal management plan.

We respectfully request that the Division of Coastal Management reject the request of application consistency and approval for Spectrum, Inc. and GX Technologies for seismic testing off of North Carolina's coast.

We thank you in advance for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Ladd Bayliss". The signature is fluid and cursive, with a large initial "L" and a long, sweeping tail.

Ladd Bayliss
Coastal Advocate