

## Summary for the PEIS for Oil and Gas Decommissioning Activities on the Pacific OCS Scoping Comment Period

November 2021

### Background:

On July 23, 2021, Bureau of Safety and Environmental Enforcement (BSEE) published a notice in the Federal Register [86 FR 39055] that provided a 45-day public comment period on the Notice of Intent (NOI) for the Programmatic Environmental Impact Statement (PEIS) for Oil and Gas Decommissioning Activities on the Pacific Outer Continental Shelf (OCS). The comment period closed on September 7, 2021. BSEE received requests to extend the comment deadline and reopened for comment until October 15, 2021.

The PEIS is necessary to analyze the environmental impacts and safety risks of the decommissioning process and to inform agency decisions to minimize impacts and conflicts with other users of the OCS. There are currently 23 oil and gas platforms on the OCS offshore Southern California and all these facilities are subject to or in the process of decommissioning. Eight (8) oil and gas platforms on the OCS off the coast of southern California no longer produce oil and gas; and no longer have active leases to allow resumption of production. These facilities need BSEE approval prior to initiating decommissioning. The Bureau of Ocean Energy Management (BOEM) is leading the National Environmental Policy Act (NEPA) analysis.

BOEM received approximately 174 remarks during both scoping periods from 26 distinct entities. A remark is a written statement about a particular topic. The comment total is 4,509 including 4,483 form letters from Friends of the Earth affiliates. Comments were received from federal agencies, state agencies, local agencies, non-governmental organizations, and individuals. BOEM acknowledges other comments noted and will consider the information provided in the development of the PEIS.

The five most common topics include Expected Future Condition, Health and Safety, Fish and/or Essential Fish Habitat, Air Quality, and Benthic Communities and Shell Mounds.

### Comments on Expected Future Condition

The Environmental Protection Agency (EPA) recommends that according to the Federal NEPA Contacts Meeting in 2021, the 2020 Council on Environmental Quality's regulations do not prevent or prohibit the analysis of indirect and/or cumulative effects. As such, EPA encourages analyzing indirect and cumulative effects to best capture impacts to human health and the environment.

*BOEM acknowledges these comments. One purpose of the PEIS is to analyze the environmental impacts and safety risks of the decommissioning process, and to inform agency decisions to minimize impacts and avoid or reduce conflicts with other users of the OCS.*

### Comments on Health and Safety

Several commenters expressed concerns about discharged oil-related pollutants, polychlorinated biphenyls and polycyclic aromatic hydrocarbons (PCBs and PAHs), marine debris, spills, etc. The

Environmental Defense Center noted the PEIS should analyze whether any debris will be left on the seafloor if a platform is not completely removed, and the site remediated.

*BOEM, through public comment periods for the scoping and Draft EIS document release, is focused on providing a transparent and clear process to all ocean users. BSEE will regulate under the Statutory Authority of the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1331-1356a. Lessees and owners of operating rights must decommission their facilities, including pipelines, in accordance with the governing regulations and lease conditions per 30 CFR 250.1701.*

### **Comments on Fish and/or Essential Fish Habitat (EFH)**

The Pacific Fishery Management Council noted that oil and gas pipelines, platforms, and other facilities offshore of southern California are within designated EFH for federally managed Pacific Coast groundfish, coastal pelagic species, Pacific salmon, and highly migratory species.

*BOEM will include analysis of potential impacts to fish and fisheries throughout the process. Noise impacts to fishes and mammals will also be addressed in the PEIS document. The impacts of decommissioning, partial decommissioning, and other potential reasonable alternatives will be addressed in detail in the PEIS, and likely also in subsequent project specific NEPA documents. In the planned PEIS, BOEM will analyze the decommissioning action and proposed action(s) based on the best available information and consideration of the submitted comments.*

### **Comments on Air Quality**

Blue Latitudes Foundation commented that platform decommissioning, which requires the use of diesel-powered vessels and equipment, will inevitably impact coastal air quality.

*BOEM and BSEE use the best available information to conduct a comprehensive review of the potential environmental impacts related to the project area including air quality. Including alternatives that mitigate Greenhouse Gas emissions, is fundamental to the NEPA process and accords with NEPA Sections 102(2)(C) and 102(2)(E). Climate change will also be addressed as part of a no action alternative. BOEM will analyze air impacts in the PEIS.*

### **Comments on Benthic Communities and Shell Mounds**

The Comment from California Department of Fish and Wildlife recommends this analysis should contemplate impacts to resources both living on the platform structure (i.e., marine growth/biofouling) as well as those living within the nearby marine environment.

*BOEM funded surveys for the past thirty years to learn the role of platforms, including sediments, fishes, invertebrates, and non-native species both near Pacific OCS platforms and through the Southern California Bight. BOEM and BSEE use the best available information to conduct a comprehensive review of the potential environmental impacts related to the project area including biological communities living on or near platform structures.*

### **Other Comments Noted**

Many commenters noted potential uses for the platforms including leaving them in place for future research, tourism such as diving, etc. Other recommendations included general requests for further data acquisition relating to the alternatives, climate change, mitigations, commercial and recreational fishing, socioeconomics, water quality, and other resources. Protection of avian and mammal species were noted in several comments. Comments covered socioeconomic topics, intergovernmental engagement, mitigations, and commercial and recreational fishing concerns.