



City of Cape Canaveral
City Council Agenda Form
City Council Meeting Date: 04/15/2014
Item No. 6

Subject: Resolution No. 2014-15; opposing Seismic Airgun Testing in the Atlantic Ocean; providing for the repeal of prior inconsistent resolutions; severability; and an effective date.

Department: Administrative Services

Summary: In December 2009, the City of Cape Canaveral City Council passed a resolution opposing a bill to allow for offshore drilling in the State of Florida (see Attachment 1).

As reported by Florida Today and other media outlets recently, Federal regulators plan to allow seismic airguns that emit dynamite-like underwater blasts to survey for oil and gas deep beneath the ocean floor, from Cape Canaveral to Delaware. Conservation groups fear the tests, which are 100,000 times more intense than a jet engine, will kill or harm thousands of dolphins, whales and other marine life. (see Attachment 2)

According to Wikipedia, reflection seismology is a method of exploration geophysics that uses the principles of seismology to estimate the properties of the Earth's subsurface from reflected seismic waves (waves of energy that travel through the Earth's layers). The method requires a controlled seismic source of energy, such as dynamite or a specialized airgun. Attachment 3 illustrates how seismic airgun testing works and its impacts.

Resolution No. 2014-15 (Attachment 4) is submitted for Council consideration. The City of Cocoa Beach Commission passed a similar resolution on Thursday, April 3, 2013 to oppose seismic airgun testing in the Atlantic Ocean in order to find oil and gas deposits.

Submitting Department Director: Angela Apperson *AA* **Date:** 04/4/2014

Attachments: (1) Resolutions opposing offshore drilling; (2) Articles; (3) Illustration; (4) Resolution No. 2014-15

Financial Impact: Staff time to prepare item.

Reviewed by Finance Director: John DeLeo *J*

Date: *4/4/14*

The City Manager recommends that City Council take the following action:
Adopt Resolution No. 2014-14.

Approved by City Manager: David L. Greene *DLG*

Date: *4/7/14*

City Council Action: ☐ Approved as Recommended ☐ Disapproved

☐ Approved with Modifications

☐ Tabled to Time Certain

RESOLUTION NO. 2009-48

A RESOLUTION OF THE CITY OF CAPE CANAVERAL, BREVARD COUNTY, FLORIDA, OPPOSING A BILL TO ALLOW THE GOVERNOR AND CABINET TO ALLOW FOR OFFSHORE DRILLING IN THE STATE OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cape Canaveral, Brevard County, Florida has made the following determinations:

1. The Florida House has begun debate on a bill to allow the Governor and Cabinet to allow for offshore drilling off Florida's coast and end the 20-year drilling moratorium.
2. This bill would allow the Governor and Cabinet (sitting as the Trustees of the Internal Improvement Trust Fund) to receive, review, and then accept or reject in the Cabinet's sole discretion, proposals for exploration and production of oil and natural gas in Florida's state waters.
3. Offshore drilling would threaten Florida's economy by bringing oil rigs 3 miles off Florida's coast, sanctioning drilling in the shallow waters of the Gulf, and allowing unlimited pipelines to go through sensitive areas up to Florida beaches.
4. Offshore drilling creates an environmental threat to marine animals whereby the sounds carry through the water for hundreds of miles and have been known to cause permanent hearing loss in marine mammals and also disrupts their feeding, migration, social bonding, predator avoidance, and have been associated with stranded whales.

NOW THEREFORE, BE IT RESOLVED by the City of Cape Canaveral, Brevard County, Florida:


Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: This City opposes offshore drilling in Florida.


Section 3: The City Clerk is hereby directed to send a copy of this resolution to Governor Charlie Crist, the County's Legislative Delegation, the Space Coast League of Cities and the Florida League of Cities.

Section 4: This Resolution shall take effect upon its adoption.

ADOPTED BY, the City of Cape Canaveral City Council this 15th day of December, 2009.


Rocky Randels, Mayor

ATTEST:


Angela M. Apperson, City Clerk

Name	For	Against
Robert Hoog	<u>X</u>	<u> </u>
Buzz Petsos	<u>Motion</u>	<u>Second</u>
Rocky Randels	<u>X</u>	<u> </u>
Shannon Roberts	<u>Second</u>	<u>Motion</u>
Betty Walsh	<u>X</u>	<u> </u>

Approved as to Form:


Anthony A. Garganese, City Attorney

Feds plan to OK oil, gas surveys

Jim Waymer, Brevard 12:18 a.m. EST February 28, 2014



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Federal regulators plan to allow seismic airguns that emit dynamite-like underwater blasts to survey for oil and gas deep beneath the ocean floor, from Cape Canaveral to Delaware.

But conservation groups fear the tests — which are 100,000 times more intense than a jet engine — will kill or harm thousands of dolphins, whales and other marine life.

"We don't need to turn the Atlantic into a blast zone," said Matthew Huelsenbeck, marine scientist at Oceana, a nonprofit group critical of the plan. "There are other ways to go about seismic testing."

Between 1966 and 1988, the energy industry gathered two-dimensional surveys of the Atlantic Outer Continental Shelf. But industry officials say new technology could provide much improved three-dimensional surveys of potential oil and gas deposit areas.

The federal Bureau of Ocean Energy Management (BOEM) plans to allow seismic surveys from just south of Cape Canaveral to Delaware in federal waters, from three to 350 nautical miles out to sea, an area about double the size of California. But the geological surveys and impacts could cross into state waters closer to shore as well.

The study covers surveys proposed through 2020.

A 30-day review period for the bureau's study will close on April 7.

Over the 94-day comment period on the draft environmental study, the federal agency received 55,295 comments.

Survey ships would tow arrays of the seismic airguns, which produce compressed air bubbles under extreme pressure to create sound.

Hydrophones towed near the surface record the sound that bounces back from the ocean bottom to reveal a 3-D image of bottom formations that may hint at oil or gas deposits.

But any resulting hearing loss in whales and dolphins could harm the mammals' ability to navigate, feed and care for their young. The sounds also can disturb breeding and feeding and inhibit marine mammals' ability to communicate with one another.

The bureau's report comes a week after more than 100 scientists called on the Obama administration to hold off on permitting the seismic surveys until new acoustic guidelines for marine mammals currently being developed are complete.

The bureau's study found "negligible" or "minor" impacts to most species that would be affected by the seismic surveys.

But environmentalists' biggest concern is the North Atlantic right whale, the rarest large whale species, thought to number only about 500 individuals globally.

The airguns can cause hearing loss and mask mating calls and other biologically important sound for whales, fish and other wildlife.

Most research revolves around sound impacts on marine mammals. The impacts on sea turtles are less clear. Sea turtles don't have ear drums or external ears, but their auditory sense is adapted to vibrations in the water.

The federal environmental study includes several alternatives for ways to avoid harming whales, sea turtles and other wildlife. Proposals include closing certain offshore areas to seismic surveying off Brevard County during the main sea turtle nesting season — May 1 to Oct. 31. Additional areas could be off-limits for the sound surveying during right whale migration — Nov. 15 to April 15.

Oceana says that won't adequately protect the right whale's migratory corridor and nursery areas. They also say the feds failed to consider safer alternative technologies, such as marine vibroseis, a quieter surveying method than seismic airguns with less impact on marine mammals.

In April, Oceana released a report citing federal estimates that the sonic blasts from the proposed seismic surveys could injure and possibly kill up to 138,500 dolphins and whales, and put thousands of tourism and fishing jobs at risk.

"Imagine a rocket being launched out of your living room every 10 seconds, 24 hours a day, for days to weeks at a time," Huelsenbeck, the report's author, said at the time. "You could go deaf or be forced to move. That's what it's like for sea life that is subjected to seismic testing, but unlike in people, a deaf whale is a dead whale."

Contact Waymer at 321-242-3663 or jwaymer@floridatoday.com Follow him on Twitter: @JWayEnviro

Oil off Brevard?

• For information and to comment on the study, visit:

boem.gov/oil-and-gas-energy-program/GOMR/GandG.aspx

• Read Oceana's report here: <http://oceana.org/en/news-media/publications/reports/a-deaf-whale-is-a-dead-whale-seismic-airgun-testing-for-oil-and-gas-threatens-marine-life-and-co>

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March 15, 2014, 12:15 a.m.



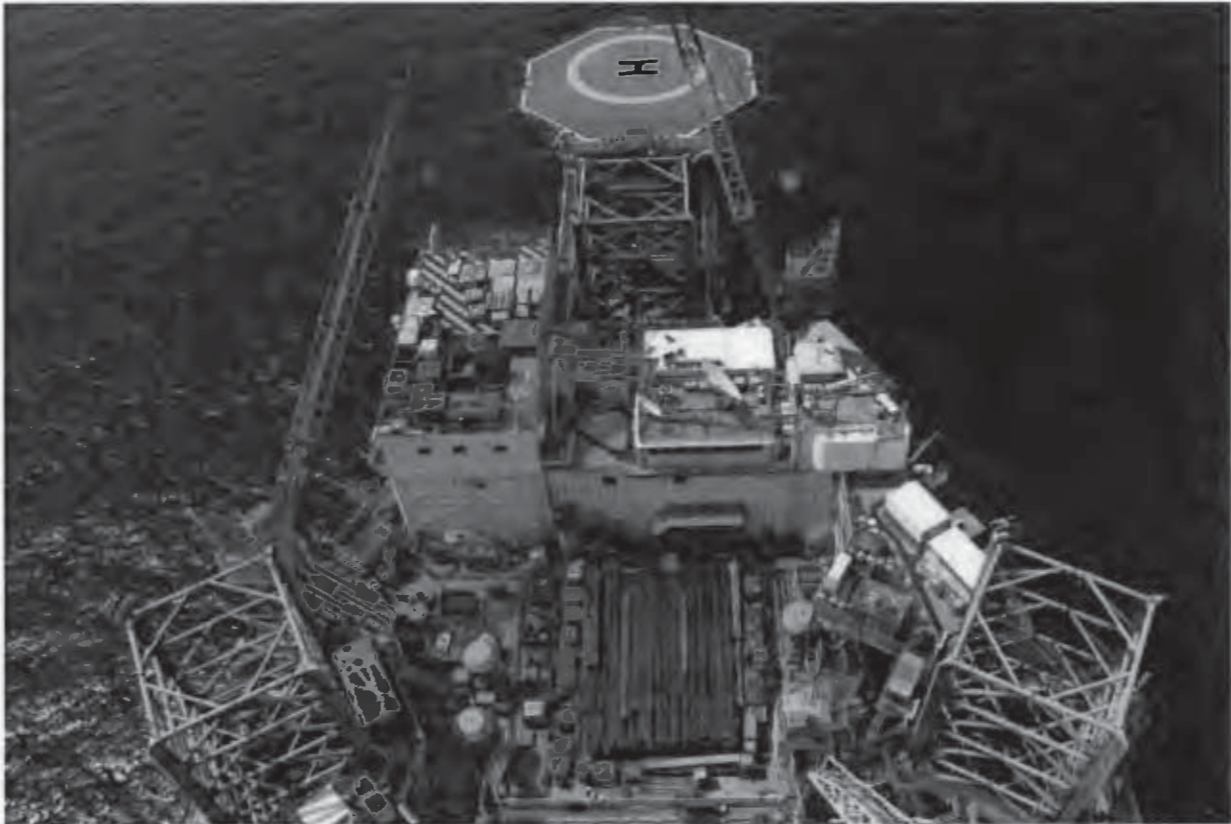
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CLIMATEPROGRESS

'Airgun' Drilling In The Atlantic Wouldn't Find Much Oil, But Could Harm Wildlife

BY [ARI PHILLIPS](#) ON FEBRUARY 28, 2014 AT 11:37 AM



CREDIT: SHUTTERSTOCK

A long-awaited Environmental Impact Statement (EIS) released Thursday by the Interior Department sets the stage for the Bureau of Ocean Energy Management to start issuing permits for seismic exploration off the Atlantic Coast in an effort to locate oil and gas reserves. The controversial process, which uses high-pressure underwater seismic airgun blasts, has been opposed by a number of groups on grounds that it causes undue and unreasonable harm to marine life. Last week more than 100 marine scientists and conservation biologists sent a [letter](#) to President Obama and his administration urging them to “use the best available science before permitting seismic surveys for offshore oil and gas in the mid- and south Atlantic.” The letter calls on the administration to wait on new acoustic guidelines for marine mammals, which are currently in development by the National Marine Fisheries Service.

Tommy Beaudreau, director of the Bureau of Ocean Energy Management, said that the Interior Department's plan closes certain areas for the endangered North Atlantic Right Whale and nesting habitat for sea turtles. "We're really going to require and demand a high level of environmental performance," Beaudreau said.

According to Beaudreau, the current seismic information from the area is decades old and used now-obsolete technologies — estimates from the 70s and 80s put the amount around a modest 3.3 billion barrels of oil. Currently the Gulf of Mexico produces about 1,250,000 barrels of oil a day according to the U.S. Energy Information Administration. At this rate the proven reserves off the Atlantic would be the equivalent of just over seven years' of Gulf oil. The area under consideration stretches all the way from Delaware to Florida and is twice the size of California.

The BOEM estimates from the 80s also put about 31.3 trillion cubic feet of gas off the East Coast. In 2012, the U.S. produced just over 24,000,000 million cubic feet of natural gas — meaning the supply off the East Coast is about what the rest of the country now produces in 15 months.

The EIS commences a five-year planning process that would open up the Atlantic to development. The area is currently off-limits to oil and gas exploration until 2017, but the next president could lift that restriction. On Monday, Interior Secretary Sally Jewell met with the Outer Continental Shelf Governors Coalition for the first time. "Republican Govs. Pat McCrory (N.C.), Phil Bryant (Miss.), Robert Bentley (Ala.) and Democratic Gov. Terry McAuliffe (Va.) attended the meeting," reported The Hill. "McAuliffe told reporters he would join the all-Republican coalition — making him the first Democratic governor to do so."

In September, Oceana, an ocean protection organization, delivered more than 100,000 petitions opposing seismic airguns to Beaudreau. Around 50 members of Congress, including some Republicans, have also sent letters to the president opposing the seismic tests.

"With offshore drilling in the Atlantic at least five years away, shooting seismic airguns is an unnecessary insult to marine life and coastal economies," Jacqueline Savitz, Vice President for U.S. Oceans at Oceana, said in the statement. "Our message is simple; do not turn the Atlantic into a blast zone — Stop Seismic Airguns. It is time for the Obama administration to stand up to Big Oil and say 'no' to seismic airgun testing in the Atlantic."

Industry has submitted nine applications from oil and gas companies and seismic contractors, according to Beaudreau.

“Those applications propose literally hundreds of thousands of miles of seismic blasting,” writes Michael Jasny, Senior Policy Analyst for the Natural Resources Defense Council. “And no doubt there are others waiting in the wings:”

“Because of the enormous distances sound can travel in the ocean, the dangerous noise from this activity cannot remotely be confined to the waters off individual states that encourage it. Some impacts — particularly on the great baleen whales — would extend many hundreds of miles, affecting states as far north as New England. Fish and fisheries could be affected for tens of miles around every seismic ship.”

Jasny sees airgun exploration as a gateway drug to offshore drilling — at an important juncture like this it can be helpful to look backwards to see what might be coming down the pike.

Pockets of oil from the Exxon Valdez spill off the coast of Alaska 25 years ago can still be found among coastal rocks, according to a report presented at the American Geophysical Union meeting on Wednesday. The study aimed to find how long oil persists after a spill.

“To have oil there after 23 years is remarkable,” Gail Irvine of the USGS’s Alaska Science Center said. “We have these marked boulders whose movement we’ve been studying for more than 18 years. The oil itself has hardly weathered and is similar to 11-day-old oil.”

The Exxon Valdez spill, at nearly 11 million gallons, was the largest in U.S. history until 2010’s Deepwater Horizon disaster dwarfed it, spewing over 200 million gallons into the Gulf of Mexico. If the proposed seismic tests find significant oil reserves off the Atlantic coast, the region will be subject to similar risks.

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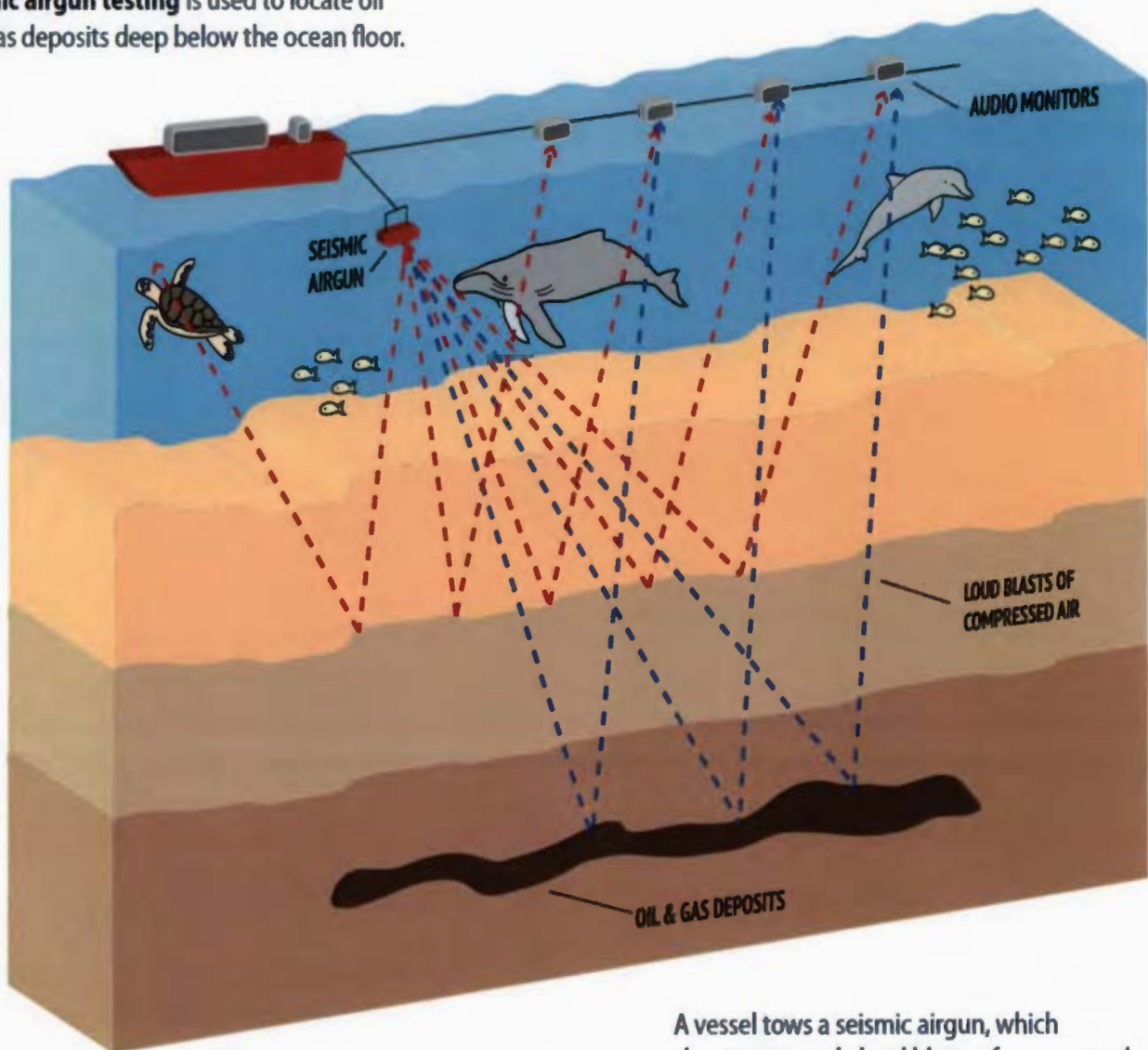
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HOW IT WORKS

Seismic airgun testing is used to locate oil and gas deposits deep below the ocean floor.



A vessel tows a seismic airgun, which shoots extremely loud blasts of compressed air through the ocean and miles under the seafloor, **every ten seconds, 24 hours a day, for days to weeks on end.**

ITS IMPACTS

Seismic airguns are so loud and constant that they **can injure or disturb vital behaviors in fish, dolphins, whales and sea turtles.**

PROPOSED AREA

Seismic airgun testing is being considered from **Delaware to Florida**, but its impacts would be felt along the entire East Coast.



IMPACTS TO MARINE MAMMALS

- Temporary and permanent hearing loss
- Abandonment of habitat
- Disruption of mating and feeding
- Beach stranding and death

IMPACTS TO THE ATLANTIC OCEAN

- Injury to 138,500 dolphins and whales
- Injury to nine critically endangered North Atlantic right whales (only 361 left)
- Disruption of threatened loggerhead sea turtle nesting
- Displacement of commercially valuable species and decrease of catch rates for coastal fisheries

Source: U.S. Department of the Interior

RESOLUTION NO. 2014-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CANAVERAL, FLORIDA, OPPOSING SEISMIC AIRGUN TESTING IN THE ATLANTIC OCEAN; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Canaveral endeavors to be a good steward of the coastal environment and its resources; and

WHEREAS, seismic airgun testing is being proposed by the Bureau of Ocean Energy Management (BOEM) for the exploration of oil and natural gas off the mid-Atlantic coast; and

WHEREAS, tourism is a major economic force in the City of Cape Canaveral and offshore drilling poses a major threat to our coastal economy and natural resources and, should a spill occur, the natural environment that supports our local economy would be severely damaged and the quality of life that both residents and visitors have come to expect would be negatively affected for the foreseeable future; and

WHEREAS, the State of Florida has a long history of hurricanes and offshore drilling would increase the chances of platform failures and oil spills due to the vulnerability of the coastal waters to severe weather; and

WHEREAS, the use of airguns to conduct these seismic tests threatens fish populations and profitable fisheries; and

WHEREAS, the type of seismic airgun testing used to search for oil and gas is incredibly harmful and could injure or possibly kill thousands of marine mammals, sea turtles and fish including the critically endangered North Atlantic Right Whale whose population stands at 500 individuals in the entire world; and

WHEREAS, the seismic airguns fire intense blasts of compressed air – almost as loud as explosives every 10-12 seconds twenty-four hours a day for weeks on end. These loud airgun blasts can be heard for many hundreds of miles in the ocean and can drive whales to abandon habitats, go silent and cease foraging over vast areas. At shorter distances, airguns can cause permanent hearing loss, injury and even death for whales, dolphins, sea turtles and fish; and

WHEREAS, the proposed seismic airgun testing will result in serious negative impact to our marine resources, which form the foundation of economic vitality for communities all along the Atlantic Coast; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cape Canaveral, Brevard County, Florida: opposes seismic airgun testing and urges the President's Administration to stop this process and focus on ensuring the vitality of vulnerable local economies along the Atlantic Coast as we cannot continue to put our ocean, environment, beaches, marine resources and local economies at risk.

BE IT FURTHER RESOLVED THAT, a certified copy of this Resolution is forwarded to President Obama.

ADOPTED by the City Council of the City of Cape Canaveral, Florida, this 15th day of April 2014.

Rocky Randels, Mayor

ATTEST:

	For	Against
_____ Angela Apperson, City Clerk		
John Bond	_____	_____
Robert Hoog	_____	_____
Buzz Petsos	_____	_____
Rocky Randels	_____	_____
Betty Walsh	_____	_____

Approved as to Form:

Anthony A. Garganese, City Attorney