2010-00445 - John McElhatte

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148

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Approx - 1 pgs.

Congress of the United States
Washington, DC 20515

June 10, 2010

The Honorable Barack H. Obama
The White House
1600 Pennsylvania Ave
Washington, DC 20500

Dear Mr. President:

It has come to our attention that among the many impacts associated with the Deepwater Horizon Oil Spill (DHOS) is a growing public perception that seafood harvested from the entire Gulf is tainted by oil. To address this issue we respectfully request that you form a seafood safety task force whose mission would be to assure the safety and wholesomeness of Gulf of Mexico commercial seafood products harvested from DHOS affected areas.

Activities of this task force should include monitoring the spill and spill affected production areas via water, sediment, seafood product sampling and analysis, as appropriate. The group should also be tasked with continuing the development of protocols for closing and re-opening spill affected harvest areas to commercial fishing. We are aware that personnel from both the National Oceanic and Atmospheric Administration and the Food and Drug Administration are working with public health officials from each of the five Gulf States to develop these re-opening protocols. To ensure this we propose that each state have two designees to the task force.

To foster the safety assurance needed to counteract unfounded public perception we propose that this task force, which could be named the Gulf Intergovernmental Seafood Safety Task Force, be established and led by the National Marine Fisheries Service (NMFS). Task Force membership should also include one member from each of the following agencies: US Environmental Protection Agency, US Food and Drug Administration, and the Centers for Disease Control and Prevention. The Interstate Shellfish Sanitation Conference, a federal-state cooperative program with responsibility for the safety of molluscan shellfish, should also have membership to this task force given the particular impact of the DHOS to oysters.

Given the sensitive nature of these concerns we ask that you form this task force immediately. We would suggest that the task force disband once the threat from the DHOS is declared over.

Sincerely,

Allen Boyd
Member of Congress

Charlie Melancon
Member of Congress

PRINTED ON RECYCLED PAPER

10-014545

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

April 29, 2010

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TODD YOUNG
REPUBLICAN CHIEF OF STAFF

US EXECUTIVE SECRETARIAT
2010 MAY -4 AM 9:48

The Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1849 C. Street, N.W.
Washington D.C. 20240

Dear Secretary Salazar:

As Chairman and Ranking Member of the House Natural Resources Committee, which has primary jurisdiction, in the House, over matters pertaining to the exploration of oil and natural gas on the Outer Continental Shelf as well as matters relating to the health of our oceans, coasts, fish and wildlife, we are dispatching staff of the Committee to monitor the work of the federal agencies participating in the Deepwater Horizon Response unified command.

We are sending Committee staff to observe the joint unified command as they problem-solve in real time to ensure protection of our economically critical coastlines and ocean resources. Together, Committee staff and the joint unified command staff will enable us to better inform both the Executive and Legislative branch of the current status and potential future needs of our agencies and the impacted communities.

Your assistance and support in this exercise will be most appreciated.

Sincerely,

NICK J. RAHALL, II
Chairman
Committee on Natural Resources

DOC HASTINGS
Ranking Member
Committee on Natural Resources

cc: **Secretary of Homeland Security**
Secretary of Commerce
Coast Guard Commandant
Deepwater Horizon Response unified command
BP
TransOcean

DIANNE FEINSTEIN
CALIFORNIA

SELECT COMMITTEE ON INTELLIGENCE - CHAIRMAN
COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate
WASHINGTON, DC 20510-0504
http://feinstein.senate.gov

July 1, 2010

The Honorable Dr. Jane Lubchenco
Under Secretary of Commerce for Oceans and Atmosphere
Administrator, National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW
Washington, D.C. 20230

Dear Dr. Lubchenco:

I write to share my concerns about endangered sea turtles and other wildlife being impacted both by spill and response measures in the Gulf of Mexico. I understand that keeping the oil from reaching the shoreline is a high priority, but efforts to do so must not unreasonably jeopardize wildlife and the rest of the fragile and highly productive Gulf Coast ecosystem. I urge you to work with wildlife and fisheries experts to consider measures to keep wildlife away from the spill zone, and from being adversely impacted by response measures, such as the controlled burns.

The oil spill is a huge tragedy with massive impacts to the ecosystem, fisheries, and endangered wildlife. It is important for the federal government to employ measures to minimize the impacts of the spill on wildlife and fisheries, and ensure that response and clean-up efforts do not exacerbate the risks. For example, I understand that BP is using "controlled burns" to destroy the oil while it is still out at sea. Skimmers use fire-resistant booms to pull oil into areas as large as 10 miles long and 10 miles wide, and then light it on fire. Wildlife trapped in the area is burned along with it. Sea turtles, particularly young ones, use the sargassum seaweed for rest and forage, and can easily get trapped and burned.

Some options may be available to minimize the risk to sea turtles and other wildlife from the controlled burns and the spill itself, such as employing locals as wildlife spotters on the skimmers or to rescue turtles before they are oiled or burned. I urge you to work with wildlife and fisheries experts to consider and implement appropriate measures as soon as possible, and I look forward to your response.

Sincerely,

Dianne Feinstein

Dianne Feinstein
United States Senator

DF:lr

DOC

Consultation

OK to release DOC's portion.

DOC

Consultation

BP consulted,
requested only
those docs from
assigned by Secy
or from OSwd

10-015430

RICHARD SHELBY
ALABAMA

RANKING MEMBER—COMMITTEE ON BANKING, HOUSING, & URBAN AFFAIRS
COMMITTEE ON APPROPRIATIONS
RANKING MEMBER—SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, & RELATED AGENCIES
SPECIAL COMMITTEE ON AGING

304 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0103
(202) 224-5744

United States Senate

WASHINGTON, DC 20510-0103

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- 15 LEE STREET
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  MONTGOMERY, AL 36104
  (334) 223-7303
- 1118 GREENSBORO AVENUE, #240
  TUSCALOOSA, AL 35401
  (205) 759-5047

June 23, 2010

2010 JUN 23 PM 1:05
OFFICE EXECUTIVE SECRETARIAT

The Honorable Gary Locke
Secretary
US Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Locke,

The Deep Water Horizon oil spill has brought devastation to the Gulf Coast, and in particular has severely hurt our fishing industry. The damage could last years as we are faced with a potentially severe decline in fisheries stock. The economic impact to tourism that is drawn by the availability of seafood and recreational fishing opportunities will be hurt, perhaps even more severely than the ecosystem itself.

Unfortunately, the limited amount of baseline, fishery-independent survey information collected according to a scientific sample design impedes the assessment of the immediate impact to the Gulf stocks, as well as the ability to predict long term impacts of the spill on these stocks. In addition, because of the fisheries closures, the other source of fisheries stock information - landings data from the commercial and recreational fisheries - is limited or not available. As the closure of the fishery boundaries continue to grow due to the spill, the source of data may not be available for months, putting a high premium on increased fishery-independent data collections. The oil spill has only highlighted this reoccurring issue concerning the need for current, high quality fishery-independent stock information.

As the steward of our nation's marine resources, NOAA is required by law to monitor and assess the status of the resources under its purview. The reliability and comprehensiveness of fishery stock data is essential to effective decision making. While fishery-dependent data collected directly from fishermen is a vital component to understanding the status of fisheries, it cannot be a substitute for surveys that provide a scientifically-designed assessment approach. Therefore, I would like clarification on NOAA's plans for addressing the shortfall in fishery-independent stock surveys nationwide and, in particular, the need for a thorough and systematic study of the status of fisheries stocks in the Gulf of Mexico.

I look forward to working with you in developing an appropriate strategic approach to ensure our fisheries remain vibrant.

Sincerely,

Richard Shelby

Richard Shelby

27384
10-015297

United States Senate
WASHINGTON, DC 20510-0905

DS EXECUTIVE SECRETARIAT
2010 JUN 14 PM 3:19

June 1, 2010

BILL NELSON
FLORIDA

The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

Dear Secretary Locke:

I write to express my concern for the fishermen, their families, and associated businesses of the state of Florida who are already feeling the impacts of the Deepwater Horizon disaster and to request a fishery disaster declaration for the state of Florida. On May 24, 2010, you made a disaster declaration for Gulf of Mexico fisheries in Louisiana, Mississippi, and Alabama.

As I understand it, this determination was made under Section 312(a) of the Magnuson-Stevens Act and it was made in response to requests from Bobby Jindal, the Governor of Louisiana, and Haley Barbour, the Governor of Mississippi. Since May 2, 2010, the National Oceanic and Atmospheric Administration has closed growing portions of the Gulf to fishing. Recently, the closure has incorporated more Florida waters. Just today, NOAA announced that over 30% of the Gulf is now closed to fishing.

In light of the size and location of the most recent closures, I would suggest that it is time to declare a fishery disaster for Florida under Section 312 of the Magnuson-Stevens Act. Additionally, I would like to request a regional economic transition program under Section 315 of the Magnuson-Stevens Act. The most recent closures will acutely impact this industry including the recreational, charter, and commercial sectors as well as owners of related fishery infrastructure.

Thank you for your swift response and I look forward to working with you to continue to protect the state of Florida and mitigate the impacts of this oil along the Gulf Coast.

Sincerely,

Bill Nelson

UNITED STATES DEPARTMENT OF COMMERCE
The Secretary of Commerce
Washington, D.C. 20230

June 3, 2010

The Honorable Bill Nelson
United States Senate
Washington, DC 20510

Dear Senator Nelson:

Thank you for your letter requesting a commercial fishery failure determination in the State of Florida due to the Deepwater Horizon rig explosion and oil spill. Recognizing the enormity of adverse effects of this oil spill causing large areas of Federal and some State waters to be closed to all fishing in order to protect human health and the marine environment, I made a positive commercial fishery failure determination under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act on May 24, 2010, for the States of Louisiana, Mississippi, and Alabama. I am extending that declaration to include a fishery resource disaster for affected fisheries in waters off the State of Florida.

We are making this determination in order to recognize the damage to marine fisheries and associated economic hardship on affected fishermen and dependent businesses. This disaster determination will help ensure that the Federal Government is in a position to mobilize the range of assistance that Florida fishermen and fishing communities may need.

We all recognize the financial hardship that this spill has caused for commercial and recreational fishermen and businesses that are dependent on those fisheries. BP—as a responsible party—can and must pay the costs. Thus far it has paid $40.2 million on 31,987 total claims. I pledge that the National Marine Fisheries Service—an arm of the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA)—will work with the State of Florida to address issues within the affected fishing communities.

The Department's Economic Development Administration and Minority Business Development Agency—in close coordination with NOAA—have been in the Gulf Coast region, meeting with economic development agencies and affected communities to assess the potential economic implications and effects from the spill. The Department stands ready to respond with the resources that we have available from our traditional suite of economic development programs and tools. If you have any questions, please contact April Boyd, Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Sincerely,

Gary Locke

Gary Locke

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

June 9, 2010

Dr. Jane Lubchenco, Ph.D.
Under Secretary of Commerce for Oceans and Atmosphere
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Dr. Lubchenco,

Thank you for the testimony you provided on behalf of the National Oceanic and Atmospheric Administration before the House Committee on Transportation and Infrastructure on May 19, 2010, regarding "Deepwater Horizon: Oil Spill Prevention and Response Measures, and Natural Resource Impacts." It was a pleasure to have you testify before our Committee.

Enclosed, please find additional questions for written responses for the hearing record. The Committee appreciates your written responses no later than Friday, June 18, 2010. Please submit your responses via U.S. mail to the attention of Jenna Tatum, at B-376 Rayburn House Office Building, Washington, D.C. 20515. Additionally, please provide an electronic version of your response via email to jenna.tatum@mail.house.gov.

If you have any questions, please do not hesitate to contact the Subcommittee staff at (202) 225-0060.

Sincerely,

James L. Oberstar, M.C.
Chairman

Enclosure

NOAA
Executive Secretariat
2010 JUN 23 PM 3 06

QUESTIONS FOR THE RECORD
SUBMITTED TO DR. JANE LUBCHENCO,
UNDER SECRETARY OF COMMERCE FOR OCEAN AND ATMOSPHERE AND NOAA ADMINISTRATOR
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
FOR THE
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
HEARING ON "DEEPWATER HORIZON: OIL SPILL PREVENTION AND RESPONSE MEASURES, AND NATURAL RESOURCE IMPACTS"
MAY 19, 2010

Questions submitted by Chairman James L. Oberstar:

(1) There have been several reports of huge subsurface plumes of oil in the Gulf from the ongoing spill at the *Deepwater Horizon* well. These reports include the predictions of scientists on board the NOAA-affiliated *Pelican* vessel that there are plumes as big as 10 miles long, 3 miles wide, and 300 feet think are in the water column. During the hearing, you explained that NOAA has increased its monitoring efforts and the methods being used to more accurately determine the size of the spill.

How is NOAA working to verify reports of these subsurface plumes of oil? What data and results are available to verify or refute the existence of the subsurface plume?

(2) As you know, the Loop Current in the Gulf of Mexico is a powerful and unpredictable ocean feature that transports warm water clockwise from the Yucatán Peninsula, into the northern Gulf of Mexico, then south to the Florida Keys and out into the Atlantic. If oil, dispersant, or a mix of the two gets into this current, we could see devastating impacts on the Florida Keys and its Coastline, and especially in Florida's fragile coral reefs. The oil and dispersants could then even be transferred up the East Coast to the Northeast.

How are you working to minimize the effects of the oil and dispersants that have entered the Loop Current? What are you doing to prevent further entry?

You also said that you are using satellite imagery to track the progress of the oil and to tell if it has entered the Loop Current. However, this tracking method does not tell you whether any subsurface plumes of oil have already entered the Loop Current. Do you believe that subsurface plumes will or have already entered the Current? What should be done to prevent subsurface plumes from entering?

(3) As you know, under the natural resource damages provision of the Oil Pollution Act of 1990, individuals in the Gulf whose lives and livelihoods have been adversely affected by this disaster are required to make individual claims to BP or the Oil Spill Liability Trust Fund. However, one of the criticisms following the *Exxon Valdez*

spill was that much of the information necessary for damaged parties to make a claim was withheld from the public – either by the responsible party of by the Federal government.

What are you doing to ensure that all of the information collected by BP and Federal agencies is made publicly available so that affected individuals know the true extent of the damage caused by this disaster?

(4) During the question and answer portion of the hearing, you agreed with Administrator Jackson that the country was using outdated techniques and equipment to respond to the spill, which is in glaring contrast to the technological advances corporations have made in order to extract oil and natural gas resources.

In terms of the NOAA's ability to adequately be prepared and able to respond to spills in the future, what would you propose NOAA needs that it currently does not have? What items, options, or authorities does NOAA need in order to improve its preparedness and ability to respond to oil spills in the future?

WRITTEN STATEMENT OF
JANE LUBCHENCO, Ph.D.
UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE
AND NOAA ADMINISTRATOR
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE

HEARING ON
DEEPWATER HORIZON: OIL SPILL PREVENTION AND RESPONSE MEASURES AND NATURAL RESOURCE IMPACTS

HEARING BEFORE THE
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES

May 19, 2010

Thank you, Chairman Oberstar and Members of the Committee, for the opportunity to testify on the Department of Commerce National Oceanic and Atmospheric Administration's (NOAA's) role in the response to the Deepwater Horizon oil spill. My name is Dr. Jane Lubchenco and I am the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of NOAA. I appreciate the opportunity to discuss the critical roles NOAA serves during oil spills and the importance of maximizing our contributions to protect and restore the resources, communities, and economies affected by this tragic event. Before I move to discuss NOAA's efforts, I would first like to express my condolences to the families of the 11 people who lost their lives in the explosion and sinking of the Deepwater Horizon.

NOAA's mission is to understand and predict changes in Earth's environment and conserve and manage coastal and marine resources to meet our Nation's economic, social, and environmental needs. NOAA is also a natural resource trustee and is one of the federal agencies responsible for protecting and restoring the public's coastal natural resources when they are impacted by oil spills, hazardous substance releases, and impacts from vessel groundings on corals and seagrass beds. As such, the entire agency is deeply concerned about the immediate and long-term environmental, economic, and social impacts to the Gulf Coast and the Nation as a whole from the Deepwater Horizon oil spill. NOAA is fully mobilized and working tirelessly 24/7 to lessen impacts on the Gulf Coast and will continue to do so until the spill is controlled, the oil is cleaned up, the natural resource damages are assessed, and the restoration is complete.

My testimony today will discuss NOAA's role in the Deepwater Horizon response, natural resource damage assessment, and restoration; NOAA's assets, data, and tools on-scene; the importance of preparedness; and necessary future actions.

NOAA'S ROLES DURING OIL SPILLS

NOAA has three critical roles mandated by the Oil Pollution Act of 1990 and the National Contingency Plan:

1. Serves as a conduit for scientific information to the Federal On-Scene Coordinator to provide trajectory predictions for spilled oil, overflight observations of oil on water, identification of environmental areas that are highly valued or sensitive, and shoreline surveys of oil to determine clean-up priorities.
2. Conduct a joint natural resource damage assessment with other trustees with the goal of restoring any ocean and coastal resources harmed by the spill. This includes fulfilling the role of Natural Resource Trustee for impacted marine resources.
3. Represent Department of Commerce interests in spill response decision making activities through the Regional Response Team.

The U.S. Coast Guard (USCG) has the primary responsibility for managing coastal oil spill response and clean-up activities in the coastal zone. During an oil spill, NOAA's Scientific Support Coordinator delivers expert scientific support to the USCG in its role as Federal On-Scene Coordinator. NOAA's Scientific Support Coordinators are located around the country in USCG Districts, ready to respond around the clock to any emergencies involving the release of oil or hazardous materials into the oceans or atmosphere.

Using experience, expertise, and state-of-the-art technology, NOAA forecasts the movement and behavior of spilled oil, evaluates the risk to resources, conducts overflight observations and shoreline surveys, and recommends protection priorities and appropriate clean-up actions. NOAA also provides spot weather forecasts, emergency coastal survey and charting capabilities, aerial and satellite imagery, and real-time coastal ocean observation data to assist response efforts. Federal, state, and local entities look to NOAA for assistance, experience, local perspective, and scientific knowledge.

NOAA serves the Nation by providing expertise and a suite of products and services critical for making science-based response decisions that prevent further harm, restore natural resources, and promote effective planning for future spills. Federal, state, and local agencies across the country called upon NOAA's Office of Response and Restoration (OR&R) for scientific support 200 times in 2009.

NOAA'S RESPONSE EFFORTS FOR DEEPWATER HORIZON OIL SPILL

NOAA's experts have been assisting with the response from the beginning, providing coordinated scientific weather and biological response services when and where they are needed most.

At 2:24am (central time) on April 21, 2010, NOAA's OR&R was notified by the USCG of an explosion and fire on the Mobile Operating Drilling Unit (MODU) Deepwater Horizon, approximately 50 miles southeast of the Mississippi Delta. The explosion occurred at approximately 10:00pm on April 20, 2010. Two hours, 17 minutes after notification by the USCG, NOAA provided our first spill forecast predictions to the Unified Command in Robert, Louisiana. NOAA's National Weather Service Weather Forecast Office in Slidell, LA received the first request for weather support information from the USCG at 9:10am on April, 21, 2010

via telephone. The first graphical weather forecast was sent at 10:59am to the USCG District Eight Command Center in New Orleans. Support has not stopped since that first request for information by the USCG. Over the past few weeks, NOAA has provided 24/7 scientific support, both on-scene and through our Seattle Operation Center. This NOAA-wide support includes twice daily trajectories of the spilled oil, information management, overflight observations and mapping, weather and river flow forecasts, shoreline and resource risk assessment, and oceanographic modeling support. NOAA has also been supporting the Unified Command in planning for open water and shoreline remediation and analyses of various techniques for handling the spill, including open water burning and surface and deepwater application of dispersants. Hundreds of miles of coastal shoreline were surveyed to support clean-up activities.

Offices throughout the agency have been mobilized and hundreds of NOAA personnel are dedicating themselves to assist. In addition to these activities, I would like to highlight several of NOAA's assets that are assisting with the overall oil spill response and assessment efforts.

- NOAA's National Weather Service is providing critical 24/7 weather support dedicated to the spill, as well as on-site weather support at multiple command centers. Special aviation marine wind and wave forecasts are being prepared to support response activities. A marine meteorologist was deployed to the Joint Operations Center in Houma, LA on April, 27, 2010. Beginning on April 28, 2010, hourly localized 'spot' forecasts were requested by USCG and NOAA OR&R in support of oil burns and eventually chemical dispersion techniques. Longer range forecasts are a critical component to plan containment and response actions. NOAA's National Data Buoy Center data is also being incorporated into oil trajectory forecasts.
- NOAA's National Ocean Service is providing: custom navigation products and updated charts to help keep mariners out of oil areas; updates from NOAA's extensive network of water-level, meteorological, and near-shore current meters throughout the Gulf; in-situ observations data; economic assessment expertise; aerial photo surveys to assess pre-and post landfall assessments; and pre- and post- oil contamination assessments of oysters at Mussel Watch sites.
- NOAA's Office of Oceanic and Atmospheric Research (OAR) dispatched the R/V Pelican ship along with National Institute for Undersea Science and Technology cooperative scientists to collect samples as soon as possible. OAR is advising on airborne and oceanic dispersion modeling. NOAA scientists will also be flying P3 aircraft to drop windsondes, which will collect data on wind speed, temperature, pressure and humidity to help to refine and calibrate loop current modeling. These deployments will be critical for helping to track where the oil might be headed and whether other areas of the United States will be impacted by the Deepwater Horizon oil spill. In addition, NOAA-funded Sea Grant programs in Louisiana and other Gulf Coast states will be awarding grants for rapid response projects to monitor the effects of the oil spill on Louisiana's coastal marshes and fishery species.
- NOAA's National Marine Fisheries Service (NMFS) is addressing issues related to marine mammals, sea turtles, seafood safety, and fishery resources. On May 2, 2010, NMFS closed commercial and recreational fishing in oil-affected portions of federal waters in the Gulf for ten days. NOAA scientists are on the ground in the spill area

- NOAA's National Environmental Satellite, Data, and Information Service is providing satellite imagery from NOAA's Geostationary Operational Environmental Satellites and Polar Operational Environmental Satellites, and is leveraging data from the National Aeronautics and Space Administration and international satellites to develop experimental and customized products to assist weather forecasters and oil spill response efforts. NOAA's National Data Centers are also providing data from its archives that are being used to help provide mapping services for the impacted areas, and temperature, salinity, current, and surface elevation (tides) with forecasts up to 72 hours out from the Navy Global Ocean Coastal Model.
- NOAA's Office of Marine and Aviation Operations has 3 aircraft providing support for overflights that are being conducted on a near daily basis.
- The NOAA General Counsel's Office is working closely with state and federal co-trustee agencies to undertake a natural resource damage assessment and other steps to prepare claims for response costs and damages for natural resource injuries associated with the oil spill. The Office is also addressing a wide range of legal questions that arise in conjunction with the spill.
- The NOAA Communications office has provided two to three communications specialists to assist in the Joint Incident Center with press and all communications efforts. Within NOAA, the staff has been facilitating scientist interviews with media and working with the Office of Response and Restoration to update daily a dedicated NOAA Deepwater Horizon response web site with the latest information and easy-to-use fact sheets on topics ranging from oil and coral reefs to an explanation of the booms being used.

NOAA'S ROLE IN DAMAGE ASSESSMENT AND RESTORATION

Oil spills affect our natural resources in a variety of ways. They can directly impact our natural resources, such as the oiling of marine mammals. They can diminish the ecological services provided by coastal and marine ecosystems, such as the loss of critical nursery habitat for shrimp, fish, and other wildlife that may result from oiled marshes. Oil spills may also diminish how we use these resources, by affecting fishing, boating, beach going, and wildlife viewing opportunities.

Stewardship of the Nation's natural resources is shared among several federal agencies, states, and tribal trustees. NOAA, acting on behalf of the Secretary of Commerce, is the lead federal trustee for many of the nation's coastal and marine resources, and is authorized pursuant to the Oil Pollution Act of 1990 (OPA) to recover damages on behalf of the public for injuries to trust resources resulting from an oil spill. OPA encourages compensation in the form of restoration and this is accomplished through the Natural Resource Damage Assessment (NRDA) process by assessing injury and service loss, then developing a restoration plan that appropriately compensates the public for the injured resources. NOAA scientists and economists provide the technical information for natural resource damage assessments and work with other trustees and responsible parties to restore resources injured by oil spills. To accomplish this effort, NOAA experts collect data, conduct studies, and perform analyses needed to determine whether and to what degree coastal and marine resources have sustained injury from oil spills. They determine how best to restore injured resources and develop the most appropriate restoration projects to compensate the public for associated lost services. Over the past 20 years, NOAA and other natural resource trustees have recovered over $500 million worth of restoration projects from responsible parties for the restoration of the public's wetlands, coral reefs, oyster reefs, and other important habitats.

The successful recovery of injured natural resources depends upon integrated spill response and restoration approaches. The initial goals of a response include containment and recovery of floating oil because recovery rates for floating oil can be quite high under certain conditions. As the oil reaches the shoreline, clean-up efforts become more intrusive and oil recovery rates decline. At this point, it becomes important to recognize that certain spill response activities can cause additional harm to natural resources and actually slow recovery rates. Such decision points need to be understood so that cost effective and successful restoration can take place. NOAA brings to bear over 20 years of experience and expertise to these issues. Continued research on clean-up and restoration techniques and the recovery of environmental and human services after oil spills may improve such decision-making.

NOAA'S DAMAGE ASSESSMENT AND RESTORATION EFFORTS FOR THE DEEPWATER HORIZON OIL SPILL

At the onset of this oil spill, NOAA quickly mobilized staff from its Damage Assessment Remediation and Restoration Program to begin coordinating with federal and state co-trustees and the responsible parties, to begin collecting a variety of data that are critical to help inform the NRDA. NOAA is coordinating the NRDA effort with the Department of the Interior as a federal co-trustee, as well as co-trustees in five states and representatives for at least one responsible party (BP).

Although the concept of assessing injuries may sound relatively straightforward, understanding complex ecosystems, the services these ecosystems provide, and the injuries caused by oil and hazardous substances takes time — often years. The time of year the resource was injured, the type of oil or hazardous substance, the amount and duration of the release, and the nature and extent of clean-up are among the factors that affect how quickly resources are assessed and restoration and recovery occurs. The rigorous scientific studies that are necessary to prove injury to resources and services may also take years to implement and complete. The NRDA process

described above ensures an objective and cost-effective assessment of injuries — and that harm to the public's resources is fully addressed.

While it is still too early in the process to know what the full scope of the damage assessment will be, NOAA is concerned about the potential impacts to fish, shellfish, marine mammals, sea turtles, birds, and other sensitive resources, as well as their habitats, including wetlands, beaches, bottom sediments, and the water column. This may include national estuarine research reserves and national marine sanctuaries. The natural resources co-trustees may also evaluate any lost value related to the use of these resources, for example, as a result of fishery and beach closures.

VALUE OF READINESS

This event is a grave reminder that spills of national significance can occur despite the many safeguards and improvements that have been put in place since the passage of the OPA. Although the best remedy is to prevent oil spills, oil spills remain a concern given the offshore and onshore oil infrastructure, pipes and vessels that move huge volumes of oil through our waterways.

To mitigate environmental effects of future spills, responders must be equipped with sufficient capacity and capabilities to address the challenge. Response training and exercises are essential to maintaining capabilities. Continuous training, improvement of our capabilities, maintenance of our capacity, and investments in high priority, response-related research and development efforts will ensure that the nation's response to these events remains effective. Training and coordination with other federal, state and local agencies that might have response and restoration responsibilities is critical to success in mitigating effects of future spills.

Just two months ago, NOAA participated in an oil spill exercise that focused on a hypothetical spill of national significance. This type of exercise is held every three years to sharpen the Nation's ability to respond to major oil spills at all levels of government. Led by the USCG, this exercise included more than one thousand people from twenty state and federal agencies as well as industry. This year's exercise centered on a simulated tanker collision off the coast of Portland, ME resulting in a major oil spill causing environmental and economic impacts from Maine to Massachusetts. Lessons learned from this and similar drills have improved our readiness to respond to oil spills. One tool that was successfully incorporated into this recent exercise is called the Environmental Response and Management Application (ERMA). This tool was developed by NOAA to streamline the integration and sharing of data and information, and certain components of this tool are now being used in the Deepwater Horizon response effort. ERMA is a web-based Geographic Information System tool designed to assist both emergency responders and environmental resource managers who deal with events that may adversely impact the environment. In the recent drill, ERMA allowed for the integration of current science, information technology, and real-time observational data into response decision-making. It allowed the latest information that was collected from a variety of efforts related to spills of national significance to be integrated, displayed on a map and shared for use across the Incident Command structure. Although not fully functional in the Gulf of Mexico, ERMA is providing benefits for the Deepwater Horizon response, many of which were first tested during the recent oil spill exercise. This recent drill also incorporated the damage assessment efforts of the

trustees, which resulted in improved communications and leveraging of resources and information.

ACTIVITIES TO IMPROVE FUTURE RESPONSE EFFORTS

Activities that would benefit the Nation by improving our ability to quickly respond to and mitigate damages from future spills include:

- **Response capacity** — NOAA's Office of Response and Restoration is fully engaged in responding to the Deepwater Horizon spill. Although unlikely, if another large spill was to occur simultaneously in another location across the United States, NOAA would have difficulty responding to its complete ability. Additional expertise in analytical chemistry, environmental chemistry, biology, oceanography, natural resource damage assessment, administrative functions, and information management would help plan and prepare activities between spills including training, development of area plans and response protocols, drafting and reviewing response job aids, and coordinating with regional responders.

- **Response effectiveness** — The use of simulated drills and the continued development of tools and strategies can only increase the effectiveness of oil spill response. Specific activities that would increase response effectiveness include:

  - ***Environmental Sensitivity Index Maps*** — Environmental Sensitivity Index (ESI) maps provide information that helps reduce the environmental, economic, and social impacts from oil and chemical spills. Spill responders are utilizing NOAA's ESI maps to identify priority areas to protect from spreading oil, develop cleanup strategies to minimize impacts to the environment and coastal communities, and reduce overall cleanup costs.
  - ***Data Management Tools for Decision Making*** — The key to effective emergency response is efficiently integrating current science, information technology, and real-time observational data into response decision-making. NOAA has developed the ERMA, which integrates real-time observations (e.g., NOAA National Buoy Data Center data, weather data, shoreline data, vessel traffic information, etc.) with archived data sources (e.g., NOAA's National Oceanographic Data Center's historical data) to aid in evaluating resources at risk, visualizing oil trajectories, and for planning rapid tactical response operations, injury assessment and habitat restoration. Having access to retrospective data is critical to bring value to real-time observational data being collected. For the Deepwater Horizon oil spill, certain components of the Gulf of Mexico ERMA are functional and being used on an *ad hoc* basis. The only fully functional ERMA are in the U.S. Caribbean and New England.
  - ***Use of Relevant Technologies*** — Better use of remote-sensing technologies, unmanned aerial vehicles, and an improved ability to access and use real-time observation systems would optimize clean-up operations. For example, when oil spreads across the water it does not do so in a uniform manner. Oil slicks can be quite patchy and vary in thickness. The effectiveness of response options — the booms, skimmers, and dispersants — depends on whether they are applied in the

areas of the heaviest oil. NOAA's trajectory modeling and visual observations obtained through overflights are helping direct the application of spill technologies, but remote sensing technology could be used to more effectively detect oil, determine areas of heaviest amounts of oil, and then this information could be used to direct oil skimming operations and increase the recovery of spilled oil. Traditional methods of visual observation can be difficult at night or in low visibility conditions, as is the case with Deepwater Horizon. In such situations, enhanced remote sensing technology would allow NOAA to improve the trajectory models it produces for the Unified Command.

- ***Real-time Observation Systems*** — Real-time data on currents, tides, and winds are important in driving the models that inform us on the likely trajectory of the spilled oil. As the Integrated Ocean Observing System generates more data from technological advances like high frequency radar, the prediction of oil location can be improved by pulling these observations into trajectory models in real-time.

- **Research and development** — Research and development is critical to ensure the latest science informs response efforts. Priority areas for future research and development include:

  - ***Fate and Behavior of Oil Released at Deep Depths*** — A better understanding is needed of how oil behaves and disperses within the water column when released at deep depths, such as happened with the Deepwater Horizon oil spill. This is also true regarding the use of dispersants in deep water. This information is critical to develop oil spill trajectory models and improve our understanding of the potential short- and long-term effects of dispersants on the environment.
  - ***Long-Term Affects of Oil*** — Spilled oil can remain on the shoreline and in wetlands and other environments for years. More than twenty years later, there is still oil in Prince William Sound from the Exxon Valdez spill. Research is needed to improve our understanding of the long-term effects of oil on sensitive and economically important species. This understanding will improve decision making during a response and allow us to determine the best approach to clean up.
  - ***Arctic*** — Continued acceleration of sea-ice decline in the Arctic Ocean as a consequence of global warming may lead to increased Arctic maritime transportation and energy exploration that in turn may increase the potential of oil spills in the Arctic. Recent studies, such as the Arctic Monitoring and Assessment Programme's Oil and Gas Assessment, indicate that we currently lack the information to determine how oil will behave in icy environments or when it sinks below the surface. We also lack a basic understanding of the current environmental conditions, which is important for conducting injury assessments and developing restoration strategies.
  - ***Mapping Oil Extent*** — Current use of NOAA-generated experimental products suggest that data from space-based synthetic aperture radar could assist us in detecting and refining the areal extent of oil and provide information in the decisions about where resources could be deployed.
  - ***Oil Detection in Water Column and Seafloor*** — In addition to depth data, modern multibeam echo sounders record acoustic returns from the water column and acoustic backscatter amplitude returns from the seafloor. In limited research applications,

these systems have been able to detect oil in the water column and on the seafloor. Sensors on autonomous vehicles that detect the presence of oil and gas in the water column are another detection technology. If these technologies could be used to provide highly accurate information on where oil is, and where it isn't, such information would be of significant benefit to a spill response such as Deepwater Horizon, where timely and precise placement of limited resources are critical to mitigate spill impacts. This developmental effort could provide very useful data for later response and restoration efforts.

- ***Human Dimensions*** — Research on how to incorporate impacted communities into the preparedness and response processes could help to address the human dimensions of spills, including social issues, community effects, risk communication methods, and valuation of natural resources.

CONCLUSION

NOAA will continue to provide scientific support to the Unified Command. NRDA efforts in coordination with our federal and state co-trustees have begun. I would like to assure you that we will not relent in our efforts to protect the livelihoods of Gulf Coast residents and mitigate the environmental impacts of this spill. Thank you for allowing me to testify on NOAA's response efforts. I am happy to answer any questions you may have.

ROBERT MENENDEZ
NEW JERSEY

COMMITTEES:
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United States Senate

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May 17, 2010

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240

The Honorable Janet Napolitano
Secretary
Department of Homeland Security
Washington, DC 20528

The Honorable Lisa P. Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington, DC 20460

The Honorable Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue NW
Room 5128
Washington, DC 20230

The Honorable Robert M. Gates
Secretary
Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

The Honorable Hillary Clinton
Secretary
Department of State
2201 C Street NW
Washington, DC 20520

The Honorable Kathleen Sebelius
Secretary
Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Salazar, Secretary Napolitano, Administrator Jackson, Administrator Lubchenco, Secretary Gates, Secretary Clinton, and Secretary Sebelius:

Under federal law British Petroleum (BP) is responsible for all spill response costs associated with the tragic Deepwater Horizon oil spill in the Gulf of Mexico. That means that after all is said and done, not one dime of federal taxpayer money should be spent on this spill response. For that reason, once the relief well has permanently halted the flow of toxic oil in to the Gulf, I am requesting a full accounting of all federal expenses incurred responding to this tragedy, so the public can be sure that BP reimburses the government for every penny spent cleaning up BP's mess.

Existing federal law makes it clear that BP is responsible for paying for response costs. The Oil Pollution Act of 1990 states that an oil spill's "responsible party" is "liable for the removal costs … that result from such incident." Such costs include any "actions…to minimize or mitigate damage to the public health or welfare" in response to the spill. As a "responsible party", BP therefore must reimburse the federal government for all of its considerable efforts in the Gulf of Mexico.

As you know, I have also introduced legislation to increase oil spiller's liability cap from $75 million to $10 billion, but current law is clear that there is no cap on liability for clean up, mitigation, and other response costs. As Secretaries Salazar and Napolitano noted in their May 14 letter to BP CEO Tony Hayward, BP is responsible for all response costs. These response costs include paying for all activities associated with mobilizing federal employees and resources to clean up after BP. Your agencies have deployed personnel and resources responding to the disaster in the Gulf that would normally have been engaged in other critical activities on behalf of the American people. BP must reimburse the U.S. government for all costs associated with that mobilization, including costs of travel, lodging, meals, and time spent working for all federal officials responding to the spill. Failure to reimburse for these costs would mean that taxpayers would be footing part of the bill to clean up BP's mess. The American people will not stand for that.

Aside from the company's legal liability for these expenses, it is clear that BP can afford to reimburse taxpayers for the federal government's spill response. While the company has already spent $450 million responding to the spill and compensating coastal states and the federal government for their responses, with high oil prices, that considerable sum amounts to a mere 5 days of profits for BP. Clearly, BP can afford to meet its legal obligation to pay all expenses incurred by the taxpayers cleaning up BP's mess.

I commend you and your agencies for sparing no expense to protect America's beaches, marine life, wetlands, and other precious resources from the oil fouling the Gulf of Mexico. After all is said and done, we must make sure that taxpayers are fully reimbursed for all federal resources mobilized as a result of the disaster in the Gulf. That starts with a full and complete accounting of all the resources your agencies are deploying in this vital effort.

Sincerely,

Robert Menendez

ROBERT MENENDEZ
United States Senator

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

JUL -6 2010

MEMORANDUM FOR THE SECRETARY

FROM: Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere

SUBJECT: Recommendations regarding the National Oceanic and Atmospheric Administration's Priorities in Responding to the Deepwater Horizon Oil Spill

Attached for your approval and signature is a response to a letter from eight members of the Louisiana congressional delegation who wrote to express their appreciation for the recent determination of a fisheries disaster in response to the Deepwater Horizon oil spill. They recommend six priority actions for the National Oceanic and Atmospheric Administration (NOAA) to consider in response to the spill, particularly as they relate to communicating issues regarding seafood safety and minimizing impacts to the seafood industry.

You thank the delegation for their letter and explain how NOAA is implementing the priority actions identified in their letter, including steps to ensure the safety and marketability of Gulf of Mexico seafood.

Recommendation:
That you sign the attached letters.

Clearances: See attached NOAA clearance sheet.

Executive Secretariat Clearance:

Tené A. Dolphin Date

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10-015140

DS EXECUTIVE SECRETARIAT
2010 JUN -4 PM 6:47

Congress of the United States

Washington, DC 20510

June 3, 2010

The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

The Honorable Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW
Washington, DC 20230

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Secretary Locke, Administrator Lubchenco, and Administrator Jackson:

Thank you for declaring the fisheries failure related to the Deepwater Horizon oil spill. As you know, Louisiana produces about 70 percent of seafood from the Gulf. Many of our constituents who are fishermen and harvesters or who work in fisheries-dependent businesses appreciate this declaration and look forward to the needed assistance.

We wanted to share some thoughts on some key priorities that should be addressed to follow this declaration. We have discussed these issues as we have met with our constituents, and we share their concerns and hope you will implement these actions going forward.

1) We must continue an aggressive environmental and biological monitoring program. This should be done both in the short- and long-term, and NOAA and EPA, along with the FDA and other relevant federal and state agencies, should work with universities and stakeholders along the Gulf Coast to ensure that all available expertise is being used for testing and monitoring.

2) You should continue to update fisheries closure maps regularly to ensure our fishermen and harvesters know where the closures are and that no tainted seafood caught either commercially or recreationally reaches the market. Also, regular updates on the current projections of the oil's trajectory should be included with these maps so that fishermen can have as much advance notice as possible of possible closures.

3) It is very important to reiterate that seafood currently on the market is safe. There have been no indications that any tainted seafood has reached the market. If monitoring and closure updates continue, we can work to ensure that remains the case.

4) It is vital that scientists and government officials report facts only and do not make unsubstantiated statements about the safety of our seafood. Premature statements will only result in unnecessary fears and negative impacts on an already suffering industry. Also, agency leaders would benefit greatly from advisory panels that include fisheries stakeholders and scientists to help guide government actions during this challenge and to ensure that information leading to agency actions is the best available.

5) Related to the previous point, we should have an aggressive education effort to get the facts out. We should educate environmental groups and other stakeholders to make sure that facts dominate, not theories or political and fundraising agendas. Also, you should continue the regular conference calls with stakeholders that have been helpful both in providing information to the communities and also in giving the government agencies the perspective of those directly affected by this disaster.

6) To ensure that any effects are minimized for our seafood producers, we should support an aggressive public relations and marketing efforts for Gulf seafood. Many areas of the Gulf remain open for safe seafood, so we need to counter any public reaction that Gulf seafood on the market now is not safe, even though, as mentioned above, that there are no indications that tainted seafood has reached the market.

These actions will help our seafood industry respond and recover as quickly as possible from actual damages and public perception. We would appreciate if you use any opportunity you have to highlight safe seafood products from the Gulf and to seek the counsel of industry leaders. Thank you for your work and cooperation as we face this difficult challenge.

Sincerely,

Mary Landrieu
United States Senator

David Vitter
United States Senator

Rodney Alexander
Member of Congress

Charles Boustany, M.D.
Member of Congress

Steve Scalise
Member of Congress

Bill Cassidy, M.D.
Member of Congress

John Fleming, M.D.
Member of Congress

Anh "Joseph" Cao
Member of Congress

CC: Admiral Thad Allen, National Incident Commander; Commissioner Margaret Hamburg, Food and Drug Administration

10-015071

C.W. BILL YOUNG
10TH DISTRICT, FLORIDA

COMMITTEE ON
APPROPRIATIONS
SUBCOMMITTEE ON DEFENSE
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EXECUTIVE SECRETARIAT
2010 JUN -1 PM 3: 41

May 25, 2010

The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

Dear Secretary Locke:

While I welcome your determination that there has been a fishery disaster in the Gulf of Mexico as a result of the ongoing Deepwater Horizon disaster, I am troubled that Florida was not included among the three states in this declaration. Florida commercial and recreational fishermen continue to ensure the safety and quality of our seafood. But, they too have been impacted by the spill and subsequently enacted fishery closures.

As we all know too well, for over a month, oil has been spilling into the Gulf of Mexico. Efforts continue to stop the flow of oil from the damaged well, but no quick solution has been found and an estimated 5,000 barrels of oil per day are still gushing into the ocean. As a result of the spill, the National Oceanic and Atmospheric Administration has closed almost one-quarter of the Gulf to fishing. The eastern boundary of this closure continues to expand, pushing it closer to Florida.

Although three-quarters of the Gulf of Mexico remains oil free, including the water off Florida's coast, Florida fishermen have been no less impacted by the spill. In your announcement of the fishery disaster declaration yesterday you indicated that you "are taking this action today because of the potentially significant economic hardship this spill may cause fishermen and the businesses and communities that depend on those fisheries." Many Florida fishermen worked in the now closed area and have been impacted through no fault of their own. A federal fisheries disaster declaration would enable these fishermen to receive immediate federal assistance, helping to avert disaster for commercial and recreational fishermen that contribute more than $10 billion annually and support more than 150,000 jobs in Florida.

Florida fishermen have already been negatively impacted by previous closures, and past requests for assistance with fishery disasters in Florida have been ignored. For instance, on May 6, 2009, Florida Governor Charlie Crist asked the Department of Commerce to declare a fishery disaster after the Gulf of Mexico bottom longline reef fish fishery was closed due to turtle interactions. Many Florida fishermen lost their jobs and income due to this ruling and other closures, yet disaster requests have been continually ignored.

It is my hope that you will consider the impact that the current spill is having on Florida's commercial and recreational fishery and expand your fishery disaster declaration so that they are eligible for federal assistance. As always, I stand ready to provide any additional information. With best wishes and warmest personal regards, I am

Very truly yours,

Bill Young

C.W. Bill Young
Member of Congress

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UNITED STATES DEPARTMENT OF COMMERCE
The Secretary of Commerce
Washington, D.C. 20230

June 24, 2010

The Honorable C.W. Bill Young
U.S. House of Representatives
Washington, DC 20515

Dear Representative Young:

Thank you for your letter regarding your concerns that Florida was not included in a May 24, 2010, determination of a commercial fishery failure under Section 312(a)(1) of the Magnuson-Stevens Fishery Conservation and Management Act for Louisiana, Mississippi, and Alabama in response to the Deepwater Horizon oil spill.

On June 2, 2010, Florida Governor Charlie Crist requested that a commercial fishery failure be declared for Florida. I concurred with that request and on that same day I extended the initial determination to include Florida.

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS)—an arm of the Department of Commerce—continues to monitor the spill area and revise the area closed to fishing accordingly. NMFS will provide frequent updates about the closed areas to allow fishermen to make informed business decisions and to maintain public confidence in seafood from the Gulf of Mexico.

I understand commercial and recreational fisheries provide vital jobs to Florida. The disaster determination will help ensure the Federal Government is in a position to mobilize the full range of assistance that fishermen and fishing communities may need.

If you have further questions, please contact April Boyd, Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Sincerely,

Gary Locke

27163/55071
113-MA-F

Congress of the United States
Washington, DC 20515

Dr. Jane Lubchenco, Director
National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW
Room 5128
Washington, DC 20230

Dear Dr. Lubchenco:

As members of the House of Representatives concerned about the tragedy of the Deepwater Horizon spill unfolding in the Gulf of Mexico, we write to request that NOAA forecast and model the possibility of the oil reaching the coastlines of New York. If provided access to NOAA's research and analysis, New Yorker's would have a clearer understanding of any potential threat the Gulf oil catastrophe may pose to our coastlines.

As you may know, many of New York's local economies rely on the protection of our waters and coastal wetlands. Our fisheries, tourism, and recreation industries would suffer immeasurably if the oil were to reach our coastline. The Long Island Sound alone contributes an estimated $8 billion per year to the regional economy from commercial fishing, sport fishing, and recreational activities; all which would be devastated by potential oil contamination.

This spill comes at an especially difficult time. The National Park Service estimates that 2.2 million people annually come to Fire Island; approximately 820,865 people visit Fire Island beaches each summer. The presence of oil on the coast of Fire Island would deter these visitors, decimating the tourism industry and putting many jobs in jeopardy.

Understanding the oil spill trajectory will help us prepare our state and local officials and assuage concerns from our constituents. We request NOAA publically share the models and forecasts with New Yorkers as soon as possible.

Thank you for your attention to our request.

Steve Israel	Peter King	Tim Bishop
Member of Congress	Member of Congress	Member of Congress

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UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

JUL - 9 2010

The Honorable Tim Bishop
House of Representatives
Washington, DC 20515

Dear Representative Bishop:

Thank you for your letter regarding the possible impact to New York communities from the BP Deepwater Horizon oil spill. The Unified Command is closely monitoring the movement of oil to help guide effective preparedness, response, and cleanup efforts throughout the impacted areas. Multiple monitoring methods—including overflights and dedicated research vessels manned by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA); and an unmanned aircraft system operated by the Department of Homeland Security's Customs and Border Protection—are being employed.

In addition to these physical monitoring activities, NOAA is using computer modeling to project potential oil impacts to the U.S coastline. Based upon historical wind and ocean current records, NOAA's model estimates a very low probability of shoreline impacts from eastern central Florida up the eastern seaboard. Potential impacts become increasingly unlikely north of North Carolina as the Gulf Stream moves away from the continental United States at Cape Hatteras.

The results of this model to date reflect important simplifying assumptions. For example, the modeling is based on the highest flow rate estimate developed by the Flow Rate Technical Team, which is then adjusted downward for estimates of oil recovery and burning. Also, the long-term modeling does not start from the current footprint of the spill, but rather begins the modeling on the first day of the spill. In contrast, NOAA's 72-hour forecast, which is issued daily, is based upon the current footprint of the spill and therefore provides a more accurate, but near-term, forecast. In addition to the 72-hour forecast, NOAA has released a projection of the anticipated long term-term movement of oil. NOAA also plans to release a graphic of the Loop Current and its relationship to the Deepwater Horizon oil.

The Federal Government will continue to closely monitor the movement of the oil, particularly focusing on the relationship between the Loop Current and the oil slick. If a significant amount of surface oil enters the Loop Current, NOAA will promptly inform the East Coast States and communities that may be affected and will work with the Unified Command to help guide preparedness, response, and cleanup efforts.

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THE ADMINISTRATOR

Thank you again for your letter. We look forward to continuing our partnership with the communities along the eastern seaboard to ensure we are ready to respond to all potential impacts related to the BP Deepwater Horizon spill. Should you wish to discuss this further, please contact John Gray, Director of NOAA's Legislative and Intergovernmental Affairs at (202) 482-4981.

Sincerely,

Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

JUL - 9 2010

The Honorable Peter King
House of Representatives
Washington, DC 20515

Dear Representative King:

Thank you for your letter regarding the possible impact to New York communities from the BP Deepwater Horizon oil spill. The Unified Command is closely monitoring the movement of oil to help guide effective preparedness, response, and cleanup efforts throughout the impacted areas. Multiple monitoring methods—including overflights and dedicated research vessels manned by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA); and an unmanned aircraft system operated by the Department of Homeland Security's Customs and Border Protection—are being employed.

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The Federal Government will continue to closely monitor the movement of the oil, particularly focusing on the relationship between the Loop Current and the oil slick. If a significant amount of surface oil enters the Loop Current, NOAA will promptly inform the East Coast States and communities that may be affected and will work with the Unified Command to help guide preparedness, response, and cleanup efforts.

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Thank you again for your letter. We look forward to continuing our partnership with the communities along the eastern seaboard to ensure we are ready to respond to all potential impacts related to the BP Deepwater Horizon spill. Should you wish to discuss this further, please contact John Gray, Director of NOAA's Legislative and Intergovernmental Affairs at (202) 482-4981.

Sincerely,

Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

JUL - 9 2010

The Honorable Steve Israel
House of Representatives
Washington, DC 20515

Dear Representative Israel:

Thank you for your letter regarding the possible impact to New York communities from the BP Deepwater Horizon oil spill. The Unified Command is closely monitoring the movement of oil to help guide effective preparedness, response, and cleanup efforts throughout the impacted areas. Multiple monitoring methods—including overflights and dedicated research vessels manned by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA); and an unmanned aircraft system operated by the Department of Homeland Security's Customs and Border Protection—are being employed.

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The Federal Government will continue to closely monitor the movement of the oil, particularly focusing on the relationship between the Loop Current and the oil slick. If a significant amount of surface oil enters the Loop Current, NOAA will promptly inform the East Coast States and communities that may be affected and will work with the Unified Command to help guide preparedness, response, and cleanup efforts.

THE ADMINISTRATOR

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Thank you again for your letter. We look forward to continuing our partnership with the communities along the eastern seaboard to ensure we are ready to respond to all potential impacts related to the BP Deepwater Horizon spill. Should you wish to discuss this further, please contact John Gray, Director of NOAA's Legislative and Intergovernmental Affairs at (202) 482-4981.

Sincerely,

Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere

NICK J. RAHALL II, WV
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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

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May 19, 2010

Dr. Jane Lubchenco
Under Secretary for Oceans and Atmosphere and
Administrator, National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Administrator Lubchenco:

To assist the Committee on Natural Resources in carrying out its oversight responsibilities related to the *Deepwater Horizon* incident, we request that you promptly provide to the Committee the following information:

- Unredacted copies of any and all documents related to potential impacts to threatened and endangered species, marine mammals, Essential Fish Habitat, critical habitat and fisheries as a result of energy development activities in the Gulf of Mexico, where such activities include but are not limited to leasing plans, lease sales, geological or geophysical exploration, exploration or development plans, and drilling permits; and

- Unredacted copies of all formal or informal consultations and official or unofficial comments under the Endangered Species Act and the Marine Mammal Protection Act related to energy development activities in the Gulf of Mexico, where such activities include but are not limited to leasing plans, lease sales, geological or geophysical exploration, exploration or development plans, and drilling permits.

With respect to the above requests you may restrict your search and production of documents and records to the last five years. We would appreciate it if you would produce the requested information in a timely fashion, and preferably before the hearing scheduled by the Subcommittee on Insular Affairs, Oceans and Wildlife on June 15, 2010.

If you have questions regarding this request, please contact Jean Flemma, Staff Director, Subcommittee on Insular Affairs, Oceans and Wildlife, at 202-226-0200.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II
Chairman
Committee on Natural Resources

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230
OFFICE OF LEGISLATIVE AFFAIRS

JUN 17 2010

The Honorable Nick J. Rahall, II
Chairman
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter requesting documents related to the Deepwater Horizon oil spill in the Gulf of Mexico. Under separate cover, the National Oceanic and Atmospheric Administration (NOAA) is providing documents responsive to your request.

We appreciate the importance of this and other request and will continue to work with Congress, other Federal agencies, States, and stakeholders in the Gulf region during this crisis. If you have further questions, please contact me at (202) 482-4981.

Sincerely,

John Gray
Director

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RICHARD SHELBY
ALABAMA

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United States Senate

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  (205) 759-5047

May 6, 2010

Dr. Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW
Room 5128
Washington, DC 20230

Dear Dr. Lubchenco,

I am writing to request your immediate assistance to assess the short and long term impacts that the oil spill will have on the Gulf Coast's ecosystem and economy. Clearly, the more than 190,000 gallons of dispersants in the Gulf of Mexico as of this morning will have serious impacts on the fish and wildlife dependent on the Gulf. However, the Administration has appeared to gloss over the potential devastation that may be caused by the dispersants used in the recovery efforts. What will be the long term results of dumping thousands of gallons of oil dispersant in the Gulf? Dr. Lubchenco, we need to understand if the treatment is worse than the disease.

- What chemicals make up the dispersants?
- Has there ever been any environmental research or study done on the long term effects from the use of chemical dispersants?
- Has any other entity across the globe - federal or private - used as much oil dispersant in one general area for so long to combat an oil slick?
- Is the United States and BP's response to the Deepwater accident setting a precedent for the use of oil dispersant?
- What is the largest concentration of dispersants used prior to the accident in the Gulf?
- Have there been any studies on the long-term impact oil dispersants will have on our ocean ecosystems?
- Have you considered the impacts that dispersants will have on the ecological balance of the ecosystem?

- How much more dispersants are being used than the contingency plan originally anticipated?

- It is my understanding that after the Amoco Cadiz and the Exxon Valdez spills, dispersants led to ecological problems. What are the lessons learned from these spills that you are applying to the use of dispersants in the Gulf of Mexico?

- What environmental repercussions or side effects can we expect the oil dispersants to produce in the deep ocean, at the surface, in the water column, and on the ocean floor?

- Beyond what depth does the use of dispersants become impractical or ill-advised?

- If the dispersants break the oil into pea-size particles that are floating near surface, what is the effect on the filter feeding fish, anchovies, menhaden, and sardines that are feeding in this oil layer?

While dispersants may be the best action to mitigate the oil spill, we must understand what the long term effects will be on the ecosystem. It is my understanding that dispersants have never been used at this concentration and, thus far, it is publicly unknown what chemicals even make up the dispersants being used in the Gulf. All the facts must be provided to the public so we can have a full and complete picture about the environmental impacts dispersants may cause.

Finally, the oil spill is already impacting the Gulf's economy. On May 2, NOAA closed federal waters to fishing in the Gulf. I am deeply concerned that the oil spill, in concert with overly restrictive red snapper regulations, will devastate the red snapper industry. I ask that the National Marine Fisheries Service work to provide flexibility in the red snapper fishery by not reducing the fishing season further nor put additional bag limits in place. Further, I request that the National Marine Fisheries Service meet with my office prior to any Gulf of Mexico Fishery Management Council meeting to discuss the actions that they are taking to support the fishermen in the Gulf during these difficult times.

I appreciate your assistance in this extremely important situation and look forward to hearing from you.

Sincerely,

Richard Shelby

Richard Shelby

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

JUN 30 2010

The Honorable Richard Shelby
United States Senate
Washington, DC 20515

Dear Senator Shelby:

Thank you for your questions about the use of chemical dispersants on the Deepwater Horizon oil spill, and the potential for long-term effects on the Gulf of Mexico ecosystem. As the Nation's leading scientific resource for oil spills, the National Oceanic and Atmospheric Administration (NOAA) has been on the scene of the Deepwater Horizon spill from the start, providing coordinated scientific weather and biological response services to federal, state and local organizations. NOAA is working closely with the Unified Command, as well as the Environmental Protection Agency, state, and local agencies to monitor the environment for effects of dispersant use on Gulf Coast natural resources. I hope the following responses to your specific questions will assure you we are doing everything we can to apply the best available science to critical spill response.

What chemicals make up the dispersant?

The primary dispersant being used in this incident is COREXIT 9500. A list of constituent chemicals, which has been developed for distribution by the Environmental Protection Agency (EPA), is enclosed. Additional information about the dispersant is available on EPA's website at www.epa.gov/bpspill/dispersants.html.

Has there ever been any environmental research or study done on the long-term effects from the use of chemical dispersants?

Yes. There are two ways to describe "long-term" effects. The first relates to long-term exposure of marine life to oil dispersed into the water, either naturally or through the use of dispersants. There are a number of studies on the effects of dispersants and dispersed oil on short lived marine animals (such as mysids, which are small shrimp-like crustaceans, and copepods) using four-day exposures which is in fact "long-term" relative to their life-span. Another researcher recently studied the effects of this long-term exposure (relative to life span) on the reproductive capacity of marine copepods. COREXIT has also been tested extensively on silversides fish which is an estuary dweller. It is also important to note that once dispersants are applied they will biodegrade in 5 to 7 days.

There are other studies of long-term effects to marine life of short-term (acute) exposure to dispersants and dispersed oil. For example, scientists at the University of California exposed young salmon to dispersed oil for several days, returned them to clean water, and monitored

THE ADMINISTRATOR

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effects on their physiology over periods of many days. The results of these studies can be found at http://www.crrc.unh.edu/final/tjeerdemafinal/.

We are currently examining the results of these studies, in the context of the current spill, and have initiated studies in the context of seafood safety.

Has any other entity across the globe—federal or private—used as much dispersant in one general area for so long to combat an oil slick?

Yes, during the IXTOC-I Well Blowout in 1979, between 1 million and 2.5 million gallons of mostly Corexit dispersant products were applied in 500 sorties over a five-month period on what turned out to be a nine-month long (June 1979 to March 1980) oil discharge of 10,000 to 30,000 barrels per day from an exploratory platform near Veracruz, Mexico

Is the United States and BP's response to the Deepwater accident setting a precedent for the use of oil dispersant?

Dispersants have been used during the past 15 years against much smaller spills off Louisiana and Texas. As of June 14, 2010, approximately 1.26 million gallons of total dispersant have been deployed (870,000 on the surface and 392,000 subsea). This is the largest application of dispersants on an oil spill in the United States, and it is the first time dispersants have been applied at the well head. Dispersants have never been used in deep water (>5,000 feet) well leaks and we will learn much from this incident that will inform their use in the future.

What is the largest concentration of dispersants used prior to the accident in the Gulf?

Between 1 and 2.5 million gallons of dispersants were used on the IXTOC-I oil spill.

Have there been any studies on the long-term impact oil dispersants will have on our ocean ecosystems?

Yes. In the United Kingdom, following the 1996 Sea Empress oil spill, some studies were undertaken. We are aware of studies done that sought effects and recovery on sea bird colonies, sea bird production, and on juvenile fish production in the Irish Sea. For instance, a 1997 study found the targeted use of dispersants in response to the Sea Empress incident probably prevented 57,000 to 110,000 tons of emulsified oil from impacting the shoreline and may have decreased the impacts on sea birds, coastal wading birds, intertidal vertebrates and invertebrates, and amenity areas. The study evaluates the advantages and disadvantages associated with elevated oil concentrations in the water column.

Have you considered the impacts that dispersants will have on the ecological balance of the ecosystem?

When an oil spill occurs, there are no good outcomes. Dispersant use is one of several tools that may be employed, individually or in combination, to minimize consequences of an oil spill. It is important to understand the use of dispersants is an environmental trade-off. Using dispersants

decreases the environmental risks to shorelines and organisms at the surface. However, the dispersed oil increases the risk to organisms in the water column.

EPA requires toxicology tests and reports for all dispersants approved on the National Contingency Plan (NCP) Product Schedule, the authorized list of dispersants. All determinations regarding the specific application or use of a dispersant are made by the Federal On-Scene Coordinator in charge of the response. The Unified Command continues to monitor the environment for effects of dispersant use.

It is still too early in the process to know what the scope of the natural resource damage will be. Based on past experience, NOAA and the Department of the Interior are concerned about impacts to fish, shellfish, marine mammals, turtles, birds and other sensitive resources as well as their habitats, including wetlands, beaches, mudflats, bottom sediments, corals, and the water column. There is no relevant experience on the impacts on deep water coral and other similar species.

Under the Oil Pollution Act, state and federal Natural Resource Trustee agencies are responsible for assessing the injury, loss, or destruction of natural resources due to spills. The trustees will also assess any lost human uses of these resources, for example, fishing, hunting, and beach recreational closures. Injuries to be assessed by the trustees include injuries to natural resources and impairment of natural resource services that have occurred as a result of response actions, including burning, and surface and sub-surface dispersant use.

How much more dispersants are being used than the contingency plan originally anticipated?

To our knowledge, Regional Response Area Contingency Plans do not set a volumetric limit on dispersant use.

It is my understanding that after the Amoco Cadiz and the Exxon Valdez spills, dispersants led to ecological problems. What are the lessons learned from these spills that you are applying to the use of dispersants in the Gulf of Mexico?

Both oil spills caused many ecological impacts on nearshore or open water ecosystems. We are not aware that any studies were done per se on the extent to which dispersant use contributed to those impacts. However, dispersant use was very small in the Exxon Valdez oil spill, limited to a few days of small sorties, and it was terminated within several days. But we also wish to note that some 20 to 25 percent of the Exxon Valdez oil was dispersed through non-chemical means, such as natural dispersion through mixing and aggressive shoreline cleanup (hot water high-pressure scouring of the shoreline). This high pressure hot water wash was later determined to cause significant damage. Researchers monitored non-chemically dispersed oil in nearshore waters for months during the 1989 shoreline clean-up campaign.

What environmental repercussions or side effects can we expect the oil dispersants to produce in the deep ocean, at the surface and, in the water column, and on the ocean floor?

Dispersants are designed to break up the oil into smaller droplets thus reducing potential for surface slicks and shoreline impacts as well as accelerating the biodegradation that would occur naturally with oil in seawater.

They are generally used over deep water and far enough away from land to mitigate the impact of oil reaching sensitive shorelines. In the Gulf, toxicity of dispersants to marine life will vary from organism to organism, and also depend on how organisms are exposed. The "worst case" exposure would be one in which eggs and larvae (the most sensitive life stages for most fish and crustaceans like shrimp or crab) are mixed with the dispersant or dispersed oil plume for extended periods of time. This could happen to those organisms near the surface or sub-surface wellhead and drifting with the dispersant or dispersed oil as it moves with the currents. Marine organisms in the dispersed oil plume would initially experience a high concentration of the dispersed oil or dispersant, followed by a rapidly declining concentration as the dispersed oil mixes with uncontaminated water as it moves away from the site of dispersant application.

As part of using dispersants, protocols have been put into place to measure the effectiveness and potential environmental impact, including the levels of dissolved oxygen. For this event, application of surface dispersants requires using the Smart III protocol (www.response.restoration.noaa.gov/smart), and subsurface dispersants requires additional testing based on a Dispersant Monitoring and Assessment Directive. For this spill, two dispersants have been used (Corexit EC9527A and Corexit EC9500A). They are approximately 30-50 percent less toxic than crude oil, based on the EPA toxicity studies using the concentrated product schedule (<http://www.epa.gov/emergencies/content/ncp/product_schedule.htm>). While we do not know all the impacts of oil, dispersant and dispersed oil for all species, the Unified Command has been able to build on some past studies, and continues to use and refine the monitoring protocols based on the latest scientific information. Many new studies are underway to answer specific toxicity questions relevant to this spill.

Beyond what depth does the use of dispersants become impractical or ill-advised?

The Regional Response Team approved the use of subsurface dispersants for the Deepwater Horizon oil spill with specific conditions on its use including minimum oxygen levels below which it will not be applied at depth. Tests showed that dispersants applied at the release source at the seafloor have dispersed some oil. A monitoring protocol has been developed to monitor the environment for effects of dispersant use during the application of subsurface dispersants.

If the dispersants break the oil into pea-sized particles that are floating near surface, what is the effect on the filter-feeding fishes, anchovies, menhaden, and sardines that are feeding in this oil layer?

If pea-sized (centimeter size) particles are all that are produced as a result of dispersion, they will almost certainly return to the surface, coalesce and reform slicks, sheen, or emulsions. The point of using chemical dispersants is to get the droplets down to 10 to 100 micron size (one-thousandth of a centimeter or the diameter of a human hair). Filter-feeding fish will most likely avoid consuming, or at least swallowing, pea-sized oil globules while those globules are in the

surface water. If filter-feeding fish do encounter pea-sized globules in the water column, we could expect those that ingest the particles to suffer from clogging of gills.

Of more concern are the plankton, such as copepods, larvae of crustaceans, and fish. In the aftermath of other oil spills, with or without dispersant use, copepods have been observed feeding on tiny oil droplets. There are two outcomes from this. First, the copepods were excreting oil-contaminated fecal pellets which are much denser than the original oil droplets and which can fall down through the water column, possibly to the sea floor. A Canadian researcher suggested that 20 percent of the dispersed oil droplets were cleared from the upper water layer by copepod feeding. Second, our filter-feeding forage fish, such as menhaden, are more likely to ingest oil not from the tiny droplets but from feeding on living copepods and other planktonic crustacean that themselves are consuming the tiny oil droplets.

In regards to your concerns about red snapper regulations, at its February 2010 meeting, the Gulf of Mexico Fishery Management Council approved a regulatory amendment to increase total allowable catch for red snapper to 6.945 million pounds, based on the recommendations of the Council's Scientific and Statistical Committee. NOAA's National Marine Fisheries Service (NMFS) published a final rule on May 3, 2010, to increase the commercial quota to 3.542 million pounds and the recreational quota to 3.403 million pounds, effective June 2, 2010. The final rule also announced NMFS' projection that the recreational sector will meet its quota by 12:01 a.m. on July 24, 2010. Clearly the BP spill and subsequent fishery closures will impact the fishing season. NMFS will review the effects of the BP oil spill in regard to existing regulations as new information becomes available. On June 2, 2010, NMFS increased allocation proportionally to all commercial reef fish individual fishing quota share holders. In addition, NMFS is providing funding to the Florida Fish and Wildlife Commission to increase monitoring efforts this summer to obtain timely information needed to adjust or extend fishing seasons.

Please contact John Gray, Director, NOAA's Office of Legislative Affairs at (202) 482-4981 if you have any questions.

Sincerely,

Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere

Enclosure

The following list of chemicals has been developed for distribution by EPA.

Item	CAS Registry Number	Chemical Name (TSCA Inventory)
1	57-55-6	1,2-Propanediol
2	111-76-2	Ethanol, 2-butoxy-
3	577-11-7	Butanedioic acid, 2-sulfo-, 1,4-bis(2-ethylhexyl) ester, sodium salt (1:1)
4	1338-43-8	Sorbitan, mono-(9Z)-9-octadecenoate
5	9005-65-6	Sorbitan, mono-(9Z)-9-octadecenoate, poly(oxy-1,2-ethanediyl) derivs.
6	9005-70-3	Sorbitan, tri-(9Z)-9-octadecenoate, poly(oxy-1,2-ethanediyl) derivs
7	29911-28-2	2-Propanol, 1-(2-butoxy-1-methylethoxy)-
8	64742-47-8	Distillates (petroleum), hydrotreated light

Recommend

DOC

Consultation

OK to release

DOC portions

Congressman Frank Pallone

6th District, New Jersey

237 Cannon House Office Building
Washington, DC 20515
(202) 225-4671
(202) 225-9665(fax)

Confidential Fax

From:

- ☐ Congressman Frank Pallone, Jr.
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- ☐ Brendan Hennessey
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- ☐ Elana Leventhal
- ☐ Stephanie Albanese
- ☐ Richard McGrath
- ☒ Tuley Wright
- ☐ _____

Date: 6/23

Fax:

To: Sec. of Commerce

Message:

Atlantic Oil Spill letter

Number of pages to follow: 4

If you have trouble with this transmission, please call (202) 225-4671

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10-015440

Congress of the United States
Washington, DC 20515

June 23, 2010

Admiral Thad W. Allen
Commandant
United States Coast Guard
2100 Second Street, SW
Washington, DC 20593

The Honorable Janet Napolitano
Secretary
United States Department of Homeland Security
Washington, DC 20528

The Honorable Gary Locke
Secretary
United States Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

US EXECUTIVE SECRETARIAT
2010 JUN 23 PM 3:28

Dear Admiral Allen, Secretary Napolitano, and Secretary Locke:

As members of the U.S. House of Representatives representing the Atlantic Coast, we write to you today regarding the potential impacts of the Gulf of Mexico oil spill on our coastal communities. We realize it is by no means certain that the spill will impact the Eastern Seaboard. However, given the scope of the spill, we believe it is necessary to plan for all possible trajectories.

We respectfully request that the federal government coordinate with states and local officials to provide up-to-date scientific information on the trajectory of the oil spill. We echo the sentiments put forth by our colleagues in the Senate with the following requests:

- We ask that the Department of Homeland Security immediately begin coordinating with all state emergency preparedness agencies along the Atlantic Coast, providing full information about how best to prepare for managing an oil spill and ensuring that these states are properly equipped for the worst-case scenario.

- We ask that the National Oceanic and Atmospheric Administration begin developing and disseminating official, science-based predictions about the long-term direction of the oil spill and chemical dispersants, that NOAA make frequent updates to these projections and that they be publicly available. We appreciate the current projections NOAA develops and posts on its website, but these estimates are limited to a 72-hour period. We fully understand that projecting the spill's direction weeks or months in

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advance is extremely difficult, but it would be helpful to know the statistical probabilities of oil hitting various Atlantic Coast locations.

Our coastal communities rely heavily on tourism and recreational and commercial fishing as an integral part of their economies. We look forward to a healthy and prosperous summer beach season and we expect our beaches to be open and safe for our residents to enjoy. Regardless, it is important that our states have all necessary information relating to the oil spill and its potential impact on the Atlantic coast. Thank you for your consideration of these important requests. We stand ready to assist you in any way possible.

Sincerely,

FRANK PALLONE, JR.
Member of Congress

WALTER B. JONES
Member of Congress

JERROLD NADLER
Member of Congress

MIKE MCINTYRE
Member of Congress

TIMOTHY H. BISHOP
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