

**Congress of the United States**  
**Washington, DC 20515**

July 17, 2017

The Honorable Wilbur Ross  
Secretary  
Department of Commerce  
1401 Constitution Avenue  
Washington, DC 20320

Dear Secretary Ross,

We are writing in strong support of NOAA Fisheries (NMFS) 2016 technical guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (NOAA Technical Memorandum NMFS-OPR-55) as part of the review under section 10 of the Presidential Executive Order (EO) 13795, Implementing an America-First Offshore Energy Strategy.

It is critical to assess the impacts of any oil exploration and future underwater seismic testing with the best available science as provided by the NMFS guidance. Their thresholds are based on a synthesis of the most up to date research on the effects of human caused sound on marine mammals' hearing and provide information on the levels at which marine mammals are predicted to be impacted by exposure to underwater sounds, such as those created by seismic testing. The guidance is pertinent to consider as any predicted impacts will be required to be addressed by NOAA under one or more statutes (Marine Mammal Protection Act, Endangered Species Act, and National Marine Sanctuaries Act).

Marine mammals are highly intelligent animals that use sound to communicate, find food, and inform social interactions. But the impacts of underwater sound and seismic testing are not limited to marine mammals – even zooplankton, the microscopic animals at the base of ocean food webs, are harmed by seismic testing<sup>1</sup>. Furthermore, coastal recreation, whale watching, and fishing are major contributors to local economies. All of these would be impacted by oil exploration and development if oil companies are allowed to proceed uninformed by any scientific guidance.

The NMFS guidance describes in detail how the marine mammal impact thresholds were developed and how they will be updated in the future. It has undergone extensive review both internally and externally, and has had three public comment periods and input from federal partners.

Thus, we urge that any action under EO 13795 is informed by the NMFS technical guidance as it currently stands. It includes robust scientific information, has been extensively reviewed, and provides a systematic and transparent assessment of the impacts of underwater sounds along our

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<sup>1</sup> <https://www.nature.com/news/air-guns-used-in-offshore-oil-exploration-can-kill-tiny-marine-life-1.22167>

coasts. A full consideration of these impacts is absolutely necessary to ensure that any oil and gas development is environmentally responsible.

Sincerely,




ALAN LOWENTHAL  
Member of Congress



RAÚL M. GRIJALVA  
Member of Congress



TED W. LIEU  
Member of Congress



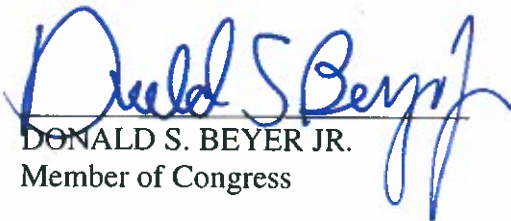
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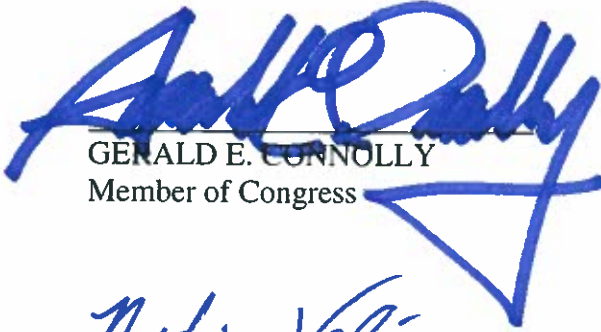
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