



Cities, Small Businesses File Suit Against Seismic Blasting

The South Carolina Environmental Law Project is representing sixteen coastal municipalities and the SC Small Business Chamber of Commerce in litigation challenging authorizations for seismic blasting in the Atlantic

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ALL COASTAL COUNTIES, SC (December 11, 2018) – Today SCELP filed a lawsuit in Federal District Court in Charleston, SC, contesting the validity of authorizations to harass hundreds of thousands of marine mammals, issued by National Marine Fisheries Service (“NMFS”). The authorizations were wrongly issued, according to the complaint, because they violate multiple federal statutes, including the Marine Mammal Protection Act and the Endangered Species Act. Importantly, NMFS failed to consider the cumulative impacts of allowing an unprecedented amount of seismic airgun surveying to be conducted along in the Atlantic. Five surveying companies will blast and reblast much of the same area, in turn, as they each gather their own proprietary data to be sold to big oil companies in anticipation of offshore drilling.

Seismic airgun surveying is done in preparation for offshore oil and gas drilling, which is unanimously opposed by every coastal municipality in South Carolina. Seismic airguns are drug by boats in large arrays along the surface of the ocean. The airguns blast sound downward at 16,000 decibels, every ten seconds, twenty-four hours a day. The blasting area will be offshore from Delaware to Florida, and last for about a year. Seismic airgun surveying has been shown to injure and drive away marine life, from destroying microscopic zooplankton at the base of the oceanic food chain to harassing the critically endangered North Atlantic Right Whale. Seismic is disastrous at all levels.

“I am disappointed that NMFS authorized serious impacts to the critically endangered right whale, along with hundreds of thousands of other species of marine life, in order to allow for unnecessary seismic blasting. The coast has spoken loudly and repeatedly against seismic airgun surveying and offshore drilling. But the current administration refuses to listen. I hope that the courts agree with us that this activity would be unnecessary and illegal.”
Amy Armstrong, SCELP executive director comments.

The sixteen municipalities that SCELP is representing, Hilton Head Island, Bluffton, Port Royal, Beaufort, Edisto Island, Seabrook Island, Kiawah Island, Folly Beach, James Island, Charleston, Mount Pleasant, Isle of Palms, Awendaw, Pawleys Island, Briarcliffe Acres, and North Myrtle Beach, are concerned about the environmental impacts along with economic ones. The South Carolina Small Business Chamber points to the fact that seismic blasts drive away fish, whales and dolphins that help support the fishing industries and tourism industries along the coast.



“Issuing these authorizations is but the first shot off the bow by money hungry special interests at the expense of our quality of life and our pristine coast which we work diligently to protect; with disregard for the security of our jobs; with disregard for the largest industry; and with disregard for the loud voices of opposition by the many. We fought the Obama Administration five-year plan, we have been fighting the Trump five-year plan and we will fight even harder against the issuance of the seismic permits whose impact is more imminent because they are more than a plan; they are a green light to enter our waters and begin destroying what we have. Mayors, City and County Councils, business owners and employees in concert with tens of thousands of citizens along the east coast are prepared to do whatever it takes to stop this nonsense. I am confident that the coastal mayors will block the insanity and insensitivity of a government that refuses to hear the human cry.” **Billy Keyserling, Mayor of Beaufort, SC.**

“The North Myrtle Beach City Council and I continue to urge the federal government to halt its efforts to introduce seismic air gun testing and oil and gas exploration and drilling off our coast,” said **North Myrtle Beach Mayor Marilyn Hatley**. “The slight and speculative benefit of drilling for oil and gas off our coast that would likely accrue to the global energy market is not worth the risk of even a single incident that could cripple our local and statewide economies, and ruin our natural resources.”

“Oil is not the energy of the future. It makes no sense for the federal government to impose this kind of operation on our coast. Our community in particular would be dramatically changed by the presence of the oil industry, perhaps most by the very real threat of a spill.” **Tim Goodwin, Mayor of Folly Beach.**

“The City of Isle of Palms vehemently opposes this action by the federal government. Seismic surveying will not only harm marine life and threaten our local economy but it will also open the door to offshore drilling, which will have a tremendous negative effect on our only industry, tourism. Along with our neighbors and partners, we will continue to fight and do whatever it takes to protect the community we love and serve.” **Jimmy Carroll, Mayor of Isle of Palms.**

According to **Seabrook Island Mayor Ron Ciancio**, “The Town of Seabrook Island enthusiastically joins this lawsuit objecting to NOAA’s seismic testing permitting decision. We are frustrated the Administration ignored the position of our Governor and the coastal communities that will be most impacted. Seabrook Island is adamantly opposed to oil drilling off our coast, so see no reason to test for oil deposits and in doing so put at risk our valuable and already threatened marine life.”

“The IHA’s failed to address the socio-economic damage to our local communities and businesses from seismic surveys. Studies have shown that our vibrant coastal seafood industry is at risk from the intense and constant airgun blasts that will cause commercial fish catches to be reduced by up to 80 percent. The sport fishing industry will also suffer from the same displacement effect. Scientific research has shown that seismic surveys cause physical harm to invertebrates like scallops, squid and crabs. Whales and dolphins will not be found for sightseeing tours. And research has shown that zooplankton, the base of the ocean food chain, is killed from the loud blasts. The failure of the National Marine Fisheries Service to address the potential threat to marine life and humans should seismic blasts cause the release of toxic chemicals from deteriorating bombs and radioactive waste drums dumped off the



coast is unquestionably negligent.” **Frank Knapp, President & CEO, South Carolina Small Business Chamber of Commerce.**

The final step before seismic can commence will be the issuance of permits by the Bureau of Ocean and Energy Management (“BOEM”). Pursuant to President Trump’s April 28, 2017, Executive Order entitled “implementing an America-First Offshore Energy Strategy,” Secretary Zinke issued Secretary’s Order 3350, directing BOEM to expedite consideration of seismic permit applications. Therefore, we expect those permits to issue in short order.

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