

# United States Senate

WASHINGTON, DC 20510-4705

January 11, 2018

The Honorable Ryan Zinke  
Secretary  
United States Department of the Interior  
1849 C Street N.W.  
Washington, DC 20240

I am seeking answers and greater transparency about your decisions in preparing and revising the new National Outer Continental Shelf Oil and Gas Leasing Program. I am strongly opposed to your initial decision to propose leasing in virtually all eligible federal waters in the Draft Proposed Plan. I am further troubled by your sudden decision to exclude Florida's coasts from future oil and gas leasing after meeting with Florida Governor Rick Scott. Your decision to give a last-minute exemption to Florida while ignoring over 10 other states who followed the proper legal procedures is a waste of taxpayer dollars and may violate the requirements of the Outer Continental Shelf Lands Act (OCSLA). It also suggests you are more concerned with politics than proper process when it comes to making key decisions that affect our coastal communities.

Last July, following the procedures outlined by the OCSLA, the Department began drafting a new leasing program by publishing a Request for Information. In my view, the Draft Proposed Program released last week gives improper weight to developing energy at the expense of the multiple other factors you are required to consider under OCSLA, including the law's broad directive to consider "economic, social, and environmental values of the renewable and nonrenewable resources contained in the outer Continental Shelf, and the potential impact of oil and gas exploration on the resource values of the outer Continental Shelf and the marine, coastal, and human environments" (43 U.S.C. 1344(a)(1)).

The draft proposal has the further flaw of ignoring the wishes of states opposed to drilling. In response to the Request for Information in July, the Department received 30 comment letters from governors or a state agency on behalf of the governor. These letters highlight the "laws, goals, and policies of affected States," which is a key specific factor you must consider when determining "the size, timing, and location" of potential oil and gas lease sales (43 U.S.C. 1344(a)(2)(F)).

As noted in the Draft Proposed Program, the state of Florida did not provide a submission

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requesting whether to be included or excluded. Yet after meeting with Governor Scott earlier this week, you announced the removal of Florida from the offshore program. While Governor Scott did not request an exemption, the states of Washington, Oregon, and California, as well as many along the Atlantic coast, did request to be excluded from any future oil and gas leasing activities.

Your decision with respect to Florida did not cure the Draft Proposed Plan's general disregard of the views of affected states. Instead, it introduced a new and arbitrary element into development of the offshore leasing program. I am deeply troubled that you chose to listen to local voices in Florida while ignoring local voices and the governors of states that formally requested their coasts be excluded from future oil and gas leasing activities. What makes the beaches of Florida or the opinion of Governor Scott somehow more valuable than the beaches of other states or opinions of other elected officials and communities?

I believe this decision indicates an arbitrary inconsistency in your balancing the eight specific factors identified in OCSLA (43 U.S.C. 1344(a)(2)). As Ranking Member of the Senate Energy and Natural Resources Committees, I have a responsibility to ensure the appropriate and effective use of taxpayer funds and that Interior's decision making process follows the law. Therefore, I request your explanation of how you are applying those factors consistently across the nation. In addition, I request that all emails, letters, or other forms of correspondence, between the Department and the State of Florida regarding the National Outer Continental Shelf Oil and Gas Leasing Program be turned over to the U.S. Senate Committee on Energy and Natural Resources so that we can conduct our oversight responsibilities.

I agree with you—local voices matter. And those local voices are present, and getting louder, in my state of Washington and many other coastal states across the country that have long asked to be excluded from the new National Outer Continental Shelf Oil and Gas Leasing Program. I look forward to your timely response.

Sincerely,



Maria Cantwell  
United States Senator