



October 5, 2022

Ms. Kelly Hammerle, National OCS Oil and Gas Leasing Program Development Manager
National OCS Oil and Gas Leasing Program Development and Coordination Branch
Leasing Division, Office of Strategic Resources, Bureau of Ocean Energy Management (VAM-
LD)
45600 Woodland Road
Sterling, VA 20166-9216

RE: Comments for the [2023-2028](#) National OCS Oil and Gas Leasing Proposed Program

[Docket ID: BOEM-2022-0031](#)

Dear Ms. Hammerle,

The following comments are submitted to you on behalf of [Azul](#), a grassroots organization working with Latinxs to protect the ocean and coasts.

We write to you today to express our deep concerns with the proposed program and also with the lack of language access for the Bureau of Ocean Energy Management's (BOEM) documents regarding the oil and gas leases. There are many populations living within close proximity along the program's proposed leasing areas where English is not their primary spoken or written language. [Spanish is prevalent in Texas counties along the coast](#) while [Vietnamese and Cajun French are commonly spoken in Louisiana](#). We believe communities along the Gulf Coast who do not primarily speak English have the right to access and have BOEM documents available in their primary language. The Civil Rights Act of 1964, Title VI calls for this treatment, as all programs, activities and benefits receiving federal funds must be language accessible.

As Azul's National Policy Manager, Carlos Ochoa, testified on September 12, Azul is following the directives of frontline communities, who call on our organization, advocates and our nation to say no to new oil and gas leases in the upcoming 2023-2028 plan. More oil and gas leases will equate to more pain for communities of color, who [bear the brunt of the effects of pollution, the climate crisis and environmental racism](#).

Azul believes that if any new leases must be agreed upon contractually — low-income and communities of color, tribal lands and marine protected areas must be completely off limits for such leases, and that any new leases must include a significant buffer zone of 125 miles from the coast of the program area in which the leases are proposed. BOEM must also include the strongest worker protection standards so that big polluters — [companies like Chevron — don't get away paying a \\$350 fine after an egregious and deadly workplace results in boiling an oil worker to death](#).

Oil and gas extraction and production contributes to air and water pollution. This extractive industry is shifting from producing fuels to more plastics that end up everywhere, from our ocean to our blood and hurt communities vulnerable to environmental racism and injustices here and around the world as an [Azul-United Nations Environmental Programme report found in 2021](#).

The U.S. has a moral obligation not to exacerbate climate disasters or inflict more harm, especially on those who contribute the least to the global climate crisis. In per capita terms, least developed countries' CO2 emissions barely reach 9% of the world's average. [Yet they accounted for 69% of worldwide deaths caused by climate-related disasters in the last 50 years.](#)

With record-breaking heatwaves in the West and massive floods and rapidly strengthening storms in the South, the United States is already being hit by the effects of climate change, and it is disproportionately impacting low-income communities of color. We know that more leases mean not only more oil and gas extraction, but also more pipelines. Less environmental protection equals, without a doubt, a climate disaster.

Azul is deeply concerned that the BOEM's proposed 2023-2028 oil and gas lease sale program will exacerbate climate disasters and harm communities' health, livelihoods and future — especially low income and communities of color, whom this Administration and agency have repeatedly said is a priority for environmental justice.

By its own account, on page 253, the [report](#) acknowledges that “...*vulnerable coastal communities are often near onshore infrastructure and could be disproportionately impacted by new construction or the increased use of existing onshore infrastructure can experience disproportionate and adverse human health or environmental effects due to impacts on culture, air quality, water quality, biological resources, archaeological and cultural resources, land use, and access to resources.*”

On page 8, BOEM states that it, “*continues to study ongoing and potential impacts to vulnerable communities from BOEM-authorized activities, including environmental justice communities, to better include these effects,*” but we already have studies that conclude that [climate change disproportionately affects and causes unequal risks to communities](#), “that are least able to anticipate, cope with, and recover from adverse impacts.” [Low-income communities of color bear the brunt of the impacts of climate events and negative health impacts.](#) With the unfair burden and consequences they endure, how can low-income communities of color have trust in BOEM's proposed 2023-2028 leasing program when [offshore oil and gas leases have failed to provide a fair return to them, taxpayers](#), even before factoring in climate-related costs and environmental harms?

We believe BOEM should also hold off issuing any new oil and gas leases until its studies on ongoing and potential impacts to vulnerable communities and environmental justice communities is released and reviewed by environmental justice organizations, furthering the needed participatory process, advising for ocean justice and consent.

In the report, BOEM mentions, “*Congress removed restrictions on domestically produced crude oil exports in December 2015,*” which provided additional markets for domestic oil. In other words, communities disadvantaged by the air and water pollution from the oil and gas industry endure the pollution, pay with their health and lives, while polluters profit by selling the U.S.-generated dirty energy abroad. Once it is burned, these same communities pay again with climate events — like hurricanes and coastal flooding — that keep getting more extreme and claim more lives and homes. [It is undeniable that those who contribute the least to the climate crisis are affected the most by it.](#)

The [BOEM report](#) dated July 2022 claims the extractive practices result in additional jobs and employment at higher-than-average pay, however there is no mention of the little to no protection companies offer to their workers, some companies [paying as little as a \\$350 fine after a worker's death.](#) There is no regard for life, health and the greater good in the extractive industry.

In the same report, BOEM goes in depth about how construction of new offshore and onshore infrastructure could increase job creation, however the agency fails to analyze or compare increases in renewable energy jobs for projects that do not industrialize the coast, impede access to our coast, or for projects that develop [wetlands, an effective nature-based, carbon sequestration tool](#).

In the proposed 2023-2028 program, BOEM also [acknowledges](#) that there might not be enough of an Alaska-based workforce to develop the infrastructure, and workers would have to travel far away for temporary jobs. That creates its own set of climate crisis-exasperating problems, not only by generating more GHG emissions from the actual drilling, but also from relocating all the workers, sourcing or building temporary housing and roads for the workers that affects biodiversity too. It also means that local communities may not benefit from the jobs, though they could be affected by the harmful effects of the extractive practices.

The report shows a graphic showcasing the number of jobs in the oil and gas industry, and it also highlights other national benefits like reduction in trade deficit, reduced dependence on imported oil as well as risks to national security. But what about our dependence on oil as a climate-wrecking fuel that harms communities here and around the globe? The very fuels that are exacerbating climate events like droughts and hurricanes and are displacing people everywhere. There is a huge gap that is not accounted for and if we were to invest in the right fuels, we could not only have more jobs, but more stability in the U.S. and abroad.

The proposed BOEM program also acknowledges that several *Impact Producing Factors (IPFs)* could inflict significant impacts on water quality, all biological resources, and all sociocultural resources if leases were issued and developed in the Alaska OCS region. While there is a significant focus on how much onshore drilling activity could be developed, if offshore permits are not approved to continue the status quo—from using polluting, climate-wrecking fuels, to some tax revenue, there is little to no analysis as to how much savings could be achieved by investing in renewable energy, electrification efficiency and conservation, not only because clean renewable energy is more affordable, but the government would also save in public health and other externalities.

The report also covers benefits of developing energy sources close to where consumers would use such energy, though it fails to look at the issue of oil and gas development from all aspects and compare it to other environmental justice and climate-friendly alternatives. The report is clearly biased, and it lacks vision to move away from climate-wrecking fuels that hurt disadvantaged communities to renewable energy that advances equity, creates more jobs, and addresses the climate emergency at hand. When done right, renewable energy is by far the best option for people, the environment, and the planet.

The report also includes misleading and false claims that “*the purpose of the 25-Mile No Leasing Zone and Atlantic Canyons Subarea Options is to restrict project sites to areas farther from coastal social, ecological, and economic resources, so selecting one or both of those options would both reduce environmental risks overall and reduce site-specific risks.*” The fact remains that oil and gas would have to be transported by pipeline to a facility onshore and it is a fact that [pipelines leak – and they do so all the time](#). Offshore wells also are compromised and no offshore well is 100% safe, no matter how far away from the coast it is located. A great example is the Deepwater Horizon oil spill that occurred 41 miles off the coast of Louisiana.

Many thought that a spill like the Exxon Valdez in Alaska would never happen again, as new regulations were implemented, and that the industry was going to invest in prevention and state-of-the-art spill recovery. Instead, the industry continues having catastrophic oil spills, including

the Deepwater Horizon oil spill in 2010 that killed 11 workers and affected low-income and communities of color along the Gulf coast. And even after those massive spills, in 2013, [a clandestine video surfaced of Exxon's use of paper towels, literally, on oil polluted wetlands, a result of the Mayflower oil spill](#) in Arkansas. The oil and gas [industry spares no money to hire lobbyists to keep regulations lax and reap the benefits of their dirty oil profiteering](#) while also investing heavily to get as much dirty energy and sell it to the highest bidder. So many things can go wrong: miscalculation of a methane surge, a hurricane hits, casing failure, plain negligence from the corporations, and then we can have spills that last for months, and they do end up affecting coastal communities.

This is all continuing to happen while the industry invests little to no money in worker protection, safety, preparedness, and prevention. This [BOEM report](#) mentions that another spill like the BP Deepwater Horizon accident, is “*remote and would be primarily regional*” basically undermining and minimizing the threat. It also contradicts itself, later acknowledging that “*some costs from the National OCS Program are not limited to the U.S.*” as impacts are felt on international water including population and marine life.

In closing, Azul finds the quantitative analysis and assumptions also of concern as they do not address waste and efficiency, and more importantly peoples’ lives and livelihoods as well as the acceleration of the climate crisis. Efficiency alone would create more jobs and address the issue that our nation must be responsible when we source energy and only build the infrastructure we need.

The report cites uncertainties regarding the values associated with the leases. What we know to be certain is that more oil and gas leases will only open the door to more drilling and more extreme climate chaos, and our communities already vulnerable to environmental and social injustices — here and abroad — simply cannot afford that.

For all these reasons, Azul believes that the BOEM should not approve any new oil and gas leases in the proposed 2023-2028 program. We urge the agency to disrupt the perpetuation of harm from extractive practices that harm low income and communities of color the worst, and harm our ocean.

Sincerely,

Marce Gutiérrez-Graudiņš
Founder and Executive Director
Azul