

---

UNITED STATES SECRETARY OF COMMERCE

---

---

**Appeal from the North Carolina Division of  
Coastal Management's Consistency Objection**

---

**REPLY BRIEF OF APPELLANT**

---

Ramona L. Monroe  
STOEL RIVES LLP  
510 L Street, Suite 500  
Anchorage, AK 99501  
T. (907) 263-8445  
F. (907) 277-1920  
[www.stoel.com](http://www.stoel.com)

Attorney for Appellant, WesternGeco

WesternGeco relies on its principal brief filed with the Secretary of Commerce on October 21, 2019, which: (1) establishes the basis and merits for WesternGeco's request for the Secretary to override North Carolina's consistency objection; (2) is responsive to and discredits the policy concerns, research, and arguments raised by North Carolina in its consistency objection; and (3) presents a clear and compelling basis for overriding North Carolina's consistency objection in its entirety. North Carolina's consistency objection is a politically motivated effort to prevent or delay the exploration and development of offshore energy reserves in the Atlantic Ocean. The only thing that has changed since North Carolina determined that four nearly identical seismic surveys are consistent with the state's coastal zone management program is the political climate in North Carolina. Contrary to North Carolina's unsubstantiated fears of apocalyptic impacts to its fisheries, seismic surveys have coexisted with marine life and vibrant fisheries for over five decades. North Carolina's fixation on a few deeply flawed studies does not displace the scientific consensus with respect to seismic surveys, nor does it override the national interest in energy exploration in the Atlantic Ocean.

For the reasons stated in its principal brief, WesternGeco respectfully requests that the Secretary override North Carolina's consistency objection.

Dated: December 23, 2019.



---

Ramona L. Monroe  
STOEL RIVES LLP  
510 L Street, Suite 500  
Anchorage, AK 99501  
T. (907) 263-8445  
F. (907) 277-1920  
www.stoel.com

Attorney for Appellant, WesternGeco

CERTIFICATE OF SERVICE

I, Ariel Stavitsky, certify and declare:

On December 23, 2019, I served a true and correct copy of the document to which this certificate is attached on the following via electronic mail, per agreement of the parties:

***North Carolina Department of Environmental Quality, Division of Coastal Management***

Braxton Davis, Braxton.Davis@ncdenr.gov  
Marc Bernstein, MBernstein@ncdoj.gov  
Mary Lucasse, MLucasse@ncdoj.gov

I certify under penalty of perjury pursuant to the laws of the State of Oregon that the foregoing is true and correct.

SIGNED on December 23, 2019 at Portland, Oregon.



---

Ariel Stavitsky  
STOEL RIVES LLP  
760 SW Ninth Ave., Ste 3000  
Portland, OR 97205  
T. (503) 294-9354  
Ariel.Stavitsky@stoel.com