UNITED STATES SECRETARY OF COMMERCE

Apel 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

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.


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