



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

April 15, 2019

Mr. Gary Poole
WesternGeco
100001 Richmond Avenue
Houston, TX 77042

SUBJECT: Consistency Submission (DCM#2019001X)

Dear Mr. Poole:

Subsequent to our letter to you dated April 10, 2019, the North Carolina Division of Coastal Management (DCM) was informed by NOAA's Office for Coastal Management (NOAA OCM) that in its opinion, the necessary data and information required by 15 CFR 930.58 were included in your original consistency submission dated March 12, 2019. In NOAA OCM's view, under 15 CFR 930.60(c), the quality, adequacy, or substance of the necessary data and information provided by the applicant is not considered in determining whether the submission is "complete." Based on this interpretation from NOAA OCM, the State's three-month review period under 15 CFR 930.54(e) commenced upon DCM's receipt of your consistency certification and ends no later than June 11, 2019.

Under this timeframe, the State would be left with approximately two months to complete the review of your consistency certification. Our process for completing the review will include a public hearing and 30-day public comment period. DCM will also circulate your submission to other state resource agencies for comments. The public and agency review will be limited to the information provided in your consistency certification unless you provide additional information DCM believes is needed to determine whether the project is consistent with the enforceable policies of the North Carolina coastal management program.

DCM believes the information and analysis provided in your March 12, 2019 submission is significantly lacking with respect to the requirements outlined in 15 CFR 930.58, including the need for: 1) a detailed description of the proposed activity; in particular, the density, timing, and duration of surveys and any measures that would be taken to reduce impacts on Habitat Areas of Particular Concern; 2) descriptions, data, and analysis related to coastal effects, especially those cumulative effects that may result from multiple and/or overlapping surveys conducted by other companies within the same geographic areas; 3) the final proposed mitigation measures, which you indicated could be altered following analysis conducted pursuant to the National Environmental Policy Act (NEPA); and 4) a set of findings relating the coastal effects to the relevant enforceable policies of the State coastal zone management program. DCM believes it would be mutually beneficial for you to submit additional information as outlined here and in our April 10, 2019 letter, so that DCM and others will have adequate information to review for consistency with our coastal program.



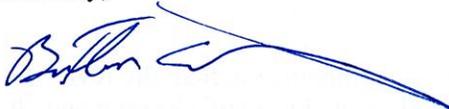
The State is offering, and requests that WesternGeco consider, a 30-day stay to conclude our review no later than July 11, 2019. This stay would allow WesternGeco additional time to prepare and submit the requested information so that it can be included in the review process. Accordingly, we also request that WesternGeco agree to submit all additional information by May 19, 2019 so that such information can be included in the review process. DCM offers to cooperate fully with WesternGeco to clarify, if necessary, what information must be submitted for DCM to evaluate consistency with North Carolina's enforceable policies. We request that you contact Daniel Govoni at (252) 808-2808 x 233 if you have any questions.

Because time is of the essence, DCM requests a response from you by April 19, 2019 indicating whether WesternGeco agrees to the 30-day stay of the review period. If WesternGeco agrees to the stay, DCM will forward an Agreement to stay the three-month review period for signature by DCM and WesternGeco which includes the following dates (based on NOAA OCM's interpretation):

- Date the 3-month review period commenced: March 12, 2019
- Date the 3-month review period is currently scheduled to end: June 11, 2019
- Date during the 3-month review period that the stay would begin: April 19, 2019
- Date that the stay would end: May 19, 2019
- Date DCM's decision would be due after a stay: July 11, 2019

If WesternGeco does not agree to the stay, the State will proceed with the public input and agency review process, and issue a final consistency decision by June 11, 2019. If these issues cannot be resolved, DCM retains the right to object to the applicant's consistency certification on the grounds of insufficient information as provided in 15 CFR 930.63.

Sincerely,



Braxton Davis
Director, N.C. Division of Coastal Management

Cc: Michael Regan, Secretary, N.C. Department of Environmental Quality (DEQ)
Daniel Govoni, Federal Consistency Coordinator, (DEQ)NC Division of Coastal Management
Brian Cameron, Environmental Scientist, U.S. Bureau of Ocean Energy Management
David Kaiser, Senior Policy Analyst, Office for Coastal Management, NOAA
Kerry Kehoe, Federal Consistency Specialist, Office for Coastal Management, NOAA
Jeff Payne, Director, NOAA Office for Coastal Management

