

## Council Policy on Offshore Oil

**Policy Goals:** *The Council supports policies for US energy development that will sustain the health of marine ecosystems and fishery resources while minimizing the risks to the marine environment and fisheries.*

1. The Council is committed to the effective stewardship of the marine fisheries and associated habitats in the Mid-Atlantic region. The environmental risks associated with offshore oil development and operations are not consistent with the Council's vision for healthy and productive marine ecosystems supporting thriving, sustainable marine fisheries.
2. Renewable energy, if implemented in a manner which minimizes impacts on fish habitat and fisheries, may be more consistent with the Council's vision for sustainable fisheries.

*If offshore oil development moves forward:*

3. Best management practices should be implemented throughout offshore oil development and operations to avoid adverse impacts on fish habitat and conflicts with other users groups, including recreational and commercial fisheries.
4. Coordination should occur across regions to avoid conflicts between Highly Migratory Species fishing tournaments and oil development surveys (e.g., seismic testing).
5. Nearshore/onshore facilities associated with exploration and production (e.g., pipelines, access roads and bridges, and other structures) should not be constructed through areas with sensitive fish habitat such as shellfish beds, fish spawning and/or nursery habitat areas, submerged aquatic vegetation (SAV), or hard/structured habitat.
6. The need for additional dredging should be reduced by expanding or repurposing sites with existing deep water facilities, such as existing oil facilities and other industrial sites or ports.
7. Handling of oil during transportation should not occur in sensitive fish habitat.
8. Offshore oil development should not occur in sensitive habitats already prohibited to fishing, including discrete and broad areas on the Outer Continental Shelf identified for deep sea coral protection.
9. The Council encourages the use of the best commercially available technology, including horizontal directional drilling, to avoid potential impacts to sensitive habitat.

10. Monitoring and leak detection systems should be used at oil extraction, production, and transportation facilities to prevent oil from entering the environment.
11. The disposal of chemicals/contaminants used in petroleum development should be rigorously regulated. The discharge of chemicals, produced waters, drilling muds, and cuttings into marine and estuarine environments should be avoided. Frac-out plans should be developed, and produced waters should be reinjected into the oil formation, whenever possible. The physical and chemical effects of discharges on pelagic and benthic species and communities should be carefully monitored.
12. Potential adverse impacts to marine resources from oil spill clean-up operations should be weighed against the anticipated adverse effects of the oil spill itself. The use of chemical dispersants in nearshore areas where sensitive fish habitat is present should be avoided.
13. Oil production and transportation facilities should develop and implement adequate oil spill response plans and protocols<sup>1</sup>. These plans should:
  - a. Include the identification of sensitive marine habitat;
  - b. Include methods to track the movement of spills;
  - c. Ensure adequate response equipment is immediately available; and
  - d. Allow researchers to have timely access to impacted areas, as needed.
14. Short- and long-term impacts from sound during exploration, construction, and operation on the environment/ecosystem (including marine mammals, sea turtles, fish populations, and associated fisheries) should be evaluated and minimized using time and area restrictions (see General Council Policies).
15. The Council supports the development of a compensatory mitigation fund for damages that occur to the marine environment and fish habitat as well as damages to fishing vessels, their gear, and operations/revenue, as a result of offshore oil activities.

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<sup>1</sup> Consistent with the US Coast Guard, US Environmental Protection Agency, Occupational Safety & Health Administration/HAZMAT, and other state or Federal requirements.