

Business Insider Should Retract Its Factually Incorrect Article About Seismic

Business Insider recently posted an article entitled “*Here’s How The Seismic Airgun Testing For Oil Reserves Along The Atlantic Coast May Deafen Thousands Of Whales.*”¹ This article is factually incorrect. Seismic airguns do not deafen thousands of whales. They do not deafen any whales. In fact, seismic airguns do not injure whales or any other marine mammals—in the Atlantic or any other body of water.²

The National Marine Fisheries Service recently stated:

“There is no specific evidence that exposure to pulses of airgun sound can cause PTS [physical injury] in any marine mammal, even with large arrays of airguns.”

“To date, there is no evidence that serious injury, death, or stranding by marine mammals can occur from exposure to airgun pulses, even in the case of large airgun arrays.”

“NMFS does not expect any marine mammals will incur serious injury or mortality in the Arctic Ocean or strand as a result of the proposed seismic survey.”³

A recent NMFS Biological Opinion concluded that marine mammals are flourishing in the Arctic during increasing oil and gas seismic activities there:

“Data indicate that bowhead whales are robust, increasing in abundance, and have been approaching (or have reached) the lower limit of their historic population size at the same time that oil and gas exploration activities have been occurring in the Beaufort Sea and, to a lesser extent, the Chukchi Sea.”

¹This article is available online at <http://www.businessinsider.com/seismic-airgun-testing-explained-2013-8#ixzz2cWJGzHc7>.

² The lack of harm from seismic is discussed at length in CRE’s White Paper on Regulation of Seismic in the Gulf of Mexico, http://www.thecre.com/forum13/wp-content/uploads/2013/01/Macro-Marine-Sound.24_Jan_13.pdf; and in CRE’s Atlantic EIS Comments, at <http://www.thecre.com/creipd/wp-content/uploads/2009/06/Atlantic-PEIS-Comments-Center-for-Regulatory-Effectiveness-May-30.pdf>.

³ CRE Atlantic EIS Comments, page 3, at <http://www.thecre.com/creipd/wp-content/uploads/2009/06/Atlantic-PEIS-Comments-Center-for-Regulatory-Effectiveness-May-30.pdf>.

“To our knowledge, no whales or other marine mammals have been killed or injured by these past seismic operations, and the BCB population of bowhead whales continues to increase at an annual rate estimated more than 3 percent.”⁴

The Bureau of Ocean Energy Management, when it was still MMS, concluded with regard to the entire Outer Continental Shelf that: “[T]here have been no known instances of injury, mortality, or population level effects on marine mammals from seismic exposure....”⁵

BOEM recently issued a Final Supplemental Environmental Impact Statement which concluded that, despite more than 50 years of oil and gas operations in the Gulf of Mexico, “there are no data to suggest that activities from the preexisting OCS Program are significantly impacting marine mammal populations”:

“Overall, within the CPA [GOM Central Planning Area], there is a long-standing and well-developed OCS [oil and gas] Program (more than 50 years); there are no data to suggest that activities from the preexisting OCS Program are significantly impacting marine mammal populations.”⁶

Seismic has not hurt marine mammals in the Arctic and Gulf of Mexico. It won’t hurt marine mammals in the Atlantic either.

The Business Insider article incorrectly states, “The side effects of such operations may cause some 138,500 whales and dolphins to go deaf or die, according to a draft report by the DOI.” The article apparently refers to BOEM’s draft EIS for Atlantic seismic. In fact, the EIS never says that 138,500 whales will go deaf or die.⁷

BOEM itself emphasizes that in the Atlantic, “No lethal impacts to marine mammals are expected.”⁸

The article’s errors may stem in part from BOEM’s use of flawed computer models to ‘guesstimate’ so-called marine mammal effects (or “takes”) from oil and gas seismic in the Atlantic. These simulated “takes” are mainly behavioral responses, many of which have no adverse effect on marine mammals. CRE and others pointed out to BOEM that these simulated effects are unsupported, inaccurate, unreliable, and grossly exaggerated.

BOEM used the acoustic integration model (AIM) for its effects simulations. The AIM model is unrealistic. It does not allow for marine mammal avoidance of seismic vessels, and it doesn’t

⁴ *Id.*, page 4.

⁵ *Id.*, page 4.

⁶ *Id.*, page 5.

⁷ The Atlantic EIS is available online at <http://www.boem.gov/oil-and-gas-energy-program/GOMR/GandG.aspx> .

⁸ Page 18, at <http://www.boem.gov/Oil-and-Gas-Energy-Program/GOMR/Approach-for-Marine-Mammal-Impact-Assessment-pdf.aspx>.

take into account the government-mandated mitigation measures designed to avoid marine mammal effects from seismic.⁹

NMFS' Peer Review Report for AIM states that the AIM input data on behavioral effects are inadequate. BOEM has also repeatedly stated that adequate input data do not exist for most of the marine mammals that AIM models.¹⁰

Perhaps most important, marine mammal observer data gathered during seismic operations do not support these computer model guesstimates. In fact, there are no real world observational data verifying and corroborating the model's simulated marine mammal effects.¹¹

As explained above, "there is no evidence that serious injury, death, or stranding by marine mammals can occur from exposure to airgun pulses, even in the case of large airgun arrays."¹²

In sum, the Business Insider article about Atlantic seismic is factually inaccurate, and it should be retracted. This is an important issue that should be dealt with more carefully and seriously.

⁹ Atlantic EIS, page 2-13, at <http://www.boem.gov/BOEM-Newsroom/Library/Publications/2012/BOEM-2012-005-vol1-pdf.aspx> .

¹⁰ CRE Atlantic EIS Comments, pages 10-12, at <http://www.thecre.com/creipd/wp-content/uploads/2009/06/Atlantic-PEIS-Comments-Center-for-Regulatory-Effectiveness-May-30.pdf> .

¹¹ API Atlantic EIS Comments, at [http://www.boem.gov/uploadedFiles/BOEM/Oil and Gas Energy Program/GOMR/AtlGGCommentsTradOpsIndustry.pdf](http://www.boem.gov/uploadedFiles/BOEM/Oil_and_Gas_Energy_Program/GOMR/AtlGGCommentsTradOpsIndustry.pdf) .

¹² CRE Atlantic EIS Comments, page 3, at <http://www.thecre.com/creipd/wp-content/uploads/2009/06/Atlantic-PEIS-Comments-Center-for-Regulatory-Effectiveness-May-30.pdf> .