

House Committee on Energy and Environment
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

March 5, 2019

Chair: Representative Ken Helm

Vice-Chairs: Representative E. Werner Reschke, Representative Sheri Schouten

Members: Representative Lynn Findley, Representative Andrea Salinas, Representative Janeen Sollman,
Representative Marty Wilde, Representative Anna Williams, Representative Jack Zika.

Dear Chair Helm, Vice-Chair Reschke, Vice-Chair Schouten, and Committee members:

Whale and Dolphin Conservation (WDC) is the leading global charity dedicated to the conservation and protection of whales, dolphins, and their habitats. As the Jessica Rekos Fellow for Orca Conservation, my work focuses on the protection and recovery of the critically endangered Southern Resident orca population, a unique community of orcas that lives in the transboundary waters of the U.S. and Canada, and off the coasts of Washington, California, and Oregon. Based in Newport, Oregon, I also work to ensure our coastal waters are safe, protected, and free from threats for the many species of marine mammals who live off the Oregon Coast. Today I am writing in support of Senate Bill (SB) 256, to protect our territorial seas, coast, and marine life from the dangers of oil and gas drilling activities.

SB 256 repeals Oregon's current sunset on the moratorium for oil, gas, and sulfur leasing in our state territorial seas and prohibits the Department of State Lands (DSL) from furthering offshore oil and gas exploration and drilling activities. The DSL operates under a mandate to protect, conserve, and safeguard Oregon's waterways, and activities associated with the exploration and development of oil and gas leasing and exploration threaten the health and safety of our state waters.

Oregon's coastal waters are one of the most diverse marine ecosystems in the world, home to a distinct subset of gray whales known as the *Pacific Coast feeding group*, the Southern Resident orcas, endangered populations of humpback whales, blue whales (the largest animal ever to have lived on Earth) and many other species of whales, dolphins, porpoises, seals, and sea lions. Oil and gas drilling and exploration off our coast puts all of this at risk – not only can offshore drilling potentially cause devastating oil spills, but the process to identify deposits is extremely dangerous for marine life. The seismic exploration to determine potential drilling sites consists of airgun blasts that are so loud they can be heard up to 2,500 miles away – repeated every 10 seconds, 24 hours a day, for days, weeks, or months at a time. These deafening noises can interfere with critical behaviors like feeding, breeding & calving, and migration, and can potentially cause direct injury or even death to whales and dolphins, as well as the fish and small marine life that sustain their food webs and ecosystem.

In advance of the Bureau of Ocean Energy Management's (BOEM) Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program, which may open as much as 90% of American waters to oil and gas development, states are taking action to stand up for their coastal wildlife, communities, and industries. In Oregon, there have been no leases or drilling for decades, but the BOEM OCS plan could change everything. It is now more important than ever that we protect our coast from the devastating impacts of offshore oil and gas exploration and drilling.

Catastrophic incidents like the *Exxon Valdez* spill and *Deepwater Horizon* blowout have confirmed the destructive impacts of oil spills on marine life, and have also shown that we still don't fully understand the extent of their effects on marine mammals. Ongoing research and monitoring of bottlenose dolphin populations that were affected by *Deepwater Horizon* show that these populations have chronic poor health, reproductive failure, and increased mortality rates¹. Individuals examined show lung disease and other health issues consistent with the effects of exposure to oil or petroleum-related chemicals. Groups of orcas that interacted with oil from the *Exxon Valdez* suffered losses that affect those groups even now, nearly 30 years later. One unique, isolated population known as the Chugach Transient orcas, lost 9

¹ See: NOAA Office of Response and Restoration. "Summarizing Five Years of NOAA Research on the Impacts of the Deepwater Horizon Oil Spill on Dolphins." <https://response.restoration.noaa.gov/about/media/summarizing-five-years-noaa-research-impacts-deepwater-horizon-oil-spill-dolphins.html>

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individuals – nearly 41% of their small group – following the spill, has not had a surviving calf since, and is now considered functionally extinct².

We cannot risk the same fate for the marine mammals who share our coastal waters here in Oregon. The Southern Resident orcas, with only 75 individuals left in the population, teeter on the brink of extinction – an oil spill in their habitat could push them over the edge. Like the marine life of the Pacific Northwest, Oregon coastal towns and industries also depend on healthy and clean near-shore environments.

Whales and dolphins are vital to Oregon's ecosystem and economic health. Whales act as ecosystem engineers, bringing nutrients up from deep water into surface waters, fertilizing the tiny phytoplankton that produce 50% of the world's oxygen³. Oregon also offers some of the best whale watching opportunities in the world, bringing hundreds of thousands of visitors to our coasts each year. For the most recent year that data is available (2008), whale watching in Oregon brought nearly \$30 million in expenditures to our coastal economies⁴.

It is clear that legislation to protect these vital resources is important for all Oregonians. To protect our marine life, ecosystems, and beloved Oregon coast, I strongly support SB 256, and I urge the Committee on Energy and Environment to do the same.

Thank you for your consideration.

Regards,



Colleen Weiler
Jessica Rekos Fellow
Whale and Dolphin Conservation
Corvallis, OR

² Matkin CO, Saulitis EL, Ellis GM, Olesiuk P, Rice SD (2008) Ongoing population-level impacts on killer whales *Orcinus orca* following the 'Exxon Valdez' oil spill in Prince William Sound, Alaska. *Mar Ecol Prog Ser* 356:269-281.
<https://doi.org/10.3354/meps07273>

³ Roman, J. et al. 2014. "Whales as marine ecosystem engineers." *Frontiers in Ecology and the Environment* (12), 7:377-385

⁴ O'Connor, S., Campbell, R., Cortez, H., & Knowles, T., 2009, Whale Watching Worldwide: tourism numbers, expenditures and expanding economic benefits, a special report from the International Fund for Animal Welfare, Yarmouth MA, USA, prepared by Economists at Large.

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