UNITED STATES GOVERNMENT MEMORANDUM

STRUCTURE REMOVAL 2015-063B

To: Regional Environmental Officer, GOAR, Office of Environmental Compliance, Bureau of Safety and Environmental Enforcement (MS GM367)

From: Supervisor, Environmental Assessment Unit 2, Office of Environment, GOAR OCS Region (MS GM633B)

Subject: National Environmental Policy Act Review of Apache Corporation's Structure Removal Application Number 2015-063B

Our National Environmental Policy Act (NEPA) review of the subject action is complete and results in a recommendation that the proposed action be approved with a Finding of No Significant Impact, conditioned as indicated below.

The Bureau of Ocean Energy Management (BOEM) has prepared a Site-Specific Environmental Assessment (SEA) (No. 2015-063B) complying with NEPA, 42 United States Code (U.S.C.) §§ 4321 et seq. The United States Department of the Interior (DOI) NEPA implementing regulations at 43 Code of Federal Regulations (CFR) Part 46 and BOEM policy require an evaluation of proposed major Federal actions, which under BOEM jurisdiction includes structure removal activity on the Outer Continental Shelf (OCS). We make the following recommendation to the Bureau of Safety and Environmental Enforcement (BSEE) in concordance with the Memorandum of Agreement between BOEM and BSEE regarding "NEPA and Environmental Compliance," dated October 1, 2018.

Secretary of the Interior Doug Burgum issued Secretary's Order 3423, which directed the renaming of the Gulf of Mexico to the Gulf of America. As a result, BOEM updated existing content while legacy content such as previously published reports, studies, and NEPA documents remain unchanged.

The Proposed Action: Apache Corporation (Apache) proposes to remove Platform B in South Timbalier Block 205, Lease OCS-G 05612, Complex ID 23826, using nonexplosive severance methods. Abrasives or mechanical cutting will be the cutting method. The structure is located at a water depth of 161 feet (ft) (49 meters (m)) and lies approximately 41 miles (66 kilometers (km)) from the nearest Louisiana shoreline. Operations will be conducted from an onshore support base in Grand Isle, Louisiana. Apache proposes to reef the jacket of structure in Louisiana Department of Wildlife and Fisheries South Timbalier Block 206 Reef site. The structure's deck and equipment will be transported to shore for disposal. The operator will remove all casing wellhead equipment and piling to a depth of at least 15 ft (4.6 m) below mud line. The maximum anchor radius employed by the derrick barge will be 5,000 ft (1,524 m). According to the operator, the structure will be removed because there is no further utility (Apache, 2024). Apache proposes to conduct site-clearance trawling over a survey grid designed to cover an area with a radius of 1,320 ft (402 m) from the center of the structure for site-clearance verification.

Factors Considered in this Determination: The impact analysis for the proposed activity focused on the decommissioning activities, the site-clearance activities, and the resources that may be potentially impacted. The impact producing factors (IPF) include: (1) emissions from decommissioning vessels/equipment, (2) vessel discharges and turbidity, (3) seafloor disturbances from mooring and trawling activities, (4) habitat loss (via removal of the facilities from the OCS), and (5) marine trash and debris.

In this SEA, BOEM has considered three alternatives: (1) No Action, (2) Proposed Action as Submitted, and (3) Proposed Action with Additional Conditions of Approval. BOEM has assessed the impacts of the proposed action on the following significant resources:

1) Marine mammals
2) Sea turtles

3) Fish resources and essential fish habitat
4) Benthic resources
5) Archaeological resources

Resources on the sea bottom, such as benthic biological communities and shipwrecks, could be disturbed if present. Because direct contact is potentially the most disruptive potential impact for resources fixed or lying on the sea bottom, it is weighted most heavily out of all other potential impact factors. Impact significance levels are explained in **Chapter 3.1** of SEA 2015-063B. Potential impacts from the proposed activities to archaeological resources, marine mammals, and sea turtles have been mitigated to non-significance. Potential impacts to fish resources and essential fish habitat, and benthic resources from the proposed activities were determined to be insignificant.

Alternatives and Conditions of Approval: In the SEA No. 2015-063B, BOEM has considered three alternatives: (1) No Action, (2) Proposed Action as Submitted, and (3) Proposed Action with Additional Conditions of Approval. Our evaluation in this SEA recommends Alternative 3 and serves as the basis for approving the proposed action. BOEM concludes that no significant impacts are expected to occur to any affected resource by allowing the proposed action to proceed, provided that the specific conditions of approval identified below are met by the operator.

- **COMPLIANCE WITH BIOLOGICAL OPINION TERMS AND CONDITIONS AND REASONABLE AND PRUDENT MEASURES:** This approval is conditioned upon compliance with the Reasonable and Prudent Measures and implementing Terms and Conditions of the Biological Opinion (BiOp) issued by the National Marine Fisheries Service (NMFS) on May 20, 2025 (2025 NMFS BiOp). This compliance includes mitigation, particularly any to Terms and Conditions applicable to the plan, as well as record-keeping and reporting sufficient to allow BOEM and BSEE to comply with reporting and monitoring requirements under the BiOp, and any additional reporting required by BOEM or BSEE developed as a result of BiOp implementation. The NMFS BiOp may be found here: https://www.fisheries.noaa.gov/resource/document/biological-and-conference-opinion-bureau-ocean-energy-management-and-bureau. The BiOp Attachments and Appendices may be found here: https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion

- **MARINE DEBRIS PROTOCOL:** The applicant will follow the protocols provided under Attachment 2: Marine Debris Protocol found in the 2025 NMFS BiOp. The protocols can be accessed on the National Oceanic and Atmospheric Administration (NOAA) Fisheries internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.

- **VESSEL-STRIKE AVOIDANCE AND INJURED AND/OR DEAD AQUATIC PROTECTED SPECIES PROTOCOLS:** The applicant will follow the protocols provided under Attachment 3: Vessel Strike Avoidance and Injured and/or Dead Aquatic Protected Species Reporting Protocols found in the 2025 NMFS BiOp. The guidance can be accessed on the NOAA Fisheries internet site at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.

- **VESSEL TRANSIT WITHIN THE RICE'S WHALE AREA AS IDENTIFIED IN THE 2020 BIOLOGICAL OPINION'S REASONABLE AND PRUDENT ALTERNATIVE:** The applicant will follow the protocols provided under Attachment 4: Vessel Transit within the Rice's Whale Area as identified in the 2020 Biological Opinion's Reasonable and Prudent Alternative found in the NFMS 2025 BiOp. The protocols can be accessed on NOAA Fisheries internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.

- **IN-WATER LINE PRECAUTION PROTOCOL:** The applicant will follow the protocols provided under Attachment 5: In-water Line Precaution Protocol found in the 2025 NMFS BiOp. The protocols can be accessed on NOAA Fisheries internet website at https://www.fisheries.noaa.gov/

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- **MOON POOL MONITORING PROTOCOL:** The applicant will follow the protocols provided under Attachment 6: Moon Pool Monitoring Protocol found in the 2025 NMFS BiOp. The protocols can be accessed on NOAA Fisheries internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.
- **SEA TURTLE RESUSCITATION GUIDELINES PROTOCOL:** The applicant will follow the protocols provided under Attachment 10: Sea Turtle Resuscitation Guidelines Protocol found in the 2025 NMFS BiOp. The protocols can be accessed on NOAA Fisheries internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.
- **SITE CLEARANCE TRAWLING PROTOCOL:** The applicant will follow the protocols provided under Attachment 9: Site-clearance Trawling Protocol found in the 2025 NMFS BiOp. The protocols can be accessed on NOAA Fisheries internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.
- **PROGRESSIVE-TRANSPORT/"HOPPING" (STRUCTURE REMOVALS):** In accordance with the Outer Continental Shelf Lands Act (OCSLA) requirements (30 CFR § 250.1727(g)), if at any point in your decommissioning schedule progressive-transport/"hopping" activities are required to section your jacket assembly or support material barge loading, a prior written request must be submitted, and approval must be obtained from the Regional Supervisor/Field Operations. Your request to use progressive-transport must include a detailed procedural narrative and separate location plat for each "set-down" site, showing pipelines, anchor patterns for the derrick barge, and any known archaeological and/or potentially sensitive biological features. The diagram/map of the route to be taken from the initial structure location along the transport path to each site must also be submitted with your request. If the block(s) that you intend to use as "set-down" sites have not been surveyed as per Notice to Lessees (NTL) No. 2009-G39 and 30 CFR 550.194, you may be required to conduct the necessary surveys/reporting prior to mobilizing on site and conducting any seafloor-disturbing activities.
- **ARCHAEOLOGICAL RESOURCE REPORTING DURING SITE-CLEARANCE:** Per 30 CFR § 250.194(c) and reiterated in 30 CFR § 550.195, if during site-clearance operations you discover any object of potential archaeological significance you are required to immediately halt operations. In addition, you must immediately report this discovery to the BSEE Environmental Compliance Division (ECD) at Env-Compliance-Arc@bsee.gov, contact the BSEE Marine Archaeologists at 504-736-2947, and send a confirmation email to archaeology@boem.gov. Additional guidance will be provided to the operator as to what steps will be needed to protect any potential submerged archaeological resources. Additionally, as specified under 30 CFR § 250.1743:

  - If using trawls to verify site-clearance, you are required to provide the trawling logs for both heavy-duty nets and verification nets with descriptions of each item recovered. Should you only pull site-clearance verification nets, please clearly state this within the body of the Site-Clearance Report. In addition, provide ALL vessel logs related to vessels that were used to recover items during site-clearance operations (e.g., anchor handling vessels, lift boats, dive support vessels, tugboats, etc.). If you did not use any vessels to recover items, please clearly state this within the body of the Site-Clearance Report.

  - With your Site-Clearance Report you are also required to provide a CD or DVD of all digital photographs of the items recovered during the use of the heavy-duty trawl nets, site-clearance verification trawl nets, diver recovery, and any other methods used. Each photograph must be of appropriate scale and size so that individual items can be identified. All photographs of recovered items must also correspond with the items recovered and listed on individual lines within the logs. In addition, when you submit your photographs, you should label each

photograph file name so that it represents the individual trawl line from which the items were recovered.

Conclusion: BOEM has evaluated the potential environmental impacts of the proposed action. Based on the SEA No. 2015-063B, we conclude that the proposed action would have no significant impact on the environment provided that the avoidance measures required by the specific conditions of approval are met by the operator. An Environmental Impact Statement is not required.

PERRY BOUDREAUX

Digitally signed by PERRY BOUDREAUX
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Perry Boudreaux
Supervisor, Environmental Assessment Unit 2
Office of Environment
Gulf Of America OCS Region
Bureau of Ocean Energy Management

August 4, 2025
Date

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT
GULF OF AMERICA OCS REGION
NEW ORLEANS, LOUISIANA

SITE-SPECIFIC ENVIRONMENTAL ASSESSMENT

OF

STRUCTURE-REMOVAL APPLICATION ES/SR NO. 2015-063B

FOR

Apache Corporation

IN

South Timbalier Block 205
Lease OCS-G 05612
Complex ID 23826

Date Submitted: August 28, 2024
Commencement Date: August 2025

RELATED ENVIRONMENTAL DOCUMENTS

Final Environmental Impact Statement for Gulf of Mexico OCS Oil and Gas Lease Sales: 2017-2022; Gulf of Mexico Lease Sales 249, 250, 251, 252, 253, 254, 256, 257, 259, and 261 (OCS EIS/EA BOEM 2017-009)

Gulf of Mexico OCS Lease Sale
Final Supplemental Environmental Impact Statement 2018
(OCS EIS/EA BOEM 2017-074)

Gulf of Mexico OCS Oil and Gas Lease Sales 259 and 261
Final Supplemental Environmental Impact Statement 2023
(OCS EIS/EA BOEM 2023-001)

Programmatic description of the potential effects from Gulf of Mexico OCS oil- and gas-related activities: A supporting information document (OCS SID BOEM 2023-053)

Biological and Conference Opinion on Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement's Oil and Gas Program Activities in the Gulf of America (NMFS May 20, 2025)

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1. PROPOSED ACTION

The purpose of this Site-Specific Environmental Assessment (SEA) is to assess if the specific impacts associated with proposed decommissioning activities, outlined in ES/SR 2015-063B initially submitted by Apache Corporation (Apache) on August 28, 2024, will significantly affect the quality of the human, coastal, and marine environments within the meaning of Section 102(2)(c) of the National Environmental Policy Act (NEPA) and whether an Environmental Impact Statement (EIS) must be prepared. Apache proposes to remove Platform B from South Timbalier Block 205 in the Central Planning Area safely and with minimal degradation to the environment while adhering to the Outer Continental Shelf Lands Act (OCSLA) regulations, binding lease agreements, and other enforceable Outer Continental Shelf (OCS) related laws.

This SEA tiers from several NEPA documents which evaluated a broad spectrum of potential impacts resulting from decommissioning activities across the Eastern, Central, and Western Planning Areas of the OCS:

- Gulf of Mexico OCS Oil and Gas Lease Sales: 2017-2022; Gulf of Mexico Lease Sales 249, 250, 251, 252, 253, 254, 256, 257, 259, and 261; Final Environmental Impact Statement (Multisale EIS) (BOEM, 2017a),
- Gulf of Mexico OCS Lease Sale Final Supplemental Environmental Impact Statement 2018 (2018 SEIS) (BOEM, 2017b),
- Gulf of Mexico OCS Oil and Gas Lease Sales 259 and 261. Final Supplemental Environmental Impact Statement 2023 (2023 SEIS) (BOEM, 2023a),
- Programmatic description of the potential effects from Gulf of Mexico OCS oil- and gas-related activities: A supporting information document (2023 SID) (BOEM, 2023b),
- Biological and Conference Opinion on Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement's Oil and Gas Program Activities in the Gulf of America (2025 2025 NMFS BiOp) (NMFS, 2025)

"Tiering" provided for in the NEPA implementing regulations is designed to reduce and simplify the scope of subsequent environmental analyses. Tiering is also subject to additional guidance under the United States Department of the Interior (DOI) regulations at 43 Code of Federal Regulations (CFR) § 46.140. Under the DOI regulation, the site-specific analysis must note the conditions and effects addressed in the programmatic document that remain valid and which conditions and effects require additional review.

Secretary of the Interior Doug Burgum issued Secretary's Order 3423, which directed the renaming of the Gulf of Mexico to the Gulf of America. As a result, the Bureau of Ocean Energy Management (BOEM) updated existing content while legacy content such as previously published reports, studies, and NEPA documents remain unchanged.

Chapter 3 of this SEA will include a brief discussion of the known effects on analyzed resources potentially affected by the proposed action. Where applicable, relevant affected environment discussions and impact analyses from the Multisale EIS, 2018 SEIS, 2023 SEIS, and 2023 SID are summarized and utilized for these site-specific analyses and are incorporated by reference into this SEA. Relevant conditions of approval (COAs) identified in the Multisale EIS, 2018 SEIS, 2023 SEIS, 2023 SID, and 2025 NMFS BiOp have been considered in the evaluation of the proposed action.

Apache proposes to reef the jacket of South Timbalier Block 205 Platform B to the Louisiana Department of Wildlife and Fisheries South Timbalier Block 206 reef site. Disposal of obsolete offshore oil and gas platforms is not only a financial liability for the oil and gas industry, but it can also be a loss of productive marine habitat. The use of obsolete oil and gas platforms for reefs has proven to be highly successful. Their availability, design profile, durability, and stability provide a number of advantages over the use of traditional artificial reef materials. To capture this valuable fish habitat, the States of Louisiana, Texas, and Mississippi, in 1986, 1989, and 1999, respectively, passed enabling legislation and signed into law a Rigs to Reef (RTR) program

to coincide with their respective States' Artificial Reef Plan. Alabama and Florida have no RTR legislation. The State laws set up a mechanism to transfer ownership and liability of the platform from oil and gas companies to the State when the platform ceases production, and the lease is terminated. The company (donor) saves money by donating a platform to the State (recipient) for a reef rather than scrapping the platform onshore. The States' artificial reef planning areas, general permit areas, and permitted artificial reef sites within the area of influence are discussed in Chapter 3.3.2.1.2 and Appendix A.15 of the Multisale EIS (USDOI, BOEM, 2017a).

1.1. BACKGROUND

BOEM and the Bureau of Safety and Environmental Enforcement (BSEE) are mandated to manage the orderly leasing, exploration, and development of OCS oil, gas, and mineral resources while ensuring safe operations and the protection of the human, coastal, and marine environments. One purpose of BOEM's regulatory program is to ensure adequate environmental reviews are conducted on all decommissioning proposals that would help support health and safety while simultaneously protecting the sensitive marine environment.

During every stage of exploration, development, and production of oil, gas, and mineral (sulfur) operations, structures are set on or into the seafloor to:

- Aid with and/or facilitate well operations and protection
- Emplace drilling and production platforms and vessel moorings
- Install pipelines
- Deploy subsea equipment

To satisfy the regulatory requirements and lease agreements for the eventual removal of these structures, decommissioning operations employ a wide range of activities that oversee any topsides removal (decking and structure above the waterline), seafloor severing, component lifting and loading, site-clearance verification work, and final transportation of the structure back to shore for salvage or to an alternate OCS site for reuse or reefing.

The scope of the effects on OCS resources from activities proposed in Apache's ES/SR application, 2015-063B, were fully discussed and analyzed in previous NEPA documents. Neither the specific location, equipment, nor the duration of this proposal will result in impacts different from those discussed in the Multisale EIS, 2018 SEIS, 2023 SEIS, 2023 SID, and 2025 NMFS BiOp.

1.2. PURPOSE AND NEED FOR THE PROPOSED ACTION

The purpose of the proposed action is to sever and remove all objects from the seafloor safely and with minimal degradation to the environment while adhering to the decommissioning guidelines of the OCSLA regulations, binding lease agreements, and other enforceable OCS-related laws. The proposed action also serves a secondary purpose for BOEM by providing measures to ensure that nothing will be exposed on the seafloor after a decommissioning that could interfere with navigation, commercial fisheries, future oil and gas operations, or other OCS uses (marine minerals) in the area.

The proposed action is needed to allow Apache to comply with OCSLA regulations (30 CFR § 250.1703 and § 250.1725) wherein operators are required to remove their facilities and associated seafloor obstructions from their leases within one year of lease termination or after a structure has been deemed obsolete or unusable. These regulations also require the operator to sever bottom-founded objects and their related components at least 15 feet (ft) (4.6 meters (m)) below the mudline (BML) (30 CFR § 250.1728(a)). A discussion of the other legal and regulatory mandates to remove abandoned oil and gas structures from Federal Waters can be found in the 2023 SID.

In response to the proposed action in Apache's application, BOEM has regulatory responsibility, consistent with the OCSLA and other applicable laws, to recommend to BSEE to

approve, approve with modifications or COAs, or deny the application. BOEM's regulations provide criteria that BOEM will apply in reaching a decision and providing for any applicable COAs.

1.3. DESCRIPTION OF THE PROPOSED ACTION

Apache proposes to remove Platform B in South Timbalier Block 205, Lease OCS-G 05612, Complex ID 23826, using nonexplosive severance methods. Abrasives or mechanical cutting will be the cutting method. The structure is located at a water depth of 161 ft (49 m) and lies approximately 41 miles (66 kilometers (km)) from the nearest Louisiana shoreline. Operations will be conducted from an onshore support base in Grand Isle, Louisiana. The operator will remove all casing wellhead equipment and piling to a depth of at least 15 ft (4.6 m) BML. The maximum anchor radius employed by the derrick barge will be 5,000 ft (1,524 m). According to the operator, the structure will be removed because there is no further utility (Apache, 2024). Apache proposes to conduct site-clearance trawling over a survey grid designed to cover an area with a radius of 1,320 ft (402 m) from the center of the structure for site-clearance verification. Apache's decommissioning permit application includes additional information about the proposed activities and is incorporated herein by reference.

2. ALTERNATIVES CONSIDERED

2.1. NO ACTION ALTERNATIVE

Alternative 1— If selected, the operator would not undertake the proposed activities. If the proposed activities are not undertaken, all environmental impacts, including routine and accidental, would not occur and there would be no contribution to cumulative impacts to the environmental and cultural resources described in the Multisale EIS, 2018 SEIS, 2023 SEIS, 2023 SID, 2025 NMFS BiOp, and this SEA.

2.2. PROPOSED ACTION AS SUBMITTED

Alternative 2— If selected, the operator would undertake the proposed activities as requested in their plan. This alternative assumes that the operator will conduct their operations in accordance with their lease stipulations, the OCSLA and all applicable regulations (as per 30 CFR § 550.101(a)), and guidance provided in all appropriate Notice to Lessees (NTLs) (as per 30 CFR § 550.103). However, no additional, site-specific COAs would be required by BOEM.

2.3. PROPOSED ACTION WITH ADDITIONAL CONDITIONS OF APPROVAL

Alternative 3—This is BOEM's *Preferred Alternative* — If selected, the operator would undertake the proposed activity, as requested and conditioned by stipulations, regulations, and guidance (similar to Alternative 2); however, BOEM would require the operator to undertake additional COAs as identified by BOEM in coordination with NMFS and in accordance with the NFMS 2025 BiOp (listed in **Chapter 2.4** below and described in the effects analyses) in order to fully address the potential site and project specific impacts of the proposed action.

2.4. SUMMARY AND COMPARISON OF THE ALTERNATIVES

Alternative 1, the No Action Alternative, would prevent the timely removal of obsolete or abandoned structures within a period of one year after termination of the lease or upon termination of a right-of-use and easement. Alternative 1 would not result in any impacts to the environmental resources analyzed in **Chapter 3**, but it does not meet the underlying purpose and need.

Alternative 2 would allow for the removal of obsolete or abandoned structures but would not include any COAs or monitoring measures beyond what was stated in the application. However, BOEM has determined that additional COAs are needed to minimize or negate possible environmental impacts.

Alternative 3 is the Preferred Alternative, based on the analysis of potential impacts to resources described in **Chapter 3**, because it meets the underlying purpose and need and also implements COAs and monitoring requirements (described directly below) that adequately limit or negate potential impacts.

Protective Measures Required under the Preferred Alternative

The need for, and utility of, the following protective measures are discussed in the relevant impact analysis chapters of this SEA. The following protective measures and reporting requirements were identified to ensure adequate environmental protection:

- **COMPLIANCE WITH BIOLOGICAL OPINION TERMS AND CONDITIONS AND REASONABLE AND PRUDENT MEASURES:** This approval is conditioned upon compliance with the Reasonable and Prudent Measures and implementing Terms and Conditions of the BiOp issued by NMFS on May 20, 2025. This compliance includes mitigation, particularly any appendices to Terms and Conditions applicable to the plan, as well as record-keeping and reporting sufficient to allow BOEM and BSEE to comply with reporting and monitoring requirements under the BiOp, and any additional reporting required by BOEM or BSEE developed as a result of BiOp implementation. The 2025 NMFS BiOp may be found at: https://www.fisheries.noaa.gov/resource/document/biological-and-conference-opinion-bureau-ocean-energy-management-and-bureau. The BiOp Attachments and Appendices may be found here: https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.
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  - With your Site-Clearance Report you are also required to provide a CD or DVD of all digital photographs of the items recovered during the use of the heavy-duty trawl nets, site-clearance verification trawl nets, diver recovery, and any other methods used. Each photograph must be of appropriate scale and size so that individual items can be identified. All photographs of recovered items must also correspond with the items recovered and listed on individual lines within the logs. In addition, when you submit your photographs, you should label each photograph file name so that it represents the individual trawl line from which the items were recovered.

2.5. ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

Other alternatives considered but not analyzed in detail include:

- “In-situ” abandonment only (no decommissioning permitted),
- Decommissioning with “unlimited” severance options (no limit on explosive charge),
- Decommissioning with “seasonal’ severance options (seasonal removal restrictions).

In-situ abandonments would require modifications to the OCSLA to allow for expired lease obstructions and increased navigation hazards. Abandoned structures would require continual maintenance and present space use conflicts with future leaseholders and other potential users of the OCS. Employing unlimited severance options to remove a structure were not analyzed in detail because the potential impact zone for marine protected species is directly related to explosive charge size. Seasonal removal was not analyzed further because this option relied upon incomplete seasonal data and failed to account for intermittent decommissioning needs. Apache's proposed action meets the objectives of the purpose and need while being feasible under the regulatory directives of the OCSLA and all other applicable guidance.

3. DESCRIPTION OF THE AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

3.1. INTRODUCTION

The discussion below will: (1) describe/summarize the pertinent potentially affected resources; (2) determine whether the proposed action and its impact-producing factors (IPF) will have significant impacts on the human, coastal, or marine environments of the OCS; and (3) identify significant impacts, if any, that may require further NEPA analysis in an EIS. The description of the affected environment and impact analysis are presented together in this section for each resource.

For each potentially affected resource, BOEM staff reviewed and analyzed all currently available peer-reviewed literature and integrated these data and findings into the analyses below. The analyses cite the best available, relevant scientific literature. BOEM performed this analysis to determine whether Apache's proposed activities will significantly impact the human, coastal, or marine environments of the OCS. For the impact analysis, resource-specific criteria were developed for each category of the affected environment and are described in the Multisale EIS. The impacts to environmental resources are described in the Multisale EIS and are classified into one of the following impact levels:

- Negligible
- Minor
- Moderate
- Major

Preliminary screening for this assessment was based on a review of this relevant literature, previous SEAs, the Multisale EIS, the 2018 SEIS, the 2023 SEIS, the 2023 SID, the 2025 NMFS BiOp, and relevant literature pertinent to historic and projected activities. BOEM initially considered the following resources for impact analysis:

- air quality
- water quality (coastal and marine waters)
- marine mammals, including Endangered Species Act (ESA)-listed species and strategic stocks
- sea turtles (all are ESA-listed species)
- fish resources, commercial and recreational fishing, and essential fish habitat (EFH),
- benthic resources, including live-bottom (Pinnacle Trend) communities, topographic features, and potentially sensitive benthic features
- archaeological resources
- pipelines and cables
- military use, warning, and test areas
- navigation and shipping

In the Multisale EIS, the impact analysis focused on a broad group of decommissioning activities and resources with the potential for impacts. The IPFs include: (1) emissions from

decommissioning vessels/equipment, (2) vessel discharges and turbidity, (3) seafloor disturbances from mooring and trawling activities, and (4) habitat loss (via removal of the facilities from the OCS). However, for the purposes of this SEA, BOEM has not included analyses of resource areas that were evaluated and considered as having negligible impacts from decommissioning activities under the Multisale EIS. The most recent evaluation of the best available peer-reviewed scientific literature continues to support this conclusion for the following resource categories:

- air quality
- water quality (coastal and marine waters)
- fish resources, commercial and recreational fishing, and EFH
- benthic resources
- pipelines and cables
- military use, warning, and test areas
- navigation and shipping

For this SEA, BOEM evaluated the potential impacts from the applicant's proposed activities on the following resource categories:

- marine mammals, including threatened/endangered and non-ESA-listed species
- sea turtles (all are ESA-listed species)
- fish resources and EFH
- benthic resources
- archaeological resources

3.2. MARINE MAMMALS

The life history, population dynamics, status, distribution, behavior, and habitat use of baleen and toothed whales can be found in the Multisale EIS, 2018 SEIS, and 2023 SID and is incorporated by reference. The marine mammal community is diverse and distributed throughout the region, with the greatest abundances and diversity of species inhabiting oceanic and OCS waters. Twenty-one species of cetaceans and one species of sirenian regularly occur in the region and are identified in NMFS Gulf of Mexico Stock Assessment Reports (Hayes et al., 2024). The Cetacea include the suborders Mysticeti (i.e., baleen whales) and Odontoceti (i.e., toothed whales), and the order Sirenia, which includes the West Indian manatee. While all marine mammals are protected under the Marine Mammal Protection Act (MMPA), the sperm whale and Rice's whale are listed as endangered, and the West Indian manatee is listed as threatened under the ESA.

3.2.1. Impact Analysis

The IPFs for marine mammals from decommissioning and structure removal were discussed in the 2023 SID. Effects of oil and gas activity on marine mammals were also discussed in the Multisale EIS and 2018 SEIS. This SEA tiers from these documented analyses. Marine mammal injury or mortality is not expected from nonexplosive structure-removal operations, provided existing guidelines and COA requirements are followed, including applicable 2025 NMFS BiOp protocols.

OCS service vessels associated with the proposed activities also pose a hazard to marine mammals located near the surface that would be at risk of collision with the vessels. To prevent or minimize the potential for vessel strikes, operators must implement the protocols provided in Attachment 3 of the 2025 NMFS BiOp, which contains Vessel Strike Avoidance and Injured and/or Dead Aquatic Protected Species Reporting Requirements for marine mammals and other protected species. In addition, the accidental discharge of marine trash and debris generated during oil and gas activities has the potential to impact marine mammals and operators must implement the protocols provided in Attachment 2 of the 2025 NMFS BiOp, which are designed to prevent or substantially reduce marine trash and debris. The protocols can be accessed on the NMFS internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-

appendices-2025-gulf-america-oil-and-gas-biological-opinion. Adherence to the protocols is expected to prevent or decrease the potential of marine mammal interaction with IPFs.

3.2.1.1. Alternatives

Alternative 1: Non-approval of the proposed action would prevent applicants from conducting the proposed activities and the IPFs on marine mammals would not occur. No associated vessel traffic related to the operations eliminates a risk of collisions with marine mammals.

Alternative 2: Approval of the proposed action would allow the applicant to conduct the proposed activity with no additional COAs required by BOEM. Potential impacts to marine mammals without applying COAs and monitoring measures includes, but is not limited to, vessel collisions. This alternative would not adequately limit or negate potential impacts on marine mammals.

Alternative 3: Approval of the proposed action with additional COAs allows the applicant to conduct the proposed activity, but with COAs and monitoring measures applied, which would prevent or minimize the possible impacts of the proposed action on marine mammals.

Conclusion: Although there could be impacts to marine mammals from the proposed action, proper adherence to the COAs and monitoring measures would prevent or lessen the impacts of the proposed action on marine mammals. Since nonexplosive cutting tools will be used, marine mammal impacts are not expected to occur.

3.3. SEA TURTLES

The life history, population dynamics, status, distribution, behavior, and habitat use of sea turtles can be found in the Multisale EIS, 2018 SEIS, and 2023 SID and is incorporated by reference into this SEA. Five ESA-listed sea turtle species are present throughout the northern Gulf year-round: Northwest Atlantic Ocean distinct population segment (DPS) loggerhead (*Caretta caretta*), Kemp's ridley (*Lepidochelys kempii*), North Atlantic Ocean DPS green (*Chelonia mydas*), Northwest Atlantic Ocean DPS (proposed) leatherback (*Dermochelys coriacea*), and hawksbill (*Eretmochelys imbricata*). However, only Kemp's ridley and loggerhead sea turtles commonly nest on beaches of the gulf coast during the nesting season. All five species are highly migratory with individuals migrating into nearshore waters as well as other areas of the Gulf, North Atlantic Ocean, and the Caribbean Sea.

3.3.1. Impact Analyses

The IPFs for sea turtles from the proposed activities were discussed in the 2023 SID. The effects from oil and gas activity on the proposed action on sea turtles was also discussed in the Multisale EIS and 2018 SEIS. This SEA tiers from these analyses. Sea turtles can be impacted by the proposed activities by way of degradation of water quality and its associated short-term effects, vessel collision, site-clearance trawling, and entanglement or ingestion of marine trash and debris. The potential for lethal effects could occur from chance collisions with OCS service vessels associated with the proposed activities and potential capture in site-clearance trawls.

Sea turtle injury or mortality is not expected from nonexplosive structure-removal operations, provided that existing guidelines and COA requirements are followed.

OCS service vessels associated with the proposed activities pose a hazard to sea turtles located near the surface that would be at risk of collision with the vessels. To minimize the potential for vessel strikes, operators must implement the protocol provided in Attachment 3 of the 2025 NMFS BiOp, which contains Vessel Strike Avoidance and Injured and/or Dead Aquatic Protected Species Reporting Protocols for sea turtles and other protected species. The protocols can be accessed on the NMFS internet website at https://www.fisheries.noaa.gov/resource/document/attachments-and-appendices-2025-gulf-america-oil-and-gas-biological-opinion.

Under the guidelines provided in NTL 2019-G05 and site-clearance verification requirements under 30 CFR § 250.1740-1743, site-clearance trawling employing trawl nets which do not utilize

turtle excluder devices can be a method to ensure the seafloor of the lease is returned to its prelease state. The trawls have the potential to capture and drown sea turtles in the vicinity of the trawl site. To reduce the risk of capture and possible drowning of sea turtles, reasonable mitigating measures are applied. These measures include: 1) use of trawl nets with a minimum stretched mesh size of 4 inches at the cod end and 2 inches elsewhere. Trawl nets shall have a maximum stretched mesh size of 6 inches, 2) abiding by maximum trawl times of 30 min, allowing for the removal of any captured sea turtles, and 3) immediately contacting BSEE's ECD at protectedspecies@bsee.gov and NMFS SERO at takereport.nmfsser@noaa.gov in the event that a trawling contractor captures a sea turtle. Additional measures would include the adherence to the Sea Turtle Resuscitation Guidelines Protocol under Attachment 10 of the and the Site Clearance Trawling Protocol under Attachment 9 of the 2025 NMFS BiOp. Photographic documentation and a complete sea turtle stranding form for each sea turtle caught in the trawl nets would also be required. The sea turtle stranding form can be found at https://www.sefsc.noaa.gov/species/turtles/strandings.htm and submitted to NMFS and BSEE at the addresses listed above.

The accidental discharge of marine trash and debris generated during oil and gas activities has the potential to impact sea turtles through ingestion or entanglement. Application of the Marine Debris Protocols outlined in Attachment 2 of the 2025 NMFS BiOp is expected to prevent or decrease the potential of sea turtle interaction with marine trash and debris.

Most removal activities utilizing mechanical severance methods are not expected to have lethal or sublethal effects on sea turtles. The impacts of the proposed action are expected to be negligible most of the time, with occasional impacts being temporary avoidance behaviors. No significant adverse effects on the population size and recovery of any sea turtle species in the region are expected.

3.3.1.1. Alternatives

Alternative 1: Non-approval of the proposed action would prevent applicants from conducting the proposed activities. The IPFs to sea turtles would not occur. The chance for collisions with OCS service vessels associated with decommissioning activities, or potential capture in site-clearance trawls, would be eliminated.

Alternative 2: Approval of the proposed action would allow the applicant to conduct the proposed activity with no additional COAs and monitoring measures required by BOEM. Examples of potential impacts to sea turtles would be degradation of water quality and its associated short-term effects, vessel collisions, and site-clearance trawling. The potential for lethal effects could occur from the chance collisions with OCS service vessels associated with decommissioning activities, and potential capture in site-clearance trawls.

Alternative 3: Approval of the proposed action with additional COAs allows the applicant to conduct the proposed activity, but with COAs and monitoring measures applied, which would prevent or minimize the possible impacts of the proposed action on sea turtles. The 2023 SID and in the 2025 NMFS BiOp specify COAs that require trained observers to watch for protected species of sea turtles and marine mammals in the vicinity of the structures to be removed. Mitigative measures will be applied by BSEE in accordance with the NMFS ESA consultation requirements and the MMPA take-regulations.

Conclusion: Although there could be impacts to sea turtles from the proposed action, proper adherence to the COAs and monitoring measures as outlined above would preclude or lessen the impacts of the proposed action on sea turtles. Most decommissioning activities are expected to have sublethal effects on sea turtles. The impacts of the decommissioning activities projected under the proposed action are expected to be negligible. No significant adverse effects on the population size and recovery of any sea turtle species in the region are expected.

3.4. FISH RESOURCES

The distribution of fish resources and fish habitat can be found in the Multisale EIS, 2018 SEIS, and 2023 SID; the information is incorporated by reference into this SEA.

The 2025 NMFS BiOp identified the following Federally listed fish species that may be found in the action area: the Gulf sturgeon, the oceanic whitetip shark, and the giant manta ray. The Gulf sturgeon (*Acipenser oxyrinchus*) was listed as threatened, effective October 30, 1991, under the ESA in the Federal Register (FR) at 56 FR 49653. The oceanic whitetip shark (*Carcharhinus longimanus*) was listed as threatened, effective March 1, 2018, under the ESA at 83 FR 4153. The giant manta ray (*Manta birostris*) was listed as threatened, effective February 21, 2018, under the ESA at 83 FR 2916. A detailed description of the Gulf sturgeon and critical habitat, oceanic white tip shark, and giant manta ray may be found in the 2025 NMFS BiOp.

In this region, the Gulf sturgeon is predominantly distributed in the rivers and nearshore waters of the northeastern Gulf, from Lake Pontchartrain in Louisiana to the Suwannee River in Florida. The EFH for the oceanic whitetip shark in the project area includes localized areas in the central Gulf and Florida Keys. Although no EFH or critical habitat has been designated, the giant manta rays are widespread in the region. Giant manta rays occupy tropical, subtropical, and temperate oceanic waters and productive coastlines and are commonly found offshore in oceanic waters but are sometimes found feeding in shallow waters (less than 10 m) during the day (Miller and Klimovich, 2016).

The distribution of fishes varies widely, and species may be associated with different habitats at various life stages. This analysis highlights behaviors and habitat preferences, but it does not attempt to provide a comprehensive list of all potentially impacted fauna. For purposes of this analysis, habitat preferences can be divided into three broad categories: estuarine, coastal, and oceanic. Exposure to specific IPFs generated by OCS oil- and gas-related routine activities and accidental events can vary among these categories. Coastal and oceanic resources are further broken into benthic and pelagic zones to address differences in potential exposure to IPFs within a given habitat category.

3.4.1. Impact Analyses

Nonexplosive severance methods used during structure removal activities could result in adverse impacts to fish resources due to anthropogenic sound generation (i.e., increased background noise levels), bottom-disturbing activities resulting in the resuspension of sediments, and habitat modification.

For the purpose of this analysis, bottom-disturbing activities are distinguished from habitat modification by the relatively short period of time over which disturbances occur. Anchoring, drilling, trenching, pipe-laying, and structure emplacement are examples of OCS oil- and gas-related activities that disturb the seafloor. Additionally, the installation or removal of platforms and subsea systems are examples of habitat modification. Although installed facilities are temporary, the operational life is long term and may impact the distribution of species in an area (Carr and Hixon, 1997; Gallaway et al., 2009; Shipp and Bortone, 2009). The effects of artificial habitat loss through decommissioning activities are discussed in the Multisale EIS and 2018 SEIS.

3.4.1.1. Alternatives

Alternative 1: Non-approval of the proposed action would prevent applicants from conducting the proposed activities. Impacts to fish or essential fish habitat because of a proposed activity would not occur, but habitat modification that resulted from previous installation activities would persist.

Alternative 2: Approval of the proposed action would allow the applicant to conduct the proposed activities with no additional COAs and monitoring measures required by BOEM. As described in the analyses above, impacts on fish from the proposed action, such as alteration of local habitat if reefing in place or removal is planned, are expected to be localized and not lead to

significant impacts. Short-term disruption of biologically important behaviors or hearing impairment may still occur but would be negligible.

Alternative 3: Approval of the proposed action with additional COAs would allow the applicant to undertake the proposed activities. Impacts on fish from the proposed action are expected to be localized and not lead to significant impacts.

Conclusion: Although the proposed action would be expected to impact fish resources, the impacts of the proposed action are expected to be locally minor, but negligible overall.

3.5. BENTHIC BIOLOGICAL RESOURCES

A description of live bottom features (topographic and pinnacle) and other potentially sensitive biologic features can be found in the Multisale EIS and 2018 SEIS. These descriptions are incorporated by reference into this SEA. The vast majority of the region has a soft, muddy bottom in which burrowing infauna are the most abundant invertebrates, so-called soft-bottom communities. A small area of the seabed contains hard/live bottom, particularly those having measurable vertical relief, which can serve as important habitat for a wide variety of marine organisms. Encrusting algae and sessile invertebrates such as corals, sponges, sea fans, sea whips, hydroids, anemones, ascidians, and bryozoans may attach to and cover hard substrates, thereby creating “live bottoms,” a term first coined by Cummins et al. (1962).

3.5.1. Impact Analyses

The IPFs for benthic resources from decommissioning and structure removal were discussed in the 2023 SID. The effects of oil and gas activity on benthic resources, especially potentially sensitive live/hard bottom communities, were discussed in the Multisale EIS and 2018 SEIS. This SEA tiers from both of these analyses. The term bottom-disturbing activity includes any activity that results in the disturbance of the seafloor during the exploration, production, or decommissioning phase of OCS operations. The IPFs associated with the proposed action are bottom-disturbing activities that could result in physical damage to hard-bottom features and include: direct physical contact from anchoring, damage or death to any organisms within the vicinity of the sediment plume, progressive-transport (i.e., jacket-hopping), trawling activities associated with site-clearance, increased turbidity, and covering or smothering of sensitive habitats with suspended sediments from other associated activities (e.g., water-jetting the sediment from structure piles). Long-term turbidity is not expected from platform removal operations.

The Live Bottom (Pinnacle Trend) Stipulation and the Topographic Features Stipulation would minimize impacts in the vicinity of pinnacle trends and topographic features, both of which sustain sensitive offshore habitats. Both of these stipulations are incorporated into NTL No. 2009-G39 *Biologically Sensitive Underwater Features and Areas*.

3.5.1.1. Alternatives

Alternative 1: Non-approval of the proposed action would prevent applicants from conducting the proposed activities. There would be no bottom impacts from vessel anchoring that would result in increased turbidity and covering or smothering of sensitive habitats with suspended sediments.

Alternative 2: Approval of the proposed action would allow the applicant to conduct the proposed activities with no additional COAs and monitoring measures required by BOEM. This alternative includes adherence to BOEM NTL No. 2009-G39, which the operator agreed to as part of their lease stipulations. The operator proposes decommissioning activities at a site or sites that may be located near potentially sensitive benthic communities or hard bottom habitat, which, without additional COAs, may lead to potential impacts to those sites. This alternative may not adequately limit or negate potential impacts to benthic resources.

Alternative 3: Approval of the proposed action would allow the applicant to undertake the proposed activities with additional COAs as identified by BOEM. Alternative 3 differs from

Alternative 2 because COAs in addition to BOEM NTL No. 2009-G39 may be applied if necessary to avoid impacts to potentially sensitive benthic resources.

Conclusion: Although potentially sensitive benthic resources could be impacted by the proposed action, proper adherence to the operator's lease stipulations would preclude or minimize significant impacts to these resources from the associated bottom-disturbing activities. The impacts of the proposed action are expected to be negligible.

3.6. ARCHAEOLOGICAL RESOURCES

Archaeological resources are defined in 30 CFR § 550.105 as, "…the material remains of human life or activities that are at least 50 years of age and that are of archaeological interest, including any historic property described by the National Historic Preservation Act, as defined in 36 CFR § 800.16(l)." Archaeological interest means that it is capable of providing scientific or humanistic understanding of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques, such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation.

Archaeological sites on the OCS are most likely to be either historic shipwrecks or pre-contact Native American sites dating from the time at the end of the last Ice Age (~20,000 – 22,000 years ago), when sea levels were about 427 feet (130 meters) lower than they are today. Based on our current understanding of the archaeological and geological evidence, BOEM has adjusted, over time, its understanding of when and where people may have lived on the OCS when it was a terrestrial landform. Based on this new evidence, consultations with Native American Tribes, advances in remote sensing technology, and new coring methodologies to locate submerged ancient landforms, BOEM has updated the depth within the Gulf where remote sensing surveys for ancient landforms are required (from the previous depth of 60 to 130 m [200 to 427 ft]). Submerged historic archaeological resources in the OCS and along the Gulf Coast consist mostly of historic shipwrecks and historic aircraft, A historic shipwreck is defined as a submerged or buried vessel or its associated components, at least 50 years old, that has foundered, stranded, or wrecked, and that is currently lying on or embedded in the seafloor.

A proprietary database of shipwrecks maintained by BOEM currently lists over 1,300 named shipwrecks in the Gulf. Many of these reported shipwrecks may qualify for listing on the National Register of Historic Places. Although a number of shipwrecks have been identified based on historical documents, there are many others that have yet to be located and many more still for which no record of their loss survives and whose identity and location remains unknown.

3.6.1. Impact Analyses

The IPFs on archaeological resources from proposed activities were discussed in the 2023 SID. The effects of oil and gas activity on archaeological resources were discussed in the Multisale EIS and 2018 SEIS and are incorporated by reference. The IPFs associated with the proposed action that could affect archaeological resources include direct physical contact from anchoring, progressive-transport (i.e., jacket-hopping), and trawling activities associated with site-clearance.

3.6.1.1. Alternatives

Alternative 1: Non-approval of the proposed action would prevent applicants from conducting the decommissioning activities. There would be no bottom impacts from vessel anchoring progressive-transport (i.e., jacket-hopping) and trawling activities associated with site-clearance that could result in potential loss of any known or unknown historic archaeological resource.

Alternative 2: Approval of the proposed action would allow the applicant to conduct the proposed action with no additional COAs and monitoring measures required by BOEM. Examples of potential impacts to archaeological resources and the following analysis include, but are not limited to, damage to potential archaeological resources from the proposed activity. More details on the potential for impact absence that results from imposing the COAs are described in the 2023 SID. The operator proposes decommissioning activities at sites that may be located near

potential archaeological resources which, without additional COAs, may lead to potential impacts to those sites. This alternative would not adequately limit or negate potential impacts to archaeological resources.

Alternative 3: Approval of the proposed action would allow the applicant to undertake the proposed activities with additional COAs that BOEM would require the locations for new bottom-disturbing activities to be reviewed for any archaeological resources before action is taken. Alternative 3 limits or negates potential impacts on archaeological resources by avoiding known archaeological resources.

Conclusion: Although there could be impacts to known archaeological sites from the proposed action, proper adherence to the COAs and existing requirements negates or minimizes the potential for significant impacts to these resources. The impacts of the proposed action are expected to be negligible.

3.7. CUMULATIVE IMPACTS

Cumulative impacts from the proposed action were discussed in the 2023 SID for resources not directly considered in this SEA and for protected and non-protected species of marine mammals, sea turtles, protected and non-protected species of fish and essential fish habitat, archaeological resources, and benthic resources. Based on the cumulative impact scenarios and assessments presented in the Multisale EIS, 2018 SEIS, and 2023 SID, the potential effectiveness of assigned protocols from the 2025 NMFS BiOp and lease stipulations, BOEM expects that potential cumulative impacts from decommissioning activities (i.e. vessel discharges, nonexplosive-severance products, habitat removal/salvage, vessel anchoring, progressive-transport, site-clearance trawling, and sediment redistribution) would not be significant.

4. CONSULTATION AND COORDINATION

BOEM and BSEE engaged in consultation under the ESA with NMFS and FWS. On May 20, 2025, the NMFS published their Biological and Conference Opinion on Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement's Oil and Gas Program Activities in the Gulf of America and associated Attachments and Appendices (DOC, NMFS, 2025), which contain protocols BOEM implements for ESA compliance. This BiOp addresses OCS oil- and gas-related activities, including holding lease sales (requirements noted within Information to Lessees and lease stipulations) for the protection of ESA-listed species and critical habitat. The 2025 NMFS BiOp addresses any future lease sales and any approvals issued by BOEM and BSEE, under both existing and future OCS oil and gas leases in the Gulf, over a 10-year period. Applicable terms and conditions and reasonable and prudent measures from the 2025 NMFS BiOp will be applied at the lease sale stage. Other specific conditions of approval (e.g., protocols) will also be applied to post-lease approvals.

On April 20, 2018, the FWS issued a 10-year Biological Opinion (FWS 2018 BO) for BOEM and BSEE activities on the OCS, including lease sales and approvals of all "on the water" activities during this time. The FWS 2018 BO does not include any terms and conditions for the protection of endangered species that the Bureaus, lessees, or operators must implement. The FWS also noted that any future consultations may be informal, dependent upon the likelihood of take. On March 6, 2024, BOEM and BSEE requested reinitiation of consultation with FWS regarding upcoming oil-spill risk analyses, new listings, and general species information. On March 28, 2025, the FWS sent BOEM a letter with its evaluation of the new information and data, and its determination that nothing considered during the reinitiated consultation changed the conclusions of the FWS 2018 BO and that no further ESA consultation with the Service for the proposed action is necessary. The FWS 2018 BO remains in effect and any future BO amendments or associated COAs will be binding on subsequent post-lease actions.

BOEM completed consultation with NMFS regarding the Magnuson-Stevens Fisheries Conservation and Management Act on July 10, 2017, by the receipt of a comment letter from NMFS. The NMFS letter acknowledged their receipt of the Essential Fish Habitat (EFH) Assessment and the supporting 2017-2022 Multisale Lease NEPA document, provided a

determination that the Programmatic Consultation was an appropriate mechanism to evaluate EFH impacts and confirmed the adoption of the BOEM/BSEE mitigation measures outlined in the June 8, 2016, BOEM EFH Assessment to ensure adverse impacts are avoided, minimized, and offset. This consultation remains in effect for 2017-2022 activities, but not if modifications are made to the BOEM/BSEE programs that would result in changes to potential adverse effects on EFH which would trigger additional consultation.

In accordance with the National Historic Preservation Act (54 U.S.C. § 300101 *et seq*.), Federal agencies are required to consider the effects of their undertakings on historic properties. The implementing regulations for Section 106 of the National Historic Preservation Act, issued by the Advisory Council on Historic Preservation (36 CFR Part 800), specify the required review process. In accordance with 36 CFR § 800.8(c), BOEM intends to use the NEPA substitution process and documentation for preparing an EIS/Record of Decision or an Environmental Assessment/Finding of No Significant Impact to comply with Section 106 of the National Historic Preservation Act in lieu of 36 CFR § 800.3-800.6.

In February 2016, the U.S. Government Accountability Office (GAO) prepared a report entitled "Oil and Gas Management: Interior's Bureau of Safety and Environmental Enforcement Restructuring Has Not Addressed Long-Standing Oversight Deficiencies" (GAO 2016). This report examined the extent to which BSEE's restructuring at the time had an effect on its capabilities for (1) investigations, (2) environmental compliance, and (3) enforcement. The GAO reviewed laws, regulations, and policies related to BSEE's restructuring and oversight activities. In the report, the GAO had nine recommendations, including that BSEE (1) complete and update its investigative policies and procedures, (2) conduct and document a risk analysis of the regional-based reporting structure, and (3) develop procedures for enforcement actions. BSEE began addressing the recommendations in 2016 and according to GAO, as of 2021, all recommendations related to BSEE's restructuring and offshore oil and gas oversight have been closed and implemented (GAO 2021). The GAO removed the segment from its High-Risk Series in 2021. After independently reviewing the GAO reports and the updates on the GAO website closing out the recommendations on oversight and restructuring, BOEM has determined that the GAO report and the recommendations that have now been implemented by BSEE do not change the reasonably foreseeable environmental impacts that may result from an oil and gas lease sale and that were evaluated in the 2017-2022 GOM Multisale EIS or 2018 GOM Supplemental EIS. BOEM has also determined the GAO report or implementation of the recommendations does not affect BOEM's conclusions regarding impacts reasonably foreseeable from the proposed activities (i.e., will not result in significant impacts) as related to this site-specific review.

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6. PREPARERS

NEPA Coordinator

Sarah Vaughn	Environmental Protection Specialist

Contributors

Scott Sorset	Marine Archaeologist—Archaeological Resources
Tre Glenn	Biologist—Marine Mammal and Sea Turtle Resources
Alicia Caporaso	Biologist—Benthic Resources
Michelle Garig	Biologist—Essential Fish Habitat and Fish Resources
Jasmine Baloch	Biologist—Artificial Reef Coordinator

Reviewers

Bruce Cervini	Environmental Protection Specialist
Perry Boudreaux	Supervisor, Environmental Assessment Unit 2