



## CLEARWATER MARINE AQUARIUM™

Good morning, Chairman Lowenthal, Ranking Member Gosar, and Members of the Subcommittee. My name is David Yates, and I am the CEO at Clearwater Marine Aquarium, located in beautiful Clearwater Beach, Florida. We are a nonprofit, and as such, we cannot and do not support candidates for office, but we do support issues. We are home of the well-known rescued dolphin Winter who lost her tail and for whom we developed a prosthetic tail for her use. Her inspiring story was featured in the major motion pictures *Dolphin Tale* and *Dolphin Tale 2*. We are a 501(c)(3) nonprofit organization with five components to our mission: marine life rescue; marine-based education; conservation; research; and inspiration, with the majority of our revenue derived from tourist visits to our facility. Thus, I wear a somewhat unique hat, as three key areas impacted by offshore drilling accidents are marine life, the environment and tourism. That is us.

Thank you for the opportunity to testify before the Subcommittee today on behalf of the Clearwater Marine Aquarium and voice my concerns regarding offshore drilling. Today my testimony will focus on the threat offshore drilling poses to economies up and down the coast, the lessons we have learned from the Deepwater Horizon disaster, the risk that drilling in the eastern Gulf of Mexico poses to our national security and two separate pieces of legislation recently introduced by Congressmen Rooney and Cunningham which propose moratoria on offshore drilling as a way to preserve and protect our coastlines. There is not an issue I can think of that unites Floridians more than this issue, exhibited by the overwhelming recent passing of Florida Amendment 9, a ban on offshore drilling in State-controlled waters, by nearly 70% of those who voted. The problem is that this only applies to State waters, which are only 3-9 nautical miles offshore. An oil spill even hundreds of miles away from shore can and would be catastrophic due to Gulf and Atlantic currents.

Today I am here to ask you to protect our tourism, our marine life, and our coastal ecosystems.

Florida has more coastline than any other state in the continental U.S. and so it makes sense that we have built our livelihoods upon these shores. Our coasts, the Atlantic and the Gulf, breathe diversity and life into Florida. They support large scale commercial fisheries, national seashores and protected areas, a growing and thriving tourism industry (our #1 statewide industry), the barrier islands, manatees, the critically endangered North Atlantic right whale (which we do

aerial surveys on in partnership with NOAA and others), recreational fishermen, homeowners, surfers, family-owned and corporate businesses, the Everglades, and the list goes on. Our beaches and sensitive ecosystems are our greatest resource and we must protect them.

## **Coastal Economies and the Impact of Offshore Drilling**

Any expansion of offshore drilling will threaten the economies that lie at the foundation of our coastal communities. To put it in perspective, in a 2016 independent economic impact study, visitor spending in Florida totaled a massive \$122 billion, and accounting for direct, indirect and induced effects, visitor spending supports 1,435,341 jobs.<sup>1</sup> This easily makes tourism Florida's largest industry, accounting for 9.5% of our GDP and 17.1% of total employment.<sup>1</sup> And behind those statistics are real, hardworking people – my family, your neighbors, your constituents, and our friends. We welcome tourists to our communities year-round and work hard to feed them, house them, entertain them and make Florida the vacation destination that it is. Perhaps you yourself have visited Florida and know all of this first hand. But if there is drilling off our coast and, even worse, an oil spill, the tourism industry would once again be endangered. And we Floridians know all too well the horrifying impact major environmental incidents make on our tourism markets. The southern and western part of Florida's Gulf Coast just struggled through more than a year of a havoc-wreaking red tide epidemic, a naturally occurring algae bloom that killed millions of fish, hundreds of marine mammals and sea turtles, and devastated the tourism industry in these areas, causing businesses to close up and many jobs to disappear. It will take these areas many years to fully recover.

We've also experienced the devastation of a major oil spill incident. The Deepwater Horizon oil spill covered hundreds of square miles of Gulf surface and reached hundreds of miles of Gulf shoreline. During the months following the Deepwater Horizon disaster, coastal businesses across the board were affected, with many suffering severe financial losses and loss of jobs. Tourism declined along the Gulf and visitors took their business elsewhere.<sup>2</sup> When this happens, they often don't return as they develop affinity with another vacation destination. Fisheries were impacted as consumer confidence in Gulf seafood declined.<sup>2</sup> Additionally, hotel reservations were cancelled and bookings for for-hire fishing trips went down.<sup>2</sup> Even in our community, where oil never made it ashore, the perception of oiled beaches was enough to drive real estate prices down<sup>2</sup>. And we must not forget that 10 million user-days of beach, fishing and boating were lost in the wake of Deepwater Horizon and that is the threat we are facing.<sup>2</sup> The Deepwater Horizon blowout was not even off the coast of Florida and we were still heavily impacted. Oil drilling is already too close to our coastline and we cannot allow it one inch closer.

The U.S. Travel Association estimated that Florida suffered a \$7.6 billion loss in tourism revenue,<sup>3</sup> and another report estimated the likely losses as high as \$22.7 billion.<sup>4</sup> In any case, the results were devastating. Hotel occupancy rates and room rates declined. The Florida county I reside in, Pinellas County, did not have Deepwater Horizon oil make it to our beaches, and yet the impact swept across our tourism and tangential industries. In our case, at Clearwater Marine

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<sup>1</sup> <https://www.visitflorida.org/resources/research/>

<sup>2</sup> [https://usa.oceana.org/sites/default/files/17335/oil\\_and\\_tourism\\_dont\\_mix\\_-\\_final.pdf](https://usa.oceana.org/sites/default/files/17335/oil_and_tourism_dont_mix_-_final.pdf)

<sup>3</sup> <https://www.boem.gov/ESPIS/5/5451.pdf>

<sup>4</sup> <https://www.latimes.com/archives/la-xpm-2010-jul-23-la-fi-oilspill-business-20100723-story.html>

Aquarium, the previous four quarters prior to the oil spill showed year-to-year attendance growth of 33%, 19%, 26% and 32%. The quarter the spill happened year-to-year attendance growth decreased –10%. Nearly 16,000 claims were filed from our county, including us, and we were able to recoup some of our early losses, but only for the immediate months after the spill. To tourists, Florida is seen as one destination, and if they see or perceive an environmental issue anywhere in the state, they will avoid us. We see this time and time again, as perception rules. The uncertainty of where oil was located caused a broad misconception and affected Florida statewide tourism in 2010. A survey a few months after the spill highlighted this misperception with a telling statistic: 21% of respondents believed Clearwater had oil on our beaches, and yet we never did.<sup>5</sup> Mom and Pop shops across Florida that lived paycheck to paycheck were in trouble and struggled to carry their establishment through this period and hopefully secure lost revenue reimbursement.

Finally, there is the idea that with the introduction of expanded offshore drilling there will be the creation of new jobs. I urge you to think on these claims critically. Jobs that result from offshore drilling are years away from becoming a reality and even then, oil is a finite resource that will run out. The oil industry is not a dependable or durable foundation on which we should build our economies. On the other hand, jobs that come from coastal businesses and tourism offer a consistent revenue stream that will be passed on to future generations and will not waver – they're here; all we have to do is protect them. As long as there are beaches and our water is clean, the tourists will come year after year; they always have.

### **The Impact on Marine Life**

A 2011 study found that dolphins in a Louisiana Bay had a high rate of symptoms consistent with exposure to oil, with more than 50% of the dolphins analyzed deemed very ill, and 17% of them not expected to survive.<sup>6</sup> The study also noted that dolphin birth rates would likely be reduced.<sup>6</sup> This study also noted that between 27,000 and 65,000 Kemp's ridley sea turtles are estimated to have died in 2010, with the prior year total of only 15,000.<sup>6</sup> Nests were also shown to be declining for this endangered species.<sup>6</sup> In May 2013, 80 miles of Louisiana marshland remained visibly oiled three years after the oil spill incident.<sup>6</sup> The Gulf of Mexico is the habitat for more than 15,000 species of marine life and wildlife,<sup>6</sup> and 22 species of marine mammals reside in the northern Gulf of Mexico where the oil spill occurred. These animals, including dolphins, sea turtles, whales and manatees, many protected under the Endangered Species Act (ESA), are simply unable to survive the physiological onslaught of swimming in and digesting oil and dispersants. In addition to the deaths of thousands of these species in the immediate aftermath of Deepwater Horizon, we still do not know today what the long-term impact on birth rates will be on many of these species. For example, the Atlantic bottlenose dolphin reaches sexual maturity between 7 and 12 years of age, and we are only 9 years past the incident.

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<sup>5</sup> <https://www.visitfloridablog.org/?p=1098>

<sup>6</sup> <https://www.nwf.org/~media/PDFs/water/2015/Gulf-Wildlife-In-the-Aftermath-of-the-Deepwater-Horizon-Disaster-Five-Years-and-Counting.pdf>

## **Military Operations in the Eastern Gulf of Mexico**

In 2006, President George W. Bush signed the Gulf of Mexico Energy Security Act (GOMESA) into law. Part of this act designated a moratorium on oil and gas leasing within 125 miles of Florida's coastline in the Eastern Planning Area and a portion of the Central Planning Area. The areas under moratorium also include all Gulf waters east of the Military Mission Line.<sup>7</sup> The moratorium, however, is set to expire in 2022, and this puts our nation's military readiness at risk. In response to the pending expiration, Congressman Francis Rooney and Congresswoman Kathy Castor introduced the bipartisan Florida Coastal Protection Act earlier this year. The bill would protect Florida's Gulf coast and make permanent the moratorium on oil drilling. It is imperative that this bill be passed and that, together, we ensure offshore drilling does not get one inch closer to Florida's Gulf coast.

This moratorium to offshore drilling is imperative for America's national security and military preparedness. In January 2017, the Florida Defense Support Task Force published a white paper on the compatibility of oil drilling and military installations in Florida. The Task Force made a clear recommendation:

“...that Florida maintain a united front in supporting an extension of the current moratorium on drilling in the Gulf of Mexico east of the Military Mission Line (MML). To allow drilling east of the MML would mean loss of range areas and possible relocation of aircraft/ bases to other unrestricted range areas.”<sup>8</sup>

We must abide by this recommendation. The eastern Gulf of Mexico is home to extensive military weapons testing and training, which account for more than \$80 billion towards Florida's economy.<sup>8</sup> The waters off Florida's Gulf coast are the perfect home for U.S. Air Force and Navy operations owing in large part to good flying weather and the proximity to the Gulf ranges.<sup>8</sup> For 60 years the Department of Defense has relied on unobstructed ranges here. If Congress lets the moratorium expire and allows offshore oil infrastructure in the eastern Gulf of Mexico, it could jeopardize military missions. Not only that, but Florida will no longer have the same appeal to institutions like the Department of Defense – meaning military operations could be moved to other states and existing military facilities abandoned.<sup>8</sup> Again, it is the Florida Defense Support Task Force's recommendation to uphold and extend the existing moratorium thereby preventing the expansion of offshore drilling into the eastern Gulf of Mexico and protecting critical military activities.

As you know, Congressman Rooney has consistently fought to keep oil away from our shores. He and other members of the Florida delegation—of both parties—understand the importance not only of military training operations in the Eastern Gulf, but of clean coastal environments and the fruitful economy they fuel. I encourage your passage of the *Protecting and Securing Florida Coastal Protection Act* by the Committee and the full House.

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<sup>7</sup> <https://www.boem.gov/Revenue-Sharing/>

<sup>8</sup> <https://www.enterpriseflorida.com/wp-content/uploads/FDSTF-White-Paper-Oil-Drilling-and-Military-Mission-Compatibility.pdf>

## Other Bills and Bipartisan Opposition

The other bipartisan bills I am here to support are the *Coastal and Marine Economies Protection Act* and the *Atlantic Coastal Economies Protection Act*. The first bill would provide permanent protections, by way of moratoria, to the Atlantic and Pacific coasts, two areas that have been off limits to drilling but are now under consideration for new lease sales. It is important to remember that oil does not know state boundaries: a spill anywhere in the Atlantic threatens the entire coastline.

The second bill would prohibit the Interior Department from issuing permits to five companies seeking to conduct harmful seismic surveys to identify oil and gas deposits in the Atlantic. Such a prohibition would protect all manner of marine life, from some of the largest marine mammals to the zooplankton on which many of them depend, from the dangers of seismic airgun blasting, a first step along the pathway to offshore drilling. We want to acknowledge Congressman Joe Cunningham and Congressman Jeff Van Drew, the two sponsors of these bills, for their leadership.

In summary, we support the following proposed legislation:

- **H.R. 1941** (Rep. Cunningham): To amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior including in any leasing program certain planning areas, and for other purposes. "*Coastal and Marine Economies Protection Act*"
- **H.R. 205** (Rep. Rooney): To amend the Gulf of Mexico Energy Security Act of 2006 to permanently extend the moratorium on leasing in certain areas of the Gulf of Mexico. "*Protecting and Securing Florida's Coastline Act*"
- **H.R. 1149** (Rep. Van Drew): To prohibit the Department of the Interior from issuing certain geological and geophysical exploration permits under the Outer Continental Shelf Lands Act, and for other purposes. "*Atlantic Coastal Economies Protection Act*"

We constantly hear of how we as a country are the most divided that we have ever been. But not surprisingly, opposition to offshore drilling has united us. Democratic and Republican Members of Congress have come together because there is no doubt that offshore drilling would negatively impact coastal states, marine life, and hardworking Americans.

This trend is seen across the board. Senator Rick Scott has long been a champion of the Florida tourism industry and protection of our beaches. East and West Coast governors have opposed drilling off their coast. Just days after Florida Governor, Ron DeSantis, took office in early 2019, he issued an executive order calling for the protection of Florida's water resources. The last line reads "Take necessary actions to adamantly oppose all off-shore oil and gas activities off every coast in Florida..."<sup>9</sup> Up and down the coast, more than 340 local municipalities and over 2,100 locally elected officials have formally opposed offshore drilling.<sup>10</sup> These are not just campaign promises. Our elected officials are acting because we the people have asked them to. This is

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<sup>9</sup> [https://www.flgov.com/wp-content/uploads/orders/2019/EO\\_19-12.pdf](https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-12.pdf)

<sup>10</sup> <https://usa.oceana.org/climate-and-energy/grassroots-opposition-offshore-drilling-and-exploration-atlantic-ocean-and>

happening in the most conservative and liberal parts of America, yet this plan is still on the table – the people have spoken and it is time for all to listen. Now we need you, our voice in Congress, to lead. Please support this legislation, because this is not about political party; it is about protecting our coasts from an irreversible decision. It is about making sure that money generated from our coastlines remains with the hardworking Americans whose livelihoods are tied to oil-free beaches.

As an organization on the front lines of key issues relating to marine life, our Gulf ecosystems and tourism, we have experienced first-hand the catastrophic impact of offshore drilling accidents. The images of the Valdez and Deepwater Horizon accidents are imprinted in our minds, and we must never let this happen again. The good news is, it's up to us.

A handwritten signature in black ink, appearing to read "Dan J.", with a long horizontal stroke extending to the right.

CEO  
Clearwater Marine Aquarium  
Clearwater, Florida