

## Offshore Oil: Supreme Court Ruling Intensifies Debate

A Supreme Court ruling giving the federal government, rather than 13 petitioning states, jurisdiction over substantial areas of the outer continental shelf (OCS), which is assumed to be a national treasury of offshore oil, has opened the floodgate for a federal program of OCS leasing starting this year. But although the program has a legal green light, yellow lights are flashing too, warning that the government is pursuing the commendable goal of obtaining more non-Middle East oil somewhat thoughtlessly, and at the expense of other economic and environmental needs. The resolution of the lawsuit has also sparked more intense discussion of various ways to reorganize the program and the agencies that administer it.

The OCS is thought to contain one third of the nation's potential petroleum reserves. Onshore reserves have been declining in recent years; hence the OCS is expected to supply most of the increase in U.S. domestic oil production.

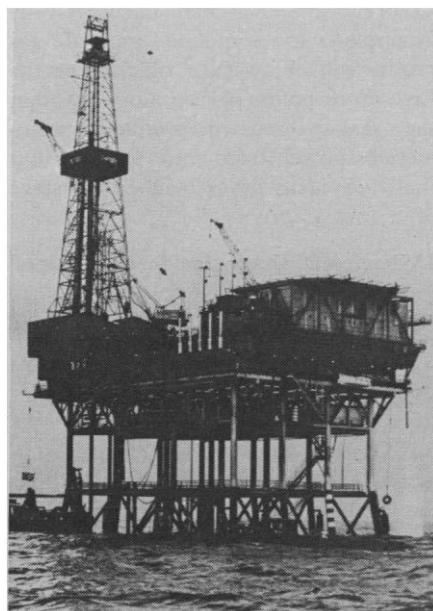
As now planned, the program would give oil companies virtual control of developing 6 million acres of OCS land in 1975 alone—most of which would be virgin parts of the shelf not previously drilled even on an exploratory basis. The amount of acreage leased by 1985 would be five times that leased by the federal government in the last 20 years; the program would thus have the effect of drastically magnifying the nation's offshore oil industry.

Worried about harm to the environment akin to that feared for Alaska as a result of the oil pipeline, the states had brought suit, claiming that their colonial charters entitled them to jurisdiction over the shelf as far as 100 miles from shore, or far beyond the agreed 3-mile limit. But on 17 March, the court ruled that the federal government had jurisdiction.

Only quick legislative action by Congress can now change the ground rules for the federal OCS program, which will be run by the Department of the Interior. And change would seem

to be in order, if the recent tidal wave of reports and position papers criticizing the program have any validity. At the moment, however, action to reform the program seems likely by the Senate—but there is little activity on the issue so far in the House.

The most sweeping set of criticisms of the program have come from the General Accounting Office (GAO), which released a study of the subject two days after the Supreme Court ruling. The GAO found that Interior's estimates of the pace at which it could issue leases and of the volume of oil that the tracts would produce (7 billion barrels yearly by 1985) were too optimistic, as were other production estimates made in the Project Independence report. Moreover, GAO found that the plan had been conceived by higher-ups in Interior in the absurdly short span of 27 days and approved over the objections of lower-ranking officials who thought it unrealistic. The GAO recommended that the Secretary of the Interior "reconsider the accelerated shelf leasing schedule." And Congress should give "early attention and resolution" to the OCS leasing issue, since the decision



*The Atlantic, Pacific, and Alaska coasts will be dotted with drilling rigs if Congress lets the government proceed.*

to move ahead with the program is "a critical Federal policy decision."

Specific proposals to change the present OCS leasing plan are contained in legislation that is principally sponsored by Senator Ernst F. Hollings (D-S.C.). The bill passed the Senate last year and has a good chance of passing again this session, but a companion measure introduced in the House is given less chance of passage.

The bill would separate exploration of OCS tracts from their exploitation. As things now stand, once a 5000-acre tract is leased by the government, the contracting oil company has complete control of the timing of exploration and development. But under the bill, once the tracts have been explored and a more precise assessment made of their potential, all parties would have a say as to whether the benefits of starting production would outweigh the environmental risks. The notion has a number of champions besides Hollings, including the National Ocean Policy Study (NOPS), an aggressive staff group in the commerce committee for whom Hollings is often the spokesman. The National Governor's Conference, in a formal policy statement last February, also adopted this view.

Hollings' bill would also put the federal government in the oil exploration business by having it let contracts for exploration. This would put the information on the OCS potential in the public domain, and could be achieved without slackening the present development schedule, Hollings says.

The accelerated leasing program will also magnify Interior's conflict of interests in offshore leasing, according to NOPS, Hollings, and other critics. Under the present arrangement, the U.S. Geological Survey (USGS) values the tracts before leasing and also supervises and regulates exploration and production. But another entity within Interior, the Bureau of Land Management (BLM), effectively promotes OCS development by putting the tracts up for bid and then issuing leases. Hollings' bill would relocate some functions of the USGS by putting them into the National Oceanic and Atmospheric Administration (NOAA) and the Coast Guard.

A more radical proposal for a Department of Environment and Oceans (DEO) was discussed by the Demo-

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cratic Party's energy task force, which is headed by former White House aide Harry McPherson and which met in Washington in late February. This new superagency would include most of USGS, NOAA, the Environmental Protection Agency, the Coast Guard, and parts of the Army Corps of Engineers. Both the Democratic task force plan and the Hollings bill would leave BLM in Interior and separate OCS development from regulation.

The DEO notion has been floating around in the bureaucracy and on Capitol Hill for some time. Staffers give it a chance of becoming reality only if the Ford Administration deep-sixes a competing superagency proposal, the long discussed Department of Energy and Natural Resources. In that case, it might support the DEO idea.

A less original solution has been put forward by a scientific advisory committee, the National Advisory Committee on Oceans and Atmosphere (NACOA). In response to a request from Senator Hollings, NACOA wrote its own position paper on the OCS leasing, which ventured that the whole issue had become so entangled that normal governmental processes could not unravel it. Only a blue-ribbon commission would be able to come up with a blueprint for action that could be acceptable to all sides.

NACOA's strong views on the OCS issue are a reminder that ocean policy has been nearly the exclusive province of oceanographers for the last several years. But the oceanographers seem about to be edged over by other, more powerful groups whose interests in the oceans are somewhat less than scholarly. A memo proposing DEO to the Democratic task force put the challenge to the oceanographers thus:

"Over the last few decades the oceans have emerged from the laboratories and research vessels of a few hundred oceanographers and marine scientists out into the rough and tumble company of the oil and gas industry, the recreational developers, the increasingly wide-ranging fishermen of all nations and even the United Nations.

"No longer can the United States afford to regard the oceans as a matter for academia. Ocean-related conflicts and controversies have become critical policy matters for the Federal government."—DEBORAH SHAPLEY

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**Ralph C. Blaney**, 75; professor emeritus of agricultural extension, Pennsylvania State University; 31 December.

**J. Lawrence Botsford**, 67; professor emeritus of mathematics, University of Idaho; 27 December.

**Theophil F. Buehrer**, 82; professor emeritus of agriculture, University of Arizona; 5 December.

**Hermann N. Burian**, 68; professor of ophthalmology, University of North Carolina School of Medicine; 25 November.

**Darrell J. Drickey**, 40; associate professor of physics, University of California, Los Angeles; 10 December.

**Erwin R. Gaertner**, 63; chairman, nuclear engineering division, Rensselaer Polytechnic Institute; 19 November.

**Joseph G. Hoffman**, 65; retired professor of physics and biophysics, State University of New York, Buffalo; 8 December.

**Claude A. Levengood**, 64; chairman, department of life science, University of Tulsa; 15 January.

**Michael A. Lorenzo**, 49; associate professor of biology, Loyola College; 6 December.

**F. H. MacDougall**, 91; former professor of chemistry, University of Minnesota; 21 November.

**Edward J. Martin**, 82; retired head, physics department, General Motors Research Laboratories; 16 December.

**James McCormack**, 64; former chairman, Communications Satellite Corporation; 3 January.

**H. T. Person**, 71; former president, University of Wyoming; 13 December.

**Walter F. Pond**, 89; former Tennessee state geologist, and geologist, Mississippi state geological survey; 25 October.

**George W. Slaughter**, 70; associate professor of clinical urology, New York University; 14 January.

**William F. Strauss**, 45; vice president, Bio-dynamics, Inc., New Jersey; 6 January.

**Claire E. Turner**, 84; former professor of public health, Massachusetts Institute of Technology; 27 November.

**George D. Van Dyke**, 76; former professor of physics, Earlham College; 28 November.

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