RE: Request for Information and Interest: Commercial Leasing for Outer Continental Shelf Minerals Offshore the Commonwealth of Virginia
Docket No. BOEM-2026-0100

Dear Mr. Wikel:

On behalf of Lynnhaven River NOW (LRNow) and our 16,000 members, we submit these comments in strong opposition to moving forward with commercial offshore mineral leasing, exploration, or extraction off Virginia's coast.

LRNow is a Virginia Beach-based nonprofit organization that has spent nearly 25 years restoring and protecting Virginia Beach's waterways. Our experience has taught us that clean water, healthy marine habitat, productive fisheries, and resilient coastal communities are inseparable - and that preventing environmental harm is far more effective than attempting to repair it after the fact.

That experience directly informs our concerns with BOEM's Request for Information and Interest (RFI). BOEM is considering whether to advance a competitive leasing process across approximately 1.77 million acres, or 2,764 square miles, of the Outer Continental Shelf off Virginia's Eastern Shore for minerals including heavy mineral sands and phosphorites. The area extends from roughly 3 to 63.5 miles offshore and encompasses waters heavily used by fisheries, maritime commerce, wildlife, military operations, recreation, and coastal communities.

We recognize that this RFI is an initial planning step and does not, by itself, authorize mining. But it is the first step in a process that could result in commercial mineral leases and, following subsequent approvals, exploration, development, and production. The scale of the area and the novelty of the proposed industry warrant substantial caution at the outset.

LRNow's opposition is consistent with our longstanding work to protect Virginia's coast from incompatible offshore extractive development. For more than a decade, LRNow has opposed seismic exploration and offshore oil and gas drilling in the Atlantic. We worked alongside Virginia legislators and coastal partners to advance the landmark 2020 legislation that removed state policy language supporting offshore oil and gas development and prohibited new state leases, easements, or permits for infrastructure conveying OCS oil or gas through Virginia's coastal waters.

When offshore oil and gas development again became a federal policy issue, LRNow renewed that advocacy. We have approached BOEM's current mineral proposal with the same principle: Virginia's coastal waters should not be opened to a new extractive industry without strong evidence that our marine environment, coastal economy, national-security interests, and existing ocean users can be protected.

Since BOEM announced this RFI, LRNow has worked to raise coastal communities' awareness of the proposal, encourage public participation, engage elected officials and local governments, and bring fishermen, businesses, scientists, conservation organizations, and other stakeholders into the discussion. We appreciate BOEM's decision to extend the public comment period through August 22. That additional time, however, does not resolve the substantive questions surrounding the proposal.

Commercial mineral extraction should not be equated to routine navigation dredging or beach nourishment. Navigation dredging maintains channels and harbors, while beach nourishment places compatible sediment along shorelines for coastal protection. Both are established activities conducted for defined public purposes and subject to environmental review.

This RFI instead concerns commercial leasing of federal seabed resources for mineral development. BOEM is requesting information about minable ore bodies, extraction feasibility, mining plans, lease configurations, processing, royalties, and commercial offtake. That is the framework for establishing an offshore mineral industry - not maintaining a navigation channel or restoring an eroding beach.

The maturity of this industry is also an important consideration. BOEM's own technical review states that BOEM and its predecessor agencies have never issued a competitive Outer Continental Shelf lease for critical or hard minerals. Virginia Energy likewise describes the recovery of non-fuel minerals from offshore sand as a novel initiative and states that current understanding of offshore heavy-mineral occurrences and co-extraction methods remains incomplete and untested.

Virginia should not become a proving ground for commercial offshore hard-mineral extraction before the science, operational experience, environmental safeguards, and regulatory systems have demonstrated that it can occur responsibly.

LRNow's restoration experience illustrates why that precaution matters. When our organization was founded in 2002, only about 1 percent of the Lynnhaven River met the water-quality standard for shellfish harvest. After more than two decades of public investment, oyster restoration, stormwater improvements, sanitary sewer and septic work, community education, habitat projects, advocacy, and joint efforts among residents, businesses, nonprofits, and government agencies, approximately 52 percent of the river is now open to shellfish harvest.

That progress is worth celebrating, but it also demonstrates how difficult environmental recovery can be. It has taken more than 20 years of sustained work to restore roughly half of one river system. Protecting functioning marine ecosystems before they are degraded is both more responsible and more practical than relying on restoration after significant disturbance.

Large-scale seabed disturbance presents legitimate ecological concerns. BOEM's own research on offshore dredging recognizes impacts including removal of soft-bottom habitat and resident benthic organisms, turbidity, sediment deposition, and alteration of benthic habitat. Those effects matter because bottom-dwelling organisms form an important part of the marine food web and because disturbed sediment can affect habitats outside the immediate dredging footprint.

Those concerns take on greater significance when dredging or similar equipment is considered not for a discrete navigation or nourishment project, but for the commercial extraction of mineral-bearing sediments. Before any leasing process advances, BOEM should understand the likely extraction footprint; dredging depth and intensity; duration and frequency of operations; sediment-plume behavior; effects on benthic communities and sensitive life stages; potential contaminant mobilization; vessel activity; cumulative impacts; and the time required for affected habitat to recover.

The economic interests at stake are just as important. Virginia Tech estimates that Virginia's seafood industry generated approximately $1.27 billion in economic output and supported more than 6,500 jobs in 2023. Virginia Beach's visitor economy generated an estimated $3.9 billion in total economic impact and supported more than 34,000 jobs in 2024. Commercial and recreational fishing, aquaculture, charter operations, seafood businesses, boating, wildlife viewing, lodging, restaurants, and beach tourism all depend on healthy and productive coastal waters.

The risk of offshore development therefore does not remain offshore. It is carried by watermen, coastal businesses, workers, local governments, residents, and communities whose livelihoods and identities are tied to the Atlantic.

These waters are also operationally complex. Hampton Roads contains some of the nation's most important Navy installations, port facilities, shipbuilding and repair operations, commercial shipping routes, and associated maritime infrastructure. The Eastern Shore is home to NASA's Wallops Flight Facility and the Mid-Atlantic Regional Spaceport. Previous federal reviews of offshore oil and gas development identified considerable conflicts between offshore industrial activity and military training, testing, aviation, vessel movement, and national-security missions.

A new offshore mineral industry could introduce mining and survey vessels, seabed equipment, support operations, temporary use restrictions, transportation requirements, and potentially substantial shoreside logistics. BOEM should not presume those uses are compatible with military readiness, spaceflight operations, navigation, fisheries, port activity, or other established ocean uses without rigorous interagency and stakeholder review.

Most importantly, major operational questions remain unresolved. The current record does not provide the specificity necessary to determine where commercial extraction would occur, how intensively particular areas would be disturbed, how long operations would continue, the extent and movement of sediment plumes, how cumulative impacts would be addressed, or whether affected habitats and fisheries could fully recover.

These uncertainties are not an argument for proceeding to leasing and answering questions later. They are reasons not to advance the leasing process.

For these reasons, Lynnhaven River NOW urges BOEM not to advance the Virginia RFI Area to Area Identification or a commercial lease sale.

If BOEM nevertheless considers further action, it should first conduct a rigorous and transparent environmental review commensurate with the potential scale of commercial development; meaningfully consult affected local governments, Tribes, scientists, fisheries, aquaculture businesses, tourism interests, military and spaceflight stakeholders, port and maritime users, and coastal residents; hold public meetings in Hampton Roads and on Virginia's Eastern Shore; and fully evaluate reasonable alternatives, cumulative impacts, and potential conflicts with existing ocean uses before any lease is offered.

The burden should remain on BOEM and any prospective developer to demonstrate that commercial offshore mineral extraction is environmentally responsible and compatible

with the communities and existing uses that already depend on these waters. Coastal Virginians should not be asked to accept those risks first and discover the consequences later.

Virginia's coast has repeatedly chosen protection over incompatible offshore extractive development. BOEM should respect that history and the extraordinary ecological, economic, and national importance of these waters.

BOEM should not lease Virginia's offshore waters for commercial seabed mining.

Sincerely,

Karen Forget // Executive Director // Lynnhaven River NOW

Dylan Mason // Public Policy Manager // Lynnhaven River NOW