



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

P.O. BOX 402

MAIL CODE 401-07

Trenton, NJ 08625-0402

TEL: # (609) 292-2885

FAX # (609) 292-7695

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

BOB MARTIN  
*Commissioner*

June 2, 2015

Dr. France A. Córdoba, Director  
National Science Foundation  
4201 Wilson Boulevard  
Arlington, VA 22230

Dear Dr. Córdoba,

The New Jersey Department of Environmental Protection (Department) strongly condemns the seismic study scheduled to begin this week off the coast of New Jersey. This study is taking place at the worst possible time of year due to the foreseeable effects it will have on New Jersey's coastal resources. This study puts at risk, for no valid scientific reason, New Jersey's billion dollar commercial and recreational fishing industries during the height of the fishing season. The Department's scientists and members of the fishing community strongly believe that this testing will have significant negative impacts on fish and marine mammals. While the Department opposes any seismic testing off New Jersey's coast, the Department deeply regrets that the National Science Foundation (NSF) decided not to agree to our reasonable and modest request to move the time for the study until later in the year, when the disruption to our coastal economy and resources would have been considerably diminished.

DEP is a strong supporter of research to increase scientific understanding of our environment. Such research should not, however, come at the cost of a community's welfare. The Department vigorously opposed the same study when it was originally proposed for summer 2014 and we will continue to fight the study this summer for the same reasons – the timing of the seismic study callously disregards the welfare of our coastal resources and of all the people whose jobs depend on the health of those resources.

After the summer 2014 seismic testing was cancelled due to equipment failure, we had every expectation that the NSF would use the opportunity the delay presented to reschedule the study for a time that would be far less disruptive to New Jersey. The Department is deeply disappointed that instead, the NSF rescheduled the study for this summer, instead of conducting it later this year. As stated in NSF's own documents, the scheduling was a matter of convenience for faculty and staff and had nothing to do with the demands of the parameters of the study itself. DEP is appalled that the scheduling convenience of a few should outweigh the

foreseeable impacts to the thousands of people engaged in New Jersey's fishing industries and in the coastal communities they support.

DEP has cited numerous scientific studies that document the foreseeable adverse effects from seismic studies. The NSF has claimed that no adverse impacts occur from these studies, yet, regrettably, the NSF could not identify any monitoring program or data as part of NSF funded research to support that claim. The Department also provided a survey of peer-reviewed literature identifying fish avoidance behavior that resulted in reduced catch rates. Unfortunately, rather than providing data to support its claims, the NSF could only cite laboratory-run studies claiming limited physical harm to fish. In addition, the NSF selectively construed other studies' findings to support its position, even though the conclusions of those studies did not support their decision.

A diverse array of stakeholders and others have joined the Department in speaking out publicly against this seismic study. They include: U.S. Senator Cory Booker, U.S. Representative Frank Pallone, New Jersey Senate President Steve Sweeney, Clean Ocean Action, and members of the commercial and recreational fishing communities. It is time for the NSF to listen to reason and postpone the seismic testing scheduled to begin this week.

Sincerely,



Bob Martin  
Commissioner

cc: U.S. Senator Cory Booker  
U.S. Representative Frank Pallone  
New Jersey Senate President Steve Sweeney  
Cindy Zipf, Executive Director, Clean Ocean Action  
Kerry Kehoe, National Oceanic and Atmospheric Administration