

G-014



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Environmental Regulation
Office of Permit Coordination and Environmental Review
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April 2, 2008

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

Naval Facilities Engineering Command, Atlantic
Attn: Code EV22 (AFAST Project Manager)
6506 Hampton Boulevard
Norfolk, VA 23508-1278

RE: Atlantic Fleet Active Sonar Training

Dear Sir or Madam:

The Office of Permit Coordination and Environmental Review of the New Jersey Department of Environmental Protection (NJDEP) has completed its review of the Draft Environmental Impact Statement (EIS) for Atlantic Fleet Active Sonar Training. We offer the following comments for your consideration.

The NJDEP's Division of Fish and Wildlife (DFW) appreciates the opportunity to comment on the Draft EIS since the proposed areas of the training are outside of NJ waters. The DFW believes that the proposed use of active sonar has the potential to harm or cause mortality to dolphins, whales, porpoises and other marine species. The concerns of the DFW are directed to the specific impact areas noted below.

Negative Effects of Active Sonar

There is broad scientific consensus that military active sonar kills cetaceans. Exposure to active sonar may cause irreversible physical harm to these species even when the devices are used briefly and/or intermittently. The hearing thresholds of marine species are poorly understood, but there have been documented instances of cetacean mortality resulting from acoustic trauma. This may be due to a fatal injury within the structure of the ear, or may result from the distressed animal surfacing too rapidly and developing nitrogen bubbles within their blood (decompression sickness). In addition to the direct threat posed by usage of active sonar, it may indirectly harm marine species by causing changes in behavior. Marine mammals rely primarily on their sense of hearing for communication, obtaining prey, escaping predators, and navigation.

1405 [All aspects of marine mammal ecology including feeding behavior, communication, mating, and the rearing of young may be adversely impacted by the Navy's use of active sonar.]
1406 [In addition, animals distressed by the use of active sonar may become more susceptible to disease or predation by species that are not directly affected themselves.]
1407 Furthermore, [the production of the proposed acoustics will add to an existing and increasing cacophony of anthropogenic noise pollution that may already be negatively impacting species of conservation concern.]

Avoidance Recommendations

If the Department of the Navy is ultimately granted permission to utilize active sonar in New Jersey waters or nearby waters, it is strongly recommended that: a minimum of two dedicated, and three non-dedicated, marine mammal lookouts be posted at all times when active sonar is being used, and that such lookouts be provided with binoculars, night vision goggles, and infrared sensors; a 35 minute time period be used to scan the area for cetaceans, due to the long periods of time during which some cetaceans can remain submerged, before engaging active sonar; and the use of active sonar should be terminated when marine mammals are spotted within 2,000 meters. In addition, the use of passive sonar to listen for whales and ensure that they are not within the testing area prior to switching on active sonar is recommended as well as aerial monitoring for at least sixty minutes before sonar use if such use occurs during periods when North Atlantic right whales may be migrating through the area. The DFW highly recommend that the use of active sonar be minimized during February-April and September-December, when endangered marine mammals (including the critically endangered North Atlantic right whale) transit through the area during their migration. Also, they recommend minimizing its use during June-August when bottlenose dolphins are known to give birth and nurse their young in NJ waters. The Department of the Navy should also accept responsibility for responding to any strandings and/or rescues of marine species which may be associated with use of active sonar.

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Recreational Fishing Impacts

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The Navy should be aware of traditional fishing tournaments held in New Jersey that have anglers fishing in the VACAPES OPAREA. Every effort should be made by the Navy to avoid scheduling training in these areas because these historic tournaments are of great economic value to the local and State economies.

If there are any questions concerning these natural resources comments, please feel free to contact Donald Wilkinson (856-785-2711) of the DFW. Thank you for the opportunity to be part of the review process.

Sincerely,

Kenneth C. Koschek
 Supervising Environmental Specialist
 Office of Permit Coordination and
 Environmental Review

C: Donald Wilkinson, NJDEP