



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL OCEAN SERVICE**  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

**MAY 22 2014**

Ms. Holly Smith  
National Science Foundation  
4201 Wilson Blvd., Room 725  
Arlington, VA 22230

Re: Federal Consistency Review of Federal Funding by the National Science Foundation to Rutgers University for Conducting Seismic Surveys in the Atlantic Ocean

Dear Ms. Smith:

By a letter dated May 16, 2014, and received on May 20, 2014, the State of New Jersey has announced its intent to review the proposed marine geophysical survey by Rutgers University aboard the R/V Marcus G. Langseth in the Atlantic Ocean in the federal waters offshore of New Jersey during the period June-July 2014.

OCRM has notified the state that it will review the state's request to determine whether the activity is subject to the review requirements for Federal Financial Assistance to State and Local Governments under 15 C.F.R. part 930, subpart F of the Coastal Zone Management Act (CZMA) Federal Consistency regulations.

In reviewing the state's request, OCRM will need to determine who the applicant is for the award by the National Science Foundation to support the survey; who is/are the recipient[s]; and who is/are the principal investigator[s] for this project. Thank you for your May 21, 2014, email providing documents stating that Rutgers University is a grant applicant and principal investigator and that Lamont-Doherty Earth Observatory was dropped from the application. However, we also need to understand the respective roles of the University of Texas and Lamont-Doherty Earth Observatory's remaining role, if any, and any other institutions participating in this project. Of particular interest is an explanation of the connection between the Rutgers University project and the need for Lamont-Doherty Earth Observatory to obtain an Incidental Harassment Authorization from the National Marine Fisheries Service under the Marine Mammal Protection Act. By this letter, OCRM is requesting that the National Science Foundation provide information that is pertinent to answering these questions.

If it is determined that the activity is subject to the subpart F requirements, OCRM will determine if the request has been made by the state in a timely manner and, if so, whether the state has shown that there are reasonably foreseeable effects to coastal uses or resources of the state that would result from the activity.

If it is determined that the activity is not subject to the subpart F requirements, the National Science Foundation as the funding agency for this project would need to determine whether to submit to New Jersey a CZMA consistency determination or a negative determination under 15 C.F.R. part 930, subpart C.



Please contact Mr. Kerry Kehoe at 301-563-1151; [Kerry.Kehoe@noaa.gov](mailto:Kerry.Kehoe@noaa.gov) with any questions that you may have in regards to OCRM's review.

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Sincerely,



Paul Scholz  
Acting Director