

PRESS RELEASE



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Contact:
Cassandra Ornell, 508-317-4710 (c)
Lauren Townsend, 215-939-7621 (c)

www.CleanOceanAction.org
www.StopRutgersOceanBlasting.org

New Jersey's Request to Temporarily Halt Rutgers-Led Seismic Survey is Denied

Today, the U.S. District Court in Trenton denied the New Jersey Department of Environmental Protection's application to temporarily stop a seismic survey off the Jersey Shore. The seismic activities, which will send loud blasts of noise into the marine environment every five seconds for 24 hours a day for 30 consecutive days, can proceed for the time being. These blasts have been demonstrated to cause serious harm to a variety of marine life, include whales, dolphins, turtles and fish.

Upon learning of the Court's decision today, **Clean Ocean Action Executive Director Cindy Zipf** stated, "This is an unfortunate development. Rutgers is now free to blast away, putting marine life and fishermen's livelihoods at risk. We will most definitely be on the lookout in the coming weeks for strange behavior and/or the death of marine life off our coast. And we hope the legal fight is not over."

DEP could seek to overturn this decision by filing an emergent appeal with the Third Circuit Court of Appeals. DEP may also have a second shot at a temporary injunction before the District Court, but COA has not yet received word of whether DEP's request was granted for a hearing on relief that would stop the blasting during the litigation.

While the Court's decision has not yet been posted online, COA has learned that the Court based its decision on the public process pertaining to an Environmental Impact Statement prepared years ago for marine seismic research around the globe. "DEP was asking to review an authorization issued one week ago, not an environmental study finalized three years ago," stated **Andrew Provence, counsel for Clean Ocean Action**, "That programmatic EIS preceded any concrete plans by Rutgers to blast our waters every five-seconds for a month."

For now, the Rutgers-led study can proceed to do just that, without reprieve to the marine life and the commercial and recreational interest in and around the 230-square mile survey area.

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