

COMMENT RESPONSE MATRIX
Revised Micro-siting Plan for the OOI Pioneer Array
PUBLIC COMMENT PERIOD: April 12 – May 27, 2011

<i>Commenter</i>	<i>Date</i>	<i>Comment</i>	<i>Response</i>
William J. Mulvey F/V Stormy Elizabeth Port of Galilee Point Judith, RI	20 May	<p>I would like to inform you and your committee that the proposed siting for the Pioneer Array Project is in a location that I have fished my lobster gear for over 35 years. This has been my source of income and I am still actively fishing that area today. There is no other productive area to move my gear to so I intend to continue fishing the area for many years to come. Attached you will find 2 of the charts you produced of the selected area to which I have added my gear placements. I understand that there are several stages to the project and fear that the project may interfere with my ability to continue fishing that area. Please be advised that if the project does interfere with my ability to fish in the proposed area that I will need to seek financial compensation for lost income.</p> <p>Please include this letter in your public comment report. A copy of this letter and attachments is also being forwarded to my attorney to keep on file should any problems arise in the future.</p>	<p><i>Thank you for your comment and participation in the micro-siting process. The information contained in your comment is the type of input that NSF finds particularly helpful as the micro-siting process goes forward. Based on the information provided in your comment, we believe the deployment and operation of the Pioneer Array moorings will not interfere with your ability to fish on in the areas you've noted in your comment. We will work with you at the June 7 meeting to confirm this assessment. This also applies to the deployment of test moorings in the Pioneer Array area. NSF has stated in presentations at the public meetings, and in writing (OOI Finding of No Significant Impact/Decision Document [January 2011] and the recent invitation letter to the June 7, 2011 public meeting) that it has no interest in seeing fishing areas closed by deployment of the OOI Pioneer Array. NSF has reiterated that it does not have any legal authority to regulate fishing; NSF is not a regulatory agency. In the interest of minimizing potential for gear entanglement and damage to OOI moorings, we will request buffer zones of 0.5 nautical mile radius around the mooring sites as recommended "areas to be avoided".</i></p>

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			<i>We will follow-up with you to determine if this response adequately addresses your concern and if needed, an OOI team member will be available for discussion.</i>
Gregory DiDomenico Executive Director Garden State Seafood Association Trenton, NJ	27 May	<p>Please accept these comments on behalf of the Garden State Seafood Association (GSSA); GSSA is comprised of commercial fishermen, shore-based processors, commercial dock facilities, seafood markets, restaurants, and various industry support businesses from New Jersey.</p> <p>On behalf of GSSA we request that any test buoys being deployed or before any further work takes place on this project, it is necessary to bring together stakeholders or key individuals to discuss collaboration and cooperation on this project.</p> <p>In addition GSSA urges you to conduct a series of meetings where a clear understanding of possible impacts to the commercial fishing industry can be determined.</p>	<p><i>Thank you for your comments and participation in the micro-siting process. As stated in the OOI Final Site Specific Environmental Assessment (SSEA; January 2011), NSF initiated the micro-siting process to allow the public, including the fishing community, to provide input into the siting of the moorings for the Pioneer Array prior to a final siting determination being made. NSF will continue to coordinate with the public regarding the Pioneer Array as testing and deployment occur. NSF welcomes all public comments regarding the site-specific placements of the Pioneer Array moorings within the study area (as analyzed in the SSEA) so that the ultimate placement can be determined in a manner that considers the regional fishing interests and meets the science/operational requirements of the Pioneer Array.</i></p>
Paul J. Diodati Director MA Division of Marine Fisheries	27 May	<p>The Division of Marine Fisheries (MarineFisheries) has reviewed the revised micro-siting plan for the Pioneer Array sent to stakeholders as "Revised-Pioneer-Array-Description.pdf." Throughout this letter it will be referred to as the "Final Siting Document." The Pioneer Array is one of two coastal nodes that are part of the larger Ocean Observatories Initiative (OOI). The ocean observatory network has</p>	<p><i>Thank you for your comments and participation in the micro-siting process. Thank you also for your support for the support for the research that will be enabled by the Pioneer Array.</i></p> <p><i>Please note that the April 8, 2011 notice is the revised Pioneer Array micro-siting plan that was prepared in response to public and scientific input to date. To</i></p>

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		<p>been in development for approximately 15 years. Several sites across the globe are proposed to be developed for the network. The permitting process included a Programmatic Environmental Assessment (PEA) in 2009, which identified the general location of all of the proposed OOI sites, including an area ~50 miles due south of Martha's Vineyard on the U.S. East Coast shelf edge called the Pioneer Array site. In 2010, a Draft Site Specific Environmental Assessment proposed specific locations for individual moorings within the general area identified in the PEA. The Final Site Specific Environmental Assessment (FSSEA) was released in January 2011 identifying several changes between the PEA and the FSSEA. Some of these changes included reducing the number of moorings and gliders being used in the array, but slightly increasing the area in which the remaining gliders will operate. Throughout the permitting process, it was assumed that equipment proposed to go into the general areas would be placed through a micro-siting process involving local stakeholders.</p> <p>The proponent, the National Science Foundation (NSF), has opened a public comment period to receive comments prior to the final siting determinations for the Pioneer Array. The total number of sites is seven, the total number of benthic</p>	<p><i>clarify, the micro-siting plan is not a final siting document; rather, it is a revision of the array description that was presented in the SSEA. NSF's micro-siting process is designed to allow further conversations with the public. Indeed, all of the parties mentioned in your letter and others, including local, state, and federal representatives, have been invited to participate in the micro-siting process. The next public meeting to discuss the micro-siting of the Pioneer Array is scheduled for June 7, 2011, and NSF looks forward to your organization's continued participation.</i></p> <p><i>With regard to public outreach, NSF uses invitation letters, presentations and email updates to inform the public about the Pioneer Array activities and invites them via invitation letters with charts and figures. The OOI website also contains extensive documentation designed to keep members of the public informed about the OOI. The OOI website address is:</i></p> <p>http://www.oceanobservatories.org/about/environmental-compliance/</p> <p><i>With regard to your request for Pioneer Array documentation that shows distances was considered early in the comment period when NSF heard from some interested parties that it would be helpful if a figure with distances between moorings and a chart were posted. NSF responded to that comment by</i></p>

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		<p>Seafood, Inc., Manomet Seafood, Inc., Broadbill Fishing, Inc., Garden State Seafood Association, Atlantic Offshore Lobstermen’s Association, Long Island Commercial Fishing Association, and the New England and Mid-Atlantic Fishery Management Councils.</p> <p>Due to the potential for interaction with fishermen, Marine Fisheries recommends establishing clearer communication. Despite contentious meetings that focused on poor communication amongst stakeholders, the Final Siting Document is confusing and unclear. For example:</p> <ul style="list-style-type: none"> • The map in the FSSEA (Figure 2-10) has the same bathymetric contour intervals identified as that in the Final Siting Document (Figure 2), but they appear dramatically different. We ultimately ascertained that the 55 fathom contour is mislabeled in the FSSEA; it should be the 71 fathom contour. At a public hearing the 71 fathom contour was described as the northern limit of the micro-siting process. The 55 fathom contour is ~7 miles north of the 71 fathom contour. • The two moorings between 82 and 273 fathoms were moved to shallower water in the Final Siting Document, but there is no description as to why the mooring sites 	<p><i>between the description of subsurface profiler moorings in the April 8th letter and the Final SSEA, please note that they were, indeed, intended to be consistent. Based on your comment, however, we will develop and use a more consistent naming convention for the different types of moorings.</i></p> <p><i>In your letter, you raise a concern about the information provided in the April 8th mailing about the guard buoys. The proposed guard buoys would be positioned to mark the location of surface-piercing profiler moorings with intermittent surface expressions and wire-following moorings with small surface expressions (i.e., small surface buoys). NSF notes that the proposed guard buoys were not in the Final SSEA because they were added after the publication of the FONSI in response to comments made during the micro-siting process. As stated in the April 8 letter (i.e., the revised Pioneer Array micro-siting plan), the guard buoys are being proposed as a means to mark the locations of profiler moorings with intermittent surface expressions or small surface buoys. The mooring system for the proposed guard buoys would be similar to that of the other moorings in the array. The guard buoys would be placed within the proposed 0.5-nautical mile radius suggested “area to avoid” and so would not increase the footprint of the site. The guard buoys are being proposed as a measure to increase the visibility of the moorings with intermittent expressions or small surface buoys.</i></p>

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		<p>changed. This leaves uncertainty as to whether and how stakeholders concerns were taken into consideration during the final siting process.</p> <ul style="list-style-type: none"> • There is an inconsistency between the Final Siting Document and the FSSEA in the description of the sites that will have surface expression. According to the FSSEA, all of the seven sites will have a surface expression. However, according to the Final Siting Document, the 82 fathom site will have a standalone subsurface (e.g., benthic) mooring, thereby requiring two guard buoys. Therefore, it is unclear how many instrumented surface buoys there are, and whether or not there will be a total of seven or eight guard buoys. • The description of the guard buoys does not include information regarding if or how those buoys will be moored to the seafloor. This would increase the number of seafloor mooring systems from ten to 17 or 18. These mooring systems are not included in the Final SSEA. <p>Marine Fisheries has not commented to date because we highly value the research that can be conducted in such an array. However, we do have serious concerns regarding the quality of the documentation associated with this project and NSF's engagement of</p>	<p><i>Finally, with regard to the concern raised in your letter about the quality of NSF's efforts to provide the OOI documentation to the public, please note that NSF is continually working to improve its ability to communicate effectively with the public. To that end, NSF has responded to the public's request to limit the number of figures from some portions of the public documents, yet increase the number of figures and data from others. NSF's outreach efforts also include the use of the project website, the development of FAQs, sending out monthly emails, responding to phone calls and emails about the Pioneer Array, and providing the public with the opportunity to participate in the micro-siting process. Finally, NSF plans to apprise the US Coast Guard, First District as to AUV and glider mission plans, which will operate throughout the year.</i></p>

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<p>Bonnie Brady Long Island Commercial Fishing Association Montauk, NY</p>	<p>27 May</p>	<p>The Long Island Commercial Fishing Association is requesting a complete cessation of work on the Pioneer Array project until a new socio-economic impact study of commercial fisheries in the statistical area 537 (the area slated for the OOI Pioneer Array project) is conducted, in partnership with Rutgers, Cornell, SMAST and URI to determine the true impacts of the Pioneer Array to the Mid-Atlantic and New England fishing communities.</p> <p>The socio-economic study conducted by the Gentner group for OOI in no way has any validity re the</p>	<p><i>Thank you for your comment and participation in the micro-siting process.</i></p> <p><i>The Socioeconomic Impact Analysis Report for the Proposed Pioneer Array of the OOI (Appendix I, OOI Final Site-Specific Environmental Assessment [January 2011]), was prepared pursuant to NSF's process under the National Environmental Policy Act (NEPA). As explained in the final NEPA documents, the analysis addresses the impact of the 0.5-nautical mile radius buffer zones (i.e., suggested areas to be avoided) to be requested around each of the seven (7) Pioneer Array</i></p>

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		<p>be held to the same standard.</p> <p>In light of increasing fish stocks and the end of overfishing in the US, the Pioneer Array in its present form will exponentially increase economic losses to commercial fishermen and their communities as stocks continue to grow and improve and fishermen are blocked from access to those stocks. As such, the project must not continue in its present form. In addition to a socio-economic study, a change in scope and location must be forthcoming, with the express partnership of the commercial fishing industry along with NSF to guarantee the project will not further negatively impact the fishing communities whose fisheries take place within 526, 533, 534, 537 and 541.</p>	