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**NOAA Seeks Comments on Measures to Protect Marine Mammals
as Navy Conducts Sonar Operations off the Coast of Southern California**

NOAA's Fisheries Service is seeking comments through Nov. 13 on its proposed authorization for Navy training exercises off the coast of Southern California. The NOAA proposal includes protective measures designed to minimize effects on marine mammals.

The Navy has requested an authorization under the Marine Mammal Protection Act, because the mid-frequency sound generated by tactical sonar, and the sound and pressure generated by detonating explosives, may affect the behavior of some marine mammals, or cause a temporary loss of their hearing sensitivity.

NOAA's Fisheries Service does not expect the exercises to result in serious injury or death to marine mammals, and is proposing the Navy use mitigation measures to avoid injury or death. However, exposure to sonar in certain circumstances has been associated with the stranding of some marine mammals, and some injury or death may occur despite the best efforts of the Navy.

The agency has announced a similar comment period for Navy sonar training in the Atlantic and Gulf of Mexico. Both proposed authorizations cover the use of sonar in training exercises in certain areas from 2009 to 2014. The proposed authorizations are not part of the recent Supreme Court litigation, which addresses Navy sonar use under a 2007 two-year National Defense Exemption.

NOAA's Fisheries Service has made a preliminary determination that these effects would have a negligible effect on the species or stocks involved.

Under the authorization, the Navy would have to follow mitigation measures to minimize effects on marine mammals, including:

- establishing marine mammal safety zones around each vessel using sonar;
- using Navy observers to shut down sonar operations if marine mammals are seen within designated safety zones;
- using exclusion zones to ensure that explosives are not detonated when animals are detected within a certain distance;
- implementing a stranding response plan that includes a training shutdown provision in certain circumstances and development of a memorandum of agreement to allow the Navy to contribute in-kind services to NOAA's Fisheries Service if the agency has to conduct a stranding response and investigation.

These measures should minimize the potential for injury or death and significantly reduce the number of marine mammals exposed to levels of sound likely to cause temporary loss of hearing.

NOAA's Fisheries Service and the Navy have worked to develop a robust monitoring plan to use independent, experienced aerial and vessel-based marine mammal observers (as well as Navy watchstanders), passive acoustic monitoring, and tagging to help better understand how marine mammals respond to various levels of sound and to assess the effectiveness of mitigation measures.

The Navy has been conducting training exercises, including the use of mid-frequency sonar, in Southern California for more than 40 years. Exercises range from large, three week-long strike group training exercises using multiple submarines, ships, and aircraft, such as Composite Training Unit Exercises (COMPTUEX), to multi-hour exercises designed to target specific skills or weapons systems, such as missile tracking. Some exercises involve explosives.

NOAA's Fisheries Service will accept comments on the application and proposed authorization through Nov. 13. Comments should be addressed to:

Michael Payne, Chief of the Permits, Conservation, and Education Division

Office of Protected Resources, NMFS

1315 East West Highway

Silver Spring , MD 20910

Electronic public comments may be submitted via the Federal eRulemaking Portal <http://www.regulations.gov> using the identifier 0648-AW91.

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On the Web: NOAA's Fisheries Service: <http://www.nmfs.noaa.gov>