MARINE MAMMAL COMMISSION
4340 EAST-WEST HIGHWAY, ROOM 905
BETHESDA, MD 20814

1 December 2006

Atlantic Division, Naval Facilities Engineering Command
Attn: Code EV21 (Atlantic Fleet Sonar PM)
6506 Hampton Boulevard
Norfolk, VA 23508-1278

To Whom It May Concern:

The Marine Mammal Commission has reviewed the Navy's 29 September 2006 *Federal Register* notice announcing its intention to evaluate the potential environmental consequences of mine warfare and antisubmarine warfare active sonar training exercises along the U.S. East Coast and Gulf of Mexico. The Commission acknowledges and appreciates the Navy's efforts to comply with the National Environmental Policy Act and Executive Order 12114 by evaluating the potential effects of these activities in the spirit of good stewardship of our marine resources.

Although we do not routinely comment during the scoping phase of environmental impact analyses, we have several suggestions for consideration during this evaluation. They are as follows.

(1) Because the many marine mammal species occurring in the action area exhibit a range of natural history characteristics, we encourage you to consider the potential range of effects and mitigation measures on a species-by-species basis. The action area includes habitat for some marine mammals that may be particularly vulnerable to the effects of such exercises because they are already threatened or endangered due to human activities (e.g., right whales). Other marine mammals may be vulnerable because they respond to specific effects, such as mid-frequency sonar (e.g., beaked whales), in ways that are not fully understood but that could lead to irreversible, adverse consequences for individuals and, possibly, populations. If there is any doubt about the possibility of negative effects, we continue to recommend a precautionary approach.

(2) To tailor mitigation measures, the proposed alternatives should be broadened to include an approach based on a mixture of species-specific geographical and seasonal adjustments. For beaked whales, which do not appear to migrate long distances, geographical mitigation measures might be the most appropriate means of avoiding detrimental interactions. Alternatively, for right whales, which migrate seasonally, seasonal adjustments may be the most appropriate means of avoiding adverse interactions.

(3) The marine mammals in the action area may be affected by multiple naval (and other) activities, and it is not clear how those multiple activities will be coordinated to minimize potential effects. In the analysis of cumulative effects, the Navy should describe the multiple training ranges and training activities underway in the action area and the means for coordinating the activities to avoid or minimize cumulative effects. Although the Navy is responsible only for its own activities, its analysis should take into account the effects of other activities in the action area as part of its baseline information.

We hope you find these suggestions helpful. We look forward to reviewing the evaluations when they are complete. Please contact me if you have any questions about the above suggestions.

Sincerely,

Timothy J. Ragen, Ph.D.
Executive Director

cc: V. Frank Stone, Ph.D.