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FOR IMMEDIATE RELEASE
February 16, 2011

NOAA Issues Regulations Governing Navy's Training Activities in the Gulf of Mexico Range Complex

NOAA's Fisheries Service has issued regulations and a letter of authorization to the U.S. Navy that includes measures to protect marine mammals while conducting the Navy's Atlantic Fleet training operations at the Gulf of Mexico Range Complex. The regulations and authorization letter require the Navy to take measures to protect and minimize impacts to marine mammals.

The Navy requested authorization under the Marine Mammal Protection Act because 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.

The Navy's planned training exercises at the complex are expected to be small scaled and short in duration, with a total of seven underwater explosions planned. These detonation events are scheduled to be widely dispersed throughout several sites within the complex.

NOAA's Fisheries Service does not expect the training activities to result in serious injury or death to marine mammals, and is requiring the Navy to use mitigation measures to avoid injury or death. However, exposure to nearby underwater explosions can injure marine mammals, and some injury may occur despite the best efforts of the Navy. Therefore, the proposed authorization allows for a small number of incidental injuries to marine mammals.

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

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

- establishing marine mammal safety zones around each vessel during exercises involving underwater detonations;
- using Navy marine 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.

These measures should minimize the potential for injury, and significantly reduce the number of marine mammals exposed to levels of sound likely to cause temporary loss of hearing. Additionally, the regulations and authorization letter include an adaptive management component that requires that the Navy and NOAA's Fisheries Service meet yearly to discuss new science, Navy research and development, and Navy monitoring results to determine if modifications to mitigation or monitoring measures are appropriate.

NOAA's Fisheries Service and the Navy have worked to develop a monitoring plan to help better understand how marine mammals respond to various levels of sound and to assess the effectiveness of mitigation measures. The implementation of this monitoring plan is included as a requirement of the regulations and the authorization letter. Additionally, the Navy has

developed (with input from NOAA's Fisheries Service) an integrated comprehensive monitoring plan to better prioritize monitoring goals and standardize data collection methods across all of their U.S. range complexes and study areas.

The Navy has been conducting the training activities, with systems similar to those employed today, for national defense purposes for more than 70 years. The land, air, sea, and subsurface space of the complex has provided and continues to provide a safe and realistic training and testing environment to ensure military readiness. The complex provides the infrastructure and proximity that allows for all levels of training and the efficient use of resources.

This regulation, in effect for five years, governs the incidental take of marine mammals during the Navy's training activities, and includes required mitigation and monitoring measures. The letters of authorization, which are required for the Navy to legally conduct their activities, are issued annually, provided the Navy abides by the terms and conditions of the letter, submits the required annual reports, and shows its activities do not result in more numerous effects or more severe harm to marine mammals than were originally analyzed or authorized.

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