

# US Air Force Program: Marine Mammals and Other Sea Life to be Decimated

By [Rosalind Peterson](#)

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*The United States Navy will be decimating millions of marine mammals and other aquatic life, each year, for the next five years, under their Warfare Testing Range Complex Expansions in the Atlantic, Pacific, and the Gulf of Mexico. The National Marine Fisheries Service (NMFS under NOAA), has already approved the "taking" of marine mammals in more than a dozen Navy Range Warfare Testing Complexes (6), and is preparing to issue another permit for 11.7 millions marine mammals (32 Separate Species), to be decimated along the Northern, California, Oregon and Washington areas of the Pacific Ocean (7).*

**U.S. Department of Commerce - NOAA (NMFS) Definition:** "TAKE" Defined under the MMPA as "harass, hunt, capture, kill or collect, or attempt to harass, hunt, capture, kill or collect." Defined under the ESA as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Definition: Incidental Taking: An unintentional, but not unexpected taking **(12)**.

The total number of marine mammals that will be decimated in the Atlantic, Pacific and the Gulf of Mexico for the next five years is unknown. The NMFS approvals will have a devastating impact upon the marine mammal populations worldwide and this last Navy permit, which is expected to be issued in February 2010, for the "taking" of more than 11.7 million marine mammals in the Pacific will be the final nail in the coffin for any healthy populations of sea life to survive.

Now with ever-increasing numbers of permits being issued for sonar programs in more than twelve ranges in the Pacific, Gulf of Mexico, and the Atlantic regions of the United States, our marine mammals and other sea life are facing complete devastation. When you add bomb blasts to this list, warfare testing of all types, future war testing practice, and the toxic chemicals which are both airborne and to be used underwater, there is little chance that most marine life will survive in any significant numbers. Our U.S. Senators and U.S. Congressmen refuse to postpone these disastrous "takings" or hold U.S. Congressional Hearings while pretending to be ocean environment friendly in their re-election speeches.

Earlier this year, June 8th through June 16, 2009, a delegation from Connecticut and California spent time walking the halls of the U.S. Senate and U.S. House of Representatives. We left petitions, color fliers, and information about saving our marine mammals, requested a postponement and U.S. Congressional Hearings. Ninety-nine senate offices were visited and 2/3 of offices in the U.S. House of Representatives. The silent response from our elected officials regarding these two requests has been zero...one U.S. Congressman even stated that citizens would be "laughed out of the halls of the U.S. Congress for suggesting that we protect our marine mammals". Corporate paid "Lobbyists", who hand out money by the

\$Millions, on the other hand, are always accepted at hearings, give testimony, and are welcomed in the halls of Congress...apparently the voices of citizens of the United States are not given the same status.

These virtually unregulated Navy Warfare Testing Programs already approved are now taking a toll on marine mammals, the fishing and ocean tourism industries, and on all aquatic life. Many U.S. Senators and Congressmen are ignoring these issues by pretending that they doesn't exist even though they have been informed in advance of these programs.

A brief history of the Navy Warfare Testing Program is needed to understand the full implications of this Pentagon/Navy Warfare Testing Program. In 2004, the Bush Administration signed a bill weakening U.S. Environmental Laws (1), with regard to the U.S. Navy. And then in 2008, President Bush signed an executive order allowing the Navy to be exempt from environmental laws which protects endangered and threatened species (2-4). The Navy Southern California Complex was the first one to benefit from this executive order. Soon other Navy Range Complexes were obtaining exemptions from the NMFS with little or no oversight or significant mitigation measures (5).

A partial listing of known Navy Range Complexes (6), shows the amazing scope of the disaster. According to U.S. Congressman Waxman in a letter dated March 12, 2009: "...The Navy estimates that its sonar training activities will "take" marine mammals more than 11.7 million times over the course of a five-year permit...The sonar exercises at issue would take place off the Atlantic and Pacific coasts, Hawaii, Alaska and in the Gulf of Mexico - affecting literally every coastal state. In many regions, the Navy plans to increase the number of training exercises or expand the areas in which they may occur. Of particular concern are biologically sensitive marine habitats off our coasts, such as National Marine Sanctuary and other breeding habitats...In all, the Navy anticipates that its sonar exercises will "take" marine mammals more than 2.3 million times per year, or 11.7 million times over the course of a 5-year permit..." This statement was made in response to public inquiries regarding the Navy Northwest Training Range schedule for Northern California, Oregon, Washington, and Idaho.

KTVU Oakland San Francisco Television Station is the only television station to investigate and air a story about this U.S. Navy program (13), on May 18, 2009. It took a great deal of courage, in the face of the fact that no other major television networks would carry this story. A few courageous radio stations are also helping to get the word out to the public.

### **Published in the United States Federal Register on March 11, 2009:**

The United States Navy published an application, as an addendum to their expanded Warfare Testing program, in the U.S. Federal Register, dated March 11, 2009. This application from the Navy "...requests authorization to take individuals of 32 species of marine mammals during upcoming Navy Warfare testing and training to be conducted in the NWTR areas (off the Pacific coasts of Washington, Oregon, and northern California) over the course of 5 years..."

The Navy Warfare Testing Program will "...utilize mid- and high frequency active sonar sources and explosive detonations. These sonar and explosive sources will be utilized during Antisubmarine Warfare (ASW) Tracking Exercises, Mine Avoidance Training, Extended Echo Ranging and Improved Extended Echo Ranging (EER/IEER) events, Missile Exercises,

Gunnery Exercises, Bombing Exercises, Sinking Exercises, and Mine Warfare Training...”  
(More listed in Navy E.I.S.)

The “taking” of marine mammals negatively impacts the entire ecology of our oceans and the life in them which feeds large numbers of people and other species around the world. It should be noted that the list of toxic chemicals that the Navy proposes to use is a long one as noted in the Navy E.I.S. Depleted uranium, red and white phosphorus, mercury, lead, and a whole host of chemicals known to be toxic not only to man, but to marine life, are being served up on the “Navy Warfare Chemical Menu” that will contaminate our air, water, and soil.

Since all of the Navy Warfare Training Range Complexes have received, or will receive in the near future, permits to “take” marine mammals during their respective 5-year warfare training programs the cumulative and synergistic effects of losing millions of marine mammals will be disastrous. It is time to say no to any future permits being issued by the National Marine Fisheries Services. Please feel free to file protests by the August 12, 2009, deadline National Marine Fisheries Service (9), regarding the U.S. Navy Environmental Impact Statement (10).

On May 28, 2009, U.S. Congressman Mike Thompson from California, in a Press Release to NOAA, made the following statements which could be directed toward any ocean Navy testing range:

“...I am concerned about the United States Navy’s ability to properly review the environmental impacts of proposed enhancements in its Northwest Training Range Complex (NWTRC)... I am particularly concerned that NOAA’s existing mitigation measures may not be best suited for the protected marine mammals and endangered salmonids present in the Pacific Northwest... I am also concerned about proposed changes to current levels of activity in the NWTRC that focus on training for new aircraft and ship classes and physical enhancements to the training range. The Navy’s Environmental Impact Statement (EIS) acknowledges that these changes, particularly those related to its increased use of mid-frequency sonar, are likely to have measurable impacts on 32 protected marine mammal species known to inhabit the NWTRC...”

Congressman Thompson continues: “...As the Navy moves forward with plans to train on new weapons systems, it is essential that NOAA identifies the environmental impacts of these new aircraft, ships and submarines - and their accompanying mitigation measures - specifically with reference to the productive ocean habitats and species that define the Pacific Coast... I am not aware of any specific elements included in the evaluation and am concerned that the review will be inadequate to address the Navy’s EIS with respect to protection of Pacific Coast ocean ecosystems.

NOAA’s comprehensive review is particularly important given that the Navy has estimated shipboard visual monitoring for marine mammals - the most commonly employed sonar mitigation measure - to be effective only 9% of the time.

It is important that NOAA take immediate steps to validate its comprehensive review of mitigation measures. Specifically, I request that you provide my office with an outline of the comprehensive review process and answers to the following questions:

**1.** What mitigation measures will be reviewed during NOAA’s process?

2. What data will NOAA use to identify those mitigation measures best able to protect marine species?
3. How will your agency's recommendations target specific species, habitats or training activities of concern?
4. How will NOAA's recommendations address sonar impacts to species other than marine mammals?
5. How will NOAA or the Navy establish performance standards to ensure that recommended mitigation measures are functioning as intended?..."

The public should also be informed of any information received by Congressman Thompson's office. In addition, there are a few more questions which need to be answered:

1. What are the synergistic and cumulative effects of all the permits that have been issued in the last two years to Naval Range Complex requests?
2. Bomb blasts and toxic chemicals are also being tested by the Navy and NOAA reviews are not including information on the Navy Hazardous Waste and Toxic Chemicals sections of the Navy E.I.S., such as bioaccumulation of chemicals in the food chain, death from exposure to toxic chemicals and bomb blasts.
3. The Navy will also be conducting classified future warfare testing. Since the public is not to be informed of those tests, chemicals being used, electromagnetic weapons systems, and other air or land based tests, who is protecting sea life, human health, water, soil, and air from pollution and other experimental tests?
4. Human health from airborne pollutants, toxic debris, and shoreline contamination from toxic chemicals should also be considered in the NMFS evaluation. The protection of cruise ships, fishermen, ocean tourists, U.S. Coastguard personnel, and the public who swim in the ocean should also be considered in their evaluations. This is not just a marine mammal issue.

It is now time for all of us to weigh in with regard to these warfare programs which will devastate our marine mammals, pollute our air and water, and have negative impacts on human health. We should have U.S. Congressional Hearings and a postponement of these programs until such time as the public can be informed about these issues.

For more information contact: Rosalind Peterson [info@californiaskwatch.com](mailto:info@californiaskwatch.com)  
Website: [californiaskwatch.com](http://californiaskwatch.com)  
Website: [agriculturedefensecoalition.org](http://agriculturedefensecoalition.org)

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Articles by: **Rosalind  
Peterson**

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