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Environmental groups sue Navy over sonar use

The Navy has plans for 12 anti-submarine warfare exercises in 2007 and 2008

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The Navy's use of high-intensity, active sonar in training exercises around the Hawaiian Islands will harm whales and other marine mammals, say five environmental groups that are suing to stop the practice.

The lawsuit seeks to "stop the Navy from doing its sonar exercises until it complies with environmental laws they are violating," said Paul Achitoff, the Earthjustice attorney representing the Ocean Mammal Institute, the Animal Welfare Institute, KAHEA (the Hawaiian-Environmental Alliance), the Center for Biological Diversity and the Surfrider Foundation.

The lawsuit filed in federal court yesterday also cites the National Marine Fisheries Service for inadequately assessing the Navy's plans to be sure its actions do not harm endangered marine life.

Jim Lecky, director for the office of protected resources at the fisheries service, said his organization was working with the Navy to finish environmental studies governing the Navy's anti-submarine warfare exercises.

Achitoff said it was "very surprising" that the Navy plans 12 anti-submarine warfare exercises in 2007 and 2008, given evidence in the last five to six years that the sonar can harm and kill marine mammals.

Navy spokesman Jon Yoshishige said the "fleet training activities are essential to the Navy's duty" and that it is "complying with all applicable laws and regulations, including the requirements of the Endangered Species Act."

Navy policy says "protective measures" might include avoiding areas of high marine mammal concentration, posting lookouts and stopping sonar operation if animals are sighted.

But the environmental groups allege the Navy measures are inadequate.

"The Navy is not above the law," Marti Townsend of KAHEA said in a statement. "Protecting the country includes following its laws, not skirting them."

Critics contend sonar has harmful effects on whales and other marine mammals, possibly by damaging their hearing. A congressional report found last year that the Navy's sonar exercises have been blamed for at least six cases of mass death and stranding among whales in the past decade.

A National Oceanic and Atmospheric Administration study said the Navy's use of sonar contributed to the beaching of 16 whales and two dolphins in the Bahamas in 2000.

Achitoff said other organizations had lawsuits challenging anti-submarine warfare exercises in other areas, but this was the only case seeking to force the Navy to change the way it conducts drills off Hawaii.