

## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



## \*\*\*PRESS RELEASE\*\*\*

March 22, 2007

For Immediate Release

Contact: Peter Douglas, Director, California Coastal Commission (415) 407-3208  
Contact: Patrick Kruer, Chair, California Coastal Commission (619) 922-6185  
Contact: Sara Wan, Commissioner, California Coastal Commission (310) 456-6605  
Contact: Jamee Jordan Patterson, Deputy Attorney General (619) 645-2023

## COASTAL COMMISSION SUES U.S. NAVY OVER USE OF UNDERSEA SONAR ACTIVITIES

**Los Angeles**--The California Coastal Commission filed suit today against the U.S. Navy in Federal District Court, over the Navy's decision not to comply with Commission conditions that would help protect marine mammals and endangered sea turtles from harmful impacts associated with use of undersea sonar during training exercises. Under the federal Coastal Zone Management Act, the Commission has the authority to review military exercises in coastal waters to ensure compliance with the California Coastal Act, a statewide law that protects coastal and marine resources, including marine wildlife. In January of 2007, the Commission approved the Navy's underwater sonar training exercises, but found them to be consistent with the Coastal Act *only* if the Navy took certain precautions to protect marine mammals and sea turtles. Because mid-frequency sonar has been linked to the stranding deaths of whales and dolphins world-wide, the Commission imposed the following conditions:

- Seasonal restrictions to avoid grey whale migratory routes
- Thirty minutes of marine mammal surveys before testing begins
- Avoidance of areas with high numbers of whales and/or dolphins
- Larger safety zones when marine mammals are in the vicinity of testing activities
- Lower sound levels during times of low visibility

In addition, the Commission included a clause that allows the Navy to make modifications if specific conditions render any of the requirements infeasible. Most of the conditions have been met by the Navy in previous exercises. Navy officials have announced that they do not intend to follow the Commission's recommendations, but provided no additional explanation. Nor did they make the case that the conditions were infeasible.

"The Commission understands the important national security implications of the Navy's training exercises," said Coastal Commission Chairman, Patrick Kruer of San Diego. "That's why we approved the project. But we believe these activities should be done in a way that limits harm to whales and dolphins."

"This is baffling, because the conditions are so easy to implement, and they haven't shown us any evidence that they can't do them" said Kruer. "By refusing to cooperate with us, they are challenging the jurisdiction of the entire Commission and undermining the Coastal Act and federal coastal protection laws that apply to all coastal states. That has implications way beyond this case."