

January 2004
Suit Filed to Stop Navy SONAR Testing
FOR IMMEDIATE RELEASE

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Organizations concerned about the possible impact on marine life from high frequency sonar testing underway off the California coast filed suit in San Francisco today to stop the testing.

Australians for Animals, Hawai'i Green Party, Stop LFAS Worldwide Network, Ocean Defense International, and Sea Sanctuary, Inc. asked Judge Samuel Conti to issue a temporary restraining order to immediately stop the sonar broadcasts.

The groups filing suit claim that the research may harm migrating Gray Whales, particularly newborn calves in the migration. The suit also alleges that the sonar can cause serious harm to harbor porpoises and orcas. Judge Conti scheduled a hearing for Monday, January 11 at 10 am. The research is being conducted by Scientific Solutions, Inc. of Nashua, New Hampshire under the direction of Dr. Peter Stein, President of SSI.

The research will broadcast high frequency signals targeted on the migrating Gray Whales off the coast of California over a three week period. According to SSI, the purpose of the testing is to validate that the sonar can detect whales. Once proven, the high frequency sonar would be marketed as a "whale-finder" to be used to detect whales near any ocean activity that might harm them in order to allow for action to be taken to protect them. SSI claims that there will be no adverse impacts from the sonar broadcasts.

In issuing the permit for the research, the National Marine Fisheries Service (NMFS) agreed that the sonar would not have any adverse impacts on the Gray Whales because the whales would not hear or respond to the broadcasts. NMFS also found that the sonar would not harm other marine species in the area. The suit challenges the position of the SSI and NMFS and presents evidence that Gray Whales are known to respond to high frequency sonar on whale watch boats and fishing boats by changing their behavior and even breaching.

The suit also presents evidence that high frequency sound will drive the harbor porpoises resident in the testing area out of a large part of their feeding grounds and could expose orcas to harmful levels of sound. According to Lanny Sinkin, attorney for the organizations filing suit, "The challenge to this research is that pursuing a technology harmful to whales in order to supposedly protect them is the wrong path to follow."

Web Sites for further information:

www.cetaceancommunity.com information provided by the plaintiffs

www.whalesafety.net information provided by Scientific Solutions, Inc.

For further information:

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http://cetaceancommunity.com/2004/Press_Release%20-%20High_Frequency_Sonar_Litigation_2004.html