

# THE HUMANE SOCIETY OF THE UNITED STATES®

## OFFICERS

David O. Wiebers, M.D.  
*Chair of the Board*  
Anita W. Coupe, Esq.  
*Vice Chair of the Board*  
Eugene W. Lorenz  
*Board Treasurer*  
Wayne Pacelle  
*President & CEO*  
G. Thomas Waite III  
*Treasurer & CFO*  
Roger A. Kindler, Esq.  
*General Counsel & CLO*

## STAFF VICE PRESIDENTS

Andrew N. Rowan, Ph.D.  
*Executive Vice President  
Operations*  
Michael Markarian  
*Executive Vice President  
External Affairs*  
Patricia A. Forkan  
*Senior Vice President  
International Programs  
& Regions*  
Martha C. Armstrong  
*Senior Vice President  
Domestic Animal Programs*  
John W. Grandy, Ph.D.  
*Senior Vice President  
Wildlife & Habitat Protection*  
Heidi Prescott  
*Senior Vice President  
Campaigns*  
Katherine Benedict  
*Administration &  
Animal Care Centers*  
Nicholas Braden  
*Communications*  
Richard M. Clugston, Ph.D.  
*Higher Education*  
Randall Lockwood, Ph.D.  
*Research & Educational  
Outreach*  
Jonathan R. Lovvorn, Esq.  
*Animal Protection Litigation*  
Nancy Perry, Esq.  
*Government Affairs*  
Steve Putnam  
*Business Development*  
Robert G. Roop, Ph.D., SPHR  
*Human Resources &  
Education Programs*  
Melissa Seide Rubin, Esq.  
*Field & Disaster Services*  
Martin L. Stephens, Ph.D.  
*Animal Research Issues*  
Richard W. Swain Jr.  
*Investigative Services*  
Gretchen Wyler  
*Hollywood Office*

## DIRECTORS

Leslie Lee Alexander, Esq.  
Patricia Mares Asip  
Peter A. Bender  
Barbara S. Brack  
Donald W. Cashen, Ph.D.  
Anita W. Coupe, Esq.  
Neil B. Fang  
Judi Friedman  
Alice R. Garey  
David John Jhirad, Ph.D.  
Jennifer Leaning, M.D.  
Eugene W. Lorenz  
William F. Mancuso  
Patrick L. McDonnell  
Judy Ney  
Judy J. Peil  
Marian G. Probst  
Joe Ramsey, Esq.  
Jeffery O. Rose  
James D. Ross, Esq.  
Marilyn G. Seyler  
Walter J. Stewart, Esq.  
John E. Taft  
David O. Wiebers, M.D.  
K. William Wiseman  
John A. Hoyt  
Paul G. Irwin  
*Presidents Emeriti*

Murdaugh Stuart Madden, Esq.  
*Vice President & Senior Counsel*

Printed on 100% post-consumer recycled paper, processed chlorine free and Green Seal and FSC certified, with soy-based ink.

December 1, 2006

Atlantic Division Naval Facilities Engineering Command  
Attn: Code EV21 (Atlantic Fleet Sonar PM)  
6506 Hampton Blvd.  
Norfolk, VA 23508-1278

Dear Sir/Madam:

I am submitting these brief scoping comments on behalf of The Humane Society of the United States (HSUS) and our more than 9.5 million members and constituents. These are in response to *71 FR 57489*, the notice of intent to prepare an Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) for Atlantic Fleet Active Sonar Training. The HSUS commends the U.S. Navy for preparing this EIS/OEIS to evaluate the potential environmental consequences associated with training exercises for mine warfare (MIW) and antisubmarine warfare (ASW) along the U.S. east coast and Gulf of Mexico. It is imperative that an objective, comprehensive evaluation of the impacts of active sonar exercises in this biologically rich marine environment be conducted using the best available science *and*, recognizing that the best available science in marine acoustics is often only preliminary, that any considered alternatives incorporate the precautionary approach when addressing mitigations and protective measures. We agree with the scope of effects the EIS/OEIS proposes to evaluate, emphasizing that both cumulative and *synergistic* impacts must be considered.

The HSUS would like to endorse the comments submitted by the Natural Resources Defense Council on this same notice. We would like to emphasize the following: Alternatives that are considered in the EIS/OEIS must include the potential for time/area closures during times of the year important for breeding, feeding, or migrating of marine mammals and other protected species. We wish to express concern that only three alternatives are being considered in the EIS/OEIS – we suspect that additional alternatives could be considered that are more protective of the environment – and precautionary – while still allowing the Navy to meet its requirement to train and maintain combat-ready forces. We strongly urge the Navy to broaden its consideration of alternatives that both meet its operational goals *and* provide maximum possible protection to the marine environment.

The science of marine acoustics, especially that which considers the impacts of anthropogenic noise on marine life, is fast-developing but in many cases still preliminary. There is also a growing body of work that examines stress (from a variety of sources, including human disturbance) and its consequences and manifestations in wildlife. The EIS/OEIS must conduct a thorough search of the scientific literature and include discussion of a broad spectrum of results from both U.S. and international research projects. In particular, it must consider the results of

**Promoting the protection of all animals**

2100 L Street, NW, Washington, DC 20037 ■ 202-452-1100 ■ Fax: 202-778-6132 ■ [www.hsus.org](http://www.hsus.org)

Atlantic Division Naval Facilities Engineering Command  
December 1, 2006  
Page Two

research funded by sources other than the Office of Naval Research or other U.S. government sources. There is a significant concern in this field regarding conflict of interest – the EIS/OEIS must not ignore this concern.

Finally, The HSUS urges the Navy to consider a broad and, wherever possible, novel array of potential mitigations when evaluating alternatives. We have noted an unfortunate tendency in Navy environmental analyses to rely on traditional mitigation and monitoring techniques, some of which have never in fact been validated. We note that the notice states, "All alternatives would consider the protective measures used during Navy training to minimize potential effects to the marine environment." However, the Navy has been repeatedly criticized for its use of a relatively limited array of such measures. Research on mitigation is also proceeding apace and we urge the EIS/OEIS to expand its horizons as widely as possible to address the potential for the use of novel protective measures during training exercises.

Thank you for the opportunity to comment on this important matter and we look forward to reviewing the draft EIS/OEIS.

Sincerely,



Naomi A. Rose, Ph.D.  
Marine Mammal Scientist  
Treaty Law, Oceans and Wildlife