

NAVY LICENSE TO KILL: DON'T LOOK, DON'T TELL

by [Carol Van Strum](#) [[Subscribe](#)]

Thu Aug 20, 2009 at 10:20:40 AM PDT



"Universal health care?" an Oregon fisherman asks. "Damn right. The Navy poisons our fish and water and air, of course the feds should pick up the tab."

The fishing community has first-hand knowledge of a well-kept national secret: the U.S. Navy's expansion of supreme command over ocean and coastline surrounding the entire North American continent and extending far into both the Atlantic and Pacific oceans. In just the last two years, the Navy has received authorization from the National Oceanic & Atmospheric Administration (NOAA) to kill and maim marine mammals in at least twelve vast "range complexes" for training and testing of weapons, equipment, vessels, aircraft, and minefields. The NOAA authorizations apply only to marine mammals, with no concern for effects on fish, birds, amphibians, or – god forbid – humans. After all, the Navy's mission is to kill people, right?

[Carol Van Strum's diary](#) :: ::

How the Navy obtained license to kill so ubiquitously is a story right out of Monty Python. If your driving record shows you can see – and maybe avoid – children and other pedestrians only 9 percent of the time, you might have difficulty getting a drivers license. But don't despair! NOAA can fix everything for you!

NOAA has already fixed the numbers for the U.S. Navy, translating the Navy's abysmal 9 percent success rate at protecting marine mammals into a 100 percent success rate.

Just how the Navy and NOAA manage to make 9 percent equal 100 percent is a mystery worthy of a Fields Medal mathematician. Or a Las Vegas magician. It's certainly a trick neither the Navy nor NOAA is willing to explain. Thanks to this amazing feat of prestidigitation, NOAA's National Marine Fisheries Service (NMFS) has authorized U.S. Navy "taking" of millions of marine mammals in more than a dozen Navy Range Warfare Testing Complexes. (The Marine Mammal Protection Act defines to "take" as to "harass, hunt, capture, kill or collect, or attempt to harass, hunt, capture, kill or collect" any marine mammal.)

Now NOAA is authorizing the Navy to "take" an additional 645,560 marine mammals of 32 separate species in the ocean off the Pacific Northwest Coast. Since NOAA/NMFS is listed as a participating agency in the Navy's plans to increase its bombing, gunning, minefield, and sonar exercises, there is some question whether NOAA can pretend to be unbiased in authorizing a plan it helped to prepare. Not that anyone is asking.

It takes NOAA nearly 100 pages to spin its authorization, chiefly by means of entirely unsupported assumptions that Navy bombs and sonar and guns and poisons will cause only "negligible" impacts on marine mammals. "Negligible" by NOAA's and the Navy's definition means anything short of instant death visible within 24 hours. (By this definition, a hit-and-run death is entirely legal if you don't see or report it, and running over a kid who dies after being in a coma for weeks, or is permanently blinded, deafened, brain damaged, and his spleen ruptured by your vehicle and its woofer system, would be at most a misdemeanor.) The following are a sampling of the most glaring of such assumptions:

1. That posting a lookout on the bridge will guarantee sighting of any marine mammals 100 percent of the time (never mind the Navy's own documents showing only 9 percent success in such endeavors) and that all marine mammals within range of Navy sonar, ships, guns, or explosions will be visible to Navy lookouts. By definition, marine mammals live in the water, not on the surface. The assumption that Navy lookouts will be able to see them therefore depends on the even more preposterous assumptions that all marine mammals within range will conveniently surface to breathe, wave, e-mail, or call out to be noticed; that lookouts will just happen to be looking in the right place at the right time to see them; that lookouts and other Naval personnel care enough to follow their own rules; that accurate observation is even feasible from a moving ship; and that such observations will occur in time to prevent harm.
2. That only effects observed by Navy lookouts will occur. The assumption that a lookout can not only identify the species but also categorize the injuries of a submerged marine animal by merely observing the surface of the water is so patently absurd it defies explanation.

Menu

[Home](#)

[California...s Page](#)

*

[Diaries](#)

[dKosopedia](#)

[Search](#)

[Logout](#)

Tools

[Your Hotlist](#)

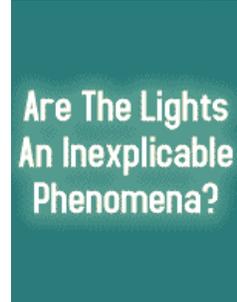
Advertising

Premium Ad

[Advertise here!](#)

Advertisers

Do You See the Light?



"...a high caliber, one-of-a-kind action thriller executed to perfection."-Associated Press

A masterpiece of suspense, intrigue, and terror. - James Rollins, NYT bestseller

Buy it now at [Amazon](#), [BN](#) or [Borders](#). Prepare to be hooked!

[Read more...](#)

SEIU.org Sponsored Headlines

SEIU.ORG



Republican Admits We May Have 40 Million Uninsured

TODAY: Join the Call with President Obama

Robin Holland: My Brain Tumor Won't Wait for Reform

3. That all animals killed by Navy actions will be observed. While acknowledging that some dead animals may be eaten or float out to sea, the proposed rule assumes that all animals killed will be found and reported to NMFS.
4. While acknowledging that for sixty years no monitoring for effects of Navy actions on marine mammals has occurred, NOAA nevertheless proceeds on the assumption that because such effects were not detected (because no one was looking), they therefore never occurred.
5. That acoustic or impact (explosions, collisions, gunshots) effects are the only consequences of Navy actions. Navy activities also expose marine mammals and their entire ecosystem to numerous extremely toxic materials such as depleted uranium, hexavalent chromium, white phosphorus, lead, mercury, and a host of other toxins. Neither the Navy nor NOAA addresses the potentially fatal effects of exposure to deadly heavy metal compounds and persistent chemical poisons deposited in the ocean year after year – for sixty years! – and the further effects of increasing such deposits with increased Navy activities.
6. That sixty years of such Navy activities have had no effect whatsoever on marine mammal populations (because no one was looking), and therefore will not have any cumulative or synergistic effects in combination with the Navy's plan to increase such activities.
7. That Navy lookouts, or anyone else, can be adequately "trained" to observe marine mammals – above and below the surface -- by watching a DVD (begging the question why all other Navy training can't be similarly conducted with no need whatsoever to "take" any species but its own).
8. That a marine mammal that dives after being observed is no longer in range after 30 minutes.
9. That dolphins or porpoises that "deliberately" ride Navy ships' bow waves are in effect 'asking for it' and not entitled to any protections.
10. That the Navy's "acoustical analyses" upon which the NOAA/NMFS authorization relies throughout are accurate, unbiased, relevant, and not themselves based on unfounded assumptions. For example, the authorization assumes that because the Navy's "acoustical analyses" are "based on a uniform and stationary distribution of marine mammals," such analyses are "likely overestimates of potential exposures." The Navy's assumption of a "uniform and stationary distribution of marine mammals," however, would actually result in gross underestimates of potential exposures in all areas, seasons, or circumstances involving aggregations of animals engaged in mating, birthing, feeding, migrating, and other common activities that often concentrate large numbers of animals in one area.
11. That each proposed action has no cumulative impact with all other proposed actions.
12. That each assumed impact takes place in isolation from all others, e.g., that impacts of one event will affect only one species (or even individual!) at a time.
13. That the entire batch of proposed Navy actions will take place in a pristine environment and need not take into account their contributions to or exacerbation of existing conditions such as global climate change, acidification of the oceans, rising ocean levels, global ocean and atmospheric pollution, warming ocean waters, increased storm activities, global extinctions, and other disasters.

The above are but a sampling of the unfounded assumptions underlying the NOAA authorization. Again and again, in case after case of bureaucratic proof by copious repetition, these assumptions favor the Navy's self-serving conclusion that its actions will have negligible impacts on marine mammal populations.

Navy maps of its training and testing ranges show that NOAA has issued its license to kill in waters off of the entire coastline of North America.

As U.S. Congressman Henry Waxman noted in a letter dated March 12, 2009,

"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..."

On May 28, 2009, U.S. Congressman Mike Thompson from California, also questioned NOAA authorization of Navy plans for increased activities off the Pacific Northwest coast.

"...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

Howard Dean, SEIU on the doors in PA

Judy Lanza, RN, Speaks out for Health Care Reform

Dr. L. Toni Lewis discusses town hall violence on MSNBC's "The Ed Show"

Death Panels? Cut Through the Lies About Health Care Reform

Sponsored by SEIU

[Read more...](#)

The Breakout Summer Hit



Fast-paced, erudite and original. A vivid world where archaeological, legal and religious secrets swirl together into a thrilling nexus. - Matthew Pearl, *The Dante Club*

A stellar debut. -*Toronto Globe and Mail*

Buy this smart & sophisticated thriller now at Amazon, B&N or an indie store.

[Read more...](#)

[Advertise here](#)

Classifieds

Can't Sleep? Try RESTABS

RESTABS Natural Sleep Formula features a special blend of natural ingredients in a sustained-release tablet with an instant-release coating, designed to help you get to sleep faster, stay asleep longer, and improve the quality of your sleep. So why go another night without sleep when you can get the rest you need the natural way with RESTABS? For a limited time, SAVE 50%! Order now at www.restabs.com.

[Read more...](#)

The Trial of George W. Bush

At last! The trial we've all been waiting for. Can he get away with torture, fraud, trashing the economy, wiretapping and the inability to pronounce the word 'nuclear'? Check out this hilarious (but serious) new MP3 satire with music which goes boldly where the Obama administration is still afraid to tread. Featuring Kevin Corbett of Capitol Steps and the Nightmare of Reason Band. Listen online, on your MP3 player or mobile phone. It's free.

[Read more...](#)

(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?..."

Needless to say, NOAA has not answered Waxman's or Thompson's questions or concerns, but has simply rubberstamped the Navy's proposals. Despite the scope of Navy activities that encompass the entire North American coastline and much of the Pacific Ocean (including Hawaii, Japan, and the Mariana Islands), no major media has taken notice of what amounts to a U.S. declaration of war on all living things in all oceans. Except for NRDC, which has filed excellent but totally ignored comments on Navy and NOAA proposals, no national environmental groups have taken notice, either. Apparently, it is anathema to challenge the Navy's right to do whatever it pleases, kill whatever gets in its way, and spend the nation into bankruptcy doing so.

Challenging the military's right to do anything, indeed to exist at all, is and should be our heritage. The Navy, the media, and especially our legislators would do well to remember how close the Navy came to never being born:

"[James] Madison and the Republicans argued that a navy was hopelessly unaffordable to a nation still groaning under the weight of its Revolutionary War debts. Once started, they warned, a navy would become a self-feeding organism, demanding greater and greater sums as it grew. Even Alexander Hamilton, in Federalist No. 34, had asserted that fourteen of every fifteen shillings in taxes collected in Great Britain was required to service the national debt it had run up to support its navy. The French Revolution had been preceded by a financial crisis brought about, in large part, by the cost of the ancien régime's vast naval establishment." (From "Six Frigates: The Epic History of the Founding of the U.S. Navy," by Ian W. Toll, 2006, pp. 41-42.)

At the very least, Congress should investigate the glaring conflict of interest between the U.S. Navy and NOAA/NMFS, demonstrated by NOAA's unwavering bias in authorizing Navy plans that NOAA itself helped to draft. Congress should also demand a full accounting of the costs and international implications of the Navy's carte blanche weapons testing and training over much of the Pacific and Atlantic oceans, the entire North American coastline, the Gulf of Mexico, Gulf of Alaska, and even some inland waters.

Advertise here



More at DailyKosTV.com



Support Bloggers' Rights!

Candidates

Blue Majority Candidates



© Kos Media, LLC

Site content may be used for any purpose without explicit permission unless otherwise specified.

"Kos" and "Daily Kos" are registered trademarks of Kos Media, LLC

[Privacy Policy](#)

Powered by [Scoop](#).

With many thanks to Rosalind Peterson, all information in this article is drawn from Navy, NOAA, and other documents collected in a data base available at <http://californiaskywatch.com/> or <http://www.agriculturedefensecoaliti...> H

Tags: [Navy weapons testing](#), [NOAA](#), [marine life](#), [conservation](#), [NRDC](#) (all tags) :: [Previous Tag Versions](#)

[Permalink](#) | 10 comments

Tip Jar by Carol Van Strum, Thu Aug 20, 2009 at 10:20:40 AM PDT (7+ / 0-)

Can you please remove this by siduri, Thu Aug 20, 2009 at 10:28:46 AM PDT (4+ / 0-)

Well In Fact In A Time Of War That Is by webranding, Thu Aug 20, 2009 at 10:29:59 AM PDT (0+ / 0-)

That is a serious over-simplification by siduri, Thu Aug 20, 2009 at 10:37:02 AM PDT (0+ / 0-)

The Navy's mission.... by PvtJarHead, Thu Aug 20, 2009 at 10:43:22 AM PDT (6+ / 0-)

and perhaps revise this- by siduri, Thu Aug 20, 2009 at 10:33:05 AM PDT (2+ / 0-)

I agree about removing that part but I by shortgirl, Thu Aug 20, 2009 at 10:44:01 AM PDT (0+ / 0-)

I've Followed This Issue For Sometime by webranding, Thu Aug 20, 2009 at 10:36:27 AM PDT (3+ / 0-)

actually exercising the machinery by nickrud, Thu Aug 20, 2009 at 11:05:04 AM PDT (1+ / 0-)

Thank you for giving us the details by marina, Thu Aug 20, 2009 at 11:01:48 AM PDT (0+ / 0-)

[Permalink](#) | 10 comments