

Congress of the United States
Washington, DC 20515

December 11, 2013

Dr. Kathryn Sullivan, Acting Administrator
National Oceanic & Atmospheric Administration
1401 Constitution Avenue NW
Washington, DC 20230

Dear Acting Administrator Sullivan:

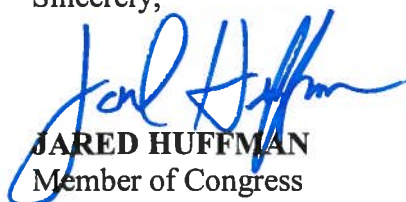
As representatives of the Northern California coast, we have long advocated for balance between military activities and our marine resources. The Navy's training exercises are vital to our national security, but those same exercises often harm, or "take," marine mammals through the use of high-intensity mid-frequency sonar. We applaud the recent Court order requiring the National Marine Fisheries Service (NMFS) to issue a new plan for Navy training based on the most up-to-date science on ocean noise and a full consideration of the Navy's foreseeable impacts on threatened and endangered species.

We expect NMFS to take the Court's ruling to heart. Your agency's role here is not to simply rubber-stamp the plans of the Navy, but to engage in a careful re-analysis of the impact of noise pollution on sensitive marine mammals. Indeed, use of the most recent scientific assessments of sonar's harmful impacts may require additional mitigation for those impacts, including geographical or seasonal restrictions on the use of sonar. The Court's remand of the biological opinions presents NMFS with the opportunity to set aside sensitive coastal areas or times of the year where whales and dolphins will not be bombarded by sonar. During your review, we urge you to consider establishing protections for areas where whales and dolphins feed, migrate, breed, and raise their young. We also ask that you provide our offices with any new biological opinions or Marine Mammal Protection Act authorizations that your agency issues in response to the district court's decision.

In addition, as the Court's analysis casts doubt upon the legitimacy of the agency's approval of previous sonar training, NMFS should take this opportunity to re-examine its Marine Mammal Protection Act authorizations as well. The Navy should train in a way that respects local communities, natural resources, and our environment and NMFS must regulate this training to ensure that these commitments are upheld.

Thank you for your consideration. Should you have any questions please contact Stephanie Owens in Rep. Huffman's office at (202) 225-5161 or Dan Sousa in Rep. Thompson's office at (202) 225-3311.

Sincerely,


JARED HUFFMAN
Member of Congress


MIKE THOMPSON
Member of Congress