

PRESS STATEMENT

October 19, 2005

Thank you for coming. My name is Joel Reynolds, Senior Attorney and Director of NRDC's Marine Mammal Protection Project in LA and attorney for plaintiffs NRDC, IFAW, CSI, LCP, Ocean Futures Society, and its founder and president Jean-Michel Cousteau.

- Appearing with me is Richard Kendall, a litigation partner at the Los Angeles law firm of Irell and Manella, which has agreed to serve as co-counsel for plaintiffs.
- We will also be screening an exclusive video statement by actor and environmentalist Pierce Brosnan, who is on location and unable to be here in person.

We're here to announce the filing this morning of a lawsuit in federal court in Los Angeles challenging the illegal and deadly use by the United States Navy of high intensity mid-frequency sonar.

Our goal in taking this action is to compel the Navy, in testing and training, to use common sense measures to avoid the needless infliction of harm to whales and other marine species – measures that the Navy can adopt without interfering with its commitment to our national defense.

This case is not about choosing between our environment and our national security. All of us believe in clean water, clean air, and the protection of our natural resources. All of us believe that national security is essential.

But whales and other marine species should not have to die for practice. And that is what's happening today, beyond any shred of scientific doubt. The reason is simple: The Navy refuses to train with common sense precautions – in violation of the basic federal laws that apply to all of us, including the military.

[The oceans are an acoustic environment, and sound is to marine mammals like sight is to humans. If we interfere with their ability to hear, if we recklessly turn our oceans into an acoustic traffic jam, then we threaten not just individual animals but entire populations of species who depend for their very survival on their ability to hear and be heard.]

This is not a lawsuit that we wanted to file. Since 2000, we have repeatedly contacted the Navy, both in writing and in person, to urge them to address the problem.

But 5 years later, the Navy continues to train with mid-frequency sonar without permits, without consultation with wildlife agencies, and without any apparent environmental planning or review.

It doesn't have to be this way:

Three years ago, NRDC and others filed suit against the global deployment over 75% of the world's oceans of the Navy's LFA system, a new longer-range detection system.

After the federal court issued an injunction against the global deployment of that system, we reached an agreement with the Navy that has allowed continued training with the system in a discrete area of the north-western Pacific Ocean.

But in the case of mid-frequency sonar, no such accommodation has been reached – despite our repeated requests.

And this is the principal sonar system used on our navy's vessels today.

We'd like to show you now a brief 4 minute video that dramatically illustrates some of the impacts that have compelled this lawsuit today. The film has been prepared by Imaginary Forces and is narrated by Pierce Brosnan. It is shown here today for the first time.

[SHOW VIDEO]

There is no longer any scientific debate that mid-frequency sonar causes this kind of carnage.

It is unacceptable, unjustifiable, and completely unnecessary. For the sake of our oceans, and for the sake of our children, we need to stop it.

And that's why we've filed this lawsuit today.

To discuss some of the details of the lawsuit, I'd like to introduce Richard Kendall, senior litigation partner at Irell and Manella and a former federal prosecutor in Los Angeles.

Before questions, we'd like finally to play an exclusive video statement by actor and environmentalist Pierce Brosnan regarding the lawsuit filed today.

- Because he is on location, Pierce couldn't be here today. But he's assisted NRDC for years in our work on this and other marine mammal protection issues, and in fact some of you may recall his appearance with us at this very location 2 years ago when we announced the successful conclusion of our earlier lawsuit on the Navy's LFA sonar system.

Now questions