

War of the Whales

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*Winner of the 2015 Green Prize
for environmental nonfiction

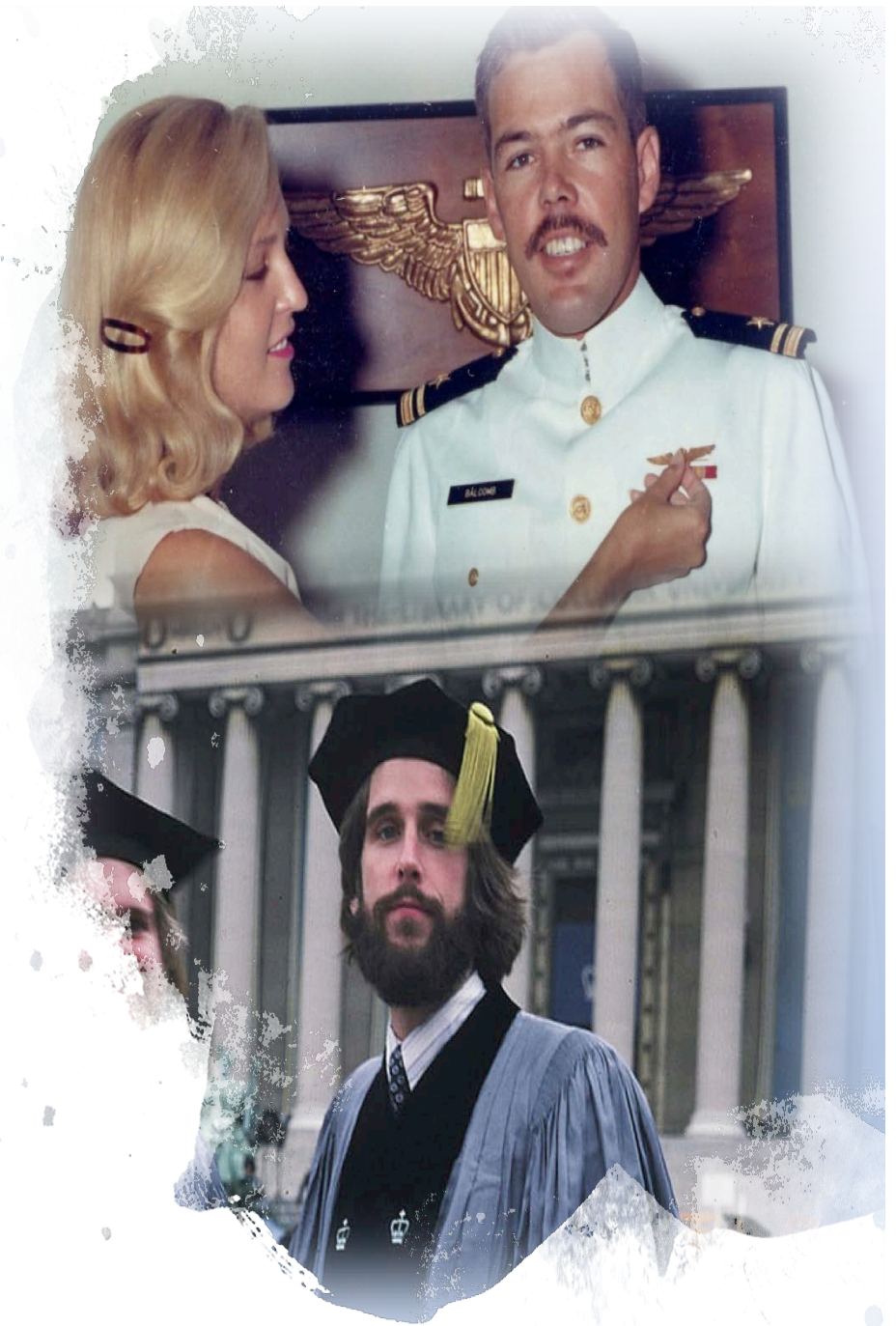
*Washington Post Notable Book:
Nonfiction 2014

Book Report by Mandy
Sohacki



Who went to war for the whales?

- **Ken Balcomb**, former naval acoustics specialist turned freelance whale researcher, naval sonar expert
- found 17 beaked whales of 3 different species stranded across the Bahamas on March 15, 2000 (largest multispecies whale stranding ever recorded) and recognized a U.S. Navy destroyer nearby
- **Joel Reynolds**, senior attorney for the Natural Resources Defense Council, relentless environmental lawyer
- Both men brought forth a lawsuit in the 1990s to compel the Navy to tell the truth about acoustic warfare activities and the impact these tests have on marine life
- What was the final outcome?



What is killing the whales?

- Powerful mid-frequency sonar systems designed to hunt submarines over hundreds of square miles of ocean used by the U.S. Navy; echo locate
- Used for training exercises; problematic due to the canyons in the Bahamas
- Sonar can emit continuous sound well above 235 decibels (comparable to a Saturn V rocket at blastoff)
- Depending on the intensity of the sonar, whales can strand and die on beaches, and some bleed from their eyes and ears (hemorrhages), with severe lesions in their organ tissue
- Sonar can interfere with the ability of marine mammals to navigate, avoid predators, find food, care for their young, and ultimately, to survive (NRDC)



The Tough Decision

What do you do when you're a loyal Navy veteran, but you find out that the Navy is responsible for the stranding of whales?

- Balcomb had to cut off the heads of dead beaked whales and delivered them by plane to Harvard Medical School
- He went to a press conference held by NRDC at the National Press Club
- He brought photographs and videotapes to share his findings
- Eventually he had to go public and decided to be interviewed on *60 Minutes* in order to force the Navy to do an investigation on his claim



NRDC/ Reynolds vs U.S. Navy

- Recognized the connection between Navy sonar and whale deaths in 1995, but he needed physical evidence...and 5 years later, Balcomb came along
- Reynolds' goal was to get the Navy to comply with environmental laws that protect marine mammals (the Marine Mammal Protection Act, the Endangered Species Act..)
- The Navy had never applied for permits (secretive due to the Cold War)
- U.S. Navy's own investigation concluded that they caused the beached whales in the Bahamas
- The Outcome: The legal battle over military sonar culminated in the U.S. Supreme Court in 2008; Supreme Court ruled in favor of the Navy, but this was the only case the Navy won; decision was a "soft landing" and gave the Navy due deference



Factors to Consider

- During the 2008 decision, “**national security** outweighed the **whales’ legal protections**”
- However, the Navy can train and defend us, and whales do not have to die for training purposes
- Solutions: simulation programs, geographic and seasonal exclusions (if there’s a resident population of vulnerable whales, the Navy does not train there)
- Precautionary Principle!
- The Navy is applying for permits unlike before; playing by the rules
- They aim to be good stewards of the ocean
- Noise pollution occurs through international shipping and oil and gas exploration; the Navy should share their noise-quieting technologies for ships



[https://vimeo.com/oceancare/
underwater-noise](https://vimeo.com/oceancare/underwater-noise)

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