

Bushwhacking the whales

Fortunes fluctuate in the long running battle between the US Navy and conservation groups, who are anxious to protect whales from high sound levels of active sonar. Developments in quietening engines make it increasingly difficult to detect submarines at a distance by using passive sonar, which picks up sound radiated into the water. With active sonar, high levels of sound are pulsed through the oceans in the hope of picking up a faint reflection. Although the attenuation of sound in seawater is much lower than that in air, and also reduces with lower frequencies, extremely high levels are required to transmit and receive back over target distances in excess of 200km, as is possible with low frequency active sonar, typically operating in the 200Hz to 1000Hz range. Other active sonars use higher frequencies. There are consistent reports of beached and injured whales following tests of high intensity active sonar, which might produce underwater levels up to 230dB (re 10⁻⁶ Pa at 1m)¹. It is not easy to imagine ourselves in the place of the whales, and other cetaceans, in busy shipping areas during tests of active sonar, but an analogy might be with people who have the misfortune to live alongside a motorway, which is also next to a major airport, with a quarry nearby from which there is constant noise of blasting.

Whale-loving conservationists have taken legal action against the US Navy to stop the use of active sonar, except under very controlled conditions and in specified locations. Sometimes they have won their case and a Judge has banned use of the sonar. Other times they have lost on appeal. But the President has stepped in and, following a court victory for Californian conservationists, in mid January issued a directive exempting Naval training missions off the coast of Southern California from complying with key environmental laws, stating that the exemption “will enable the Navy to train effectively and to certify carrier and expeditionary strike groups for deployment in support of world-wide operational and combat activities, which are essential to national security.”²

Conservationists claimed that President Bush exceeded his constitutional authority in issuing the decree and that he was placing himself above the law. Early February, they were backed by Judge Cooper in the Californian Court, who ruled that there was no reason to exempt the Navy from the inhibiting injunction previously placed upon it, which controlled the use of sonar within a 20km zone off the coast of Southern California and required it to be switched off if marine mammals were spotted within 2km.

This round has been won by the whales, but how will the next one go.....?

CANADIAN CLASSROOMS

A newly released study found that many classrooms had poor quality acoustics and that children were often working in below standard classroom listening conditions. Results from a Canadian Language and Literacy Research Network study show that one in six words is not understood by the average Grade 1 student due to excessive background noise and poor acoustics in Canadian classrooms.

¹Caution. Underwater decibels do not have the same significance as decibels in air!

²<http://www.whitehouse.gov/news/releases/2008/01/20080116.html>

noise
notes

LONG ISLAND CHILDREN

A judge in Long Island has dismissed a case against a couple who faced jail because their children allegedly played too loudly around their backyard pool. William and Rachel Poczatek, of Bayville, were accused of violating a village noise code after neighbours complained that their daughters, ages 8 and 11, made too much noise frolicking in their backyard . Judge John O. Kennedy threw out the case after Village Prosecutor James Reilly joined with the couple’s attorney, Andrew J. Campanelli, of Mineola, who asked that the charge be dismissed. “I think the village did the right thing,” said William, 43. Rachel, also 43, added, “It shouldn’t have come to this point.” Neighbour Mark Kostakis, 40, who had complained about the girls, said last night, “The wrong ordinance was written.... Does this give them the right to do whatever they want? You’ll have to ask them.” Kostakis said earlier this week he had complained to the family and the village for nearly three years and started recording the din last month after village officials instructed him to document his complaints, he said. “I don’t want it to escalate. I want peace and quiet,” Kostakis said. His wife, Angie, 44, said they had bought the camera to document the case. “It’s not about the children. It’s about the parents who have blatant disrespect for the neighbours,” she said. The Poczateks were charged with violating a provision that bars “the shouting and crying of peddlers, hawkers and vendors, which disturbs the peace and quiet of the neighbourhood.” If convicted, the couple could have been fined \$250 or sent to jail for 15 days, or both for each day that the offence continued. Caroline Bourke, 53, who lives behind the Poczateks, also has complained, but said last night she wasn’t surprised the case was thrown out. “I guess these days, there are going to have to be new ordinances,” she said. Mayor Victoria Siegel said she wasn’t happy about children not being able to play in their backyard, but maintained that “something had to be happening in order for people to have complained.” Several neighbours who live behind the Poczateks’ Perry Avenue home on Plymouth Road said that the children are indeed a nuisance. The children scream at the top of their lungs and go on for hours on end, said Sheila Brown, 48. “I could have 10 friends over that don’t make as much noise as those two kids,” she said. On May 7, a village code enforcement officer issued William Poczatek a notice of violation, citing his children’s “loud screaming, shouting” as an “unreasonable nuisance to neighbours.” When the Poczateks held a party for their 11 -year-old daughter and her friends, the following day, they received a summons to appear in court.

NUISANCE OR PROGRESS ?

Owners of the West Coast Motel in Tofino, BC, Canada, are asking the District of Ucluelet to change its noise bylaw. Jeff and Brenda Mathieson said, in a letter presented to the council they are not pleased because the current bylaw allows construction to run from 7 a.m.to 10 p.m. “At the moment, we are living with dynamite blasting and rock excavation within 30-40 feet of our motel units,” they said. They said their guests are being woken up by “the Moorage” development’s loud dumping and blasting at 7 a.m. and being kept up as late as 9 p.m. As a result, some guests have said they’ll go elsewhere. The Mathiesons feel the current bylaw should clearly state what type of construction is allowed at 7 a.m. “Swinging a hammer at 7 a.m. is certainly quite a bit different than drilling and blasting and excavating rock at 7 a.m.,” they said. Coun. Eric Russcher said he agrees and looks forward to speaking with the couple at the next council meeting. Mayor Dianne St. Jacques said she understands the challenges each side faces. She said council will definitely schedule a time to meet. “There’s certainly many things to talk about.” Coun. Dario Corlazzoli said time restraints can be hard on construction deadlines, and the noise is unfortunate but is part of progress.

HOTEL CUSTOMERS

A recent J. D. Power and Associates guest satisfaction survey found that hotel customers said noise was their top concern in every hotel segment except the luxury niche, where noise is constructed out of the equation.