

Evaluation and Management of the Noise Impact on Marine Mammals in Venezuela – Legal and Technical Aspects

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Abstract

In Venezuela, the legal and regulatory framework includes a series of instruments related to the conservation of natural ecosystems. Accordingly, the Venezuelan State's duties include assuring the conservation and sustainable use of ecosystems and natural resources, as well as to increase both the quality of the human life and of the environment. In a general sense, no specific regulations have been promulgated for the protection of marine mammals. Nevertheless, based on such instruments as the “*National Constitution*”, “*Organic Law of Environment*”, “*Environment Criminal Act*” and “*Biological Diversity Act*”, the Venezuelan State is providing a reference for the protection of the marine habitat and species, including the obligation to prevent, mitigate or correct environmental impacts of economic activities. On the other hand, the Presidential Decree 1257 that deals on “*Guidelines on environmental evaluation of potentially degradative activities*” provides a more specific foundation for evaluating and regulating the impact of sound on cetaceans. Two kinds of activities are considered of special interest for taking into account for conservation and management purposes: 1) Oil and gas exploration/production and 2) Maritime traffic. On the basis of the before-mentioned Decree, since 2002 the MARN authorities have included the evaluation of the effect of sound on cetaceans in the Terms of Reference of Environmental Impact Assessments, Specific Environmental Assessments and Baseline Studies related to the oil industry offshore activities.

Up to the present, the presence of independent observers and MARN officers on board vessels during two seismic surveys reached 1264 hs of effort and yielded 117 cetacean sightings. According to this preliminary results, behavioral changes and/or avoidance reactions have been observed only in mysticetes. Though no research effort is being made currently on the effect of other sources of human-generated sound on these species, specific regulations are being developed jointly by the MARN and non-governmental organizations.