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Judge to Navy: Limit sonar training

STORY HIGHLIGHTS

- President Bush decided to ex
- Environmentalists fought use
- Judge: Navy not "exempted"

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LOS ANGELES, California (AP) -- The Navy must follow environmental laws placing strict limits on sonar training that opponents argue harms whales, despite President Bush's decision to exempt it, a federal judge ruled Monday.



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A federal judge ruled that the Navy must limit sonar training that some say hurts whales.

The Navy is not "exempted from compliance with the National Environmental Policy Act" and a court injunction creating a 12 nautical-mile no-sonar zone off Southern California, U.S. District Judge Florence-Marie Cooper wrote in a 36-page decision.

"We disagree with the (exemption) judge's decision," White House spokesman Tony Fratto said. "We believe the (exemption) orders are legal and appropriate."

Navy spokeswoman Lt. Cmdr. Cindy Moore said the military was studying the decision.

The president signed a waiver January 15 exempting the [Navy](#) and its anti-submarine warfare exercises from a preliminary injunction creating a 12 nautical-mile no-sonar zone off Southern

California. The Navy's attorneys argued in court last week that he was within his legal rights.

Environmentalists have fought the use of sonar in court, saying it harms whales and other marine mammals.

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"It's an excellent decision," said Joel Reynolds, attorney for the National Resources Defense Council, which is spearheading the legal fight. "It reinstates the proper balance between national security and environmental protection."

The Navy last week wrapped up a training exercise by the carrier strike

group of the USS Abraham Lincoln in which sonar was used. There are currently no task force training exercises off the coast of California using sonar.

When he signed the exemption, Bush said complying with the law would "undermine the Navy's ability to conduct realistic training exercises that are necessary to ensure the combat effectiveness of carrier and expeditionary strike groups."

Said Reynolds: "I've always felt that the president's actions were illegal in this case, and the judge has affirmed that point of view with the decision today." [E-mail to a friend](#) 

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