

## Sound exemptions

*by The San Diego Union-Tribune*

To bash President Bush for exempting the Navy from two environmental laws on national security grounds is to ignore the imperative for those exemptions.

The president's justifiable reasons for acting negate the impact of a misguided suit led by the environmentalist group Natural Resources Defense Council, a representative of which says the Navy kills whales with its sonar training "for the sake of convenience."

And they negate unreasonable rulings by a federal judge. Her initial order prohibited sonar training in the Navy's ongoing exercises off the Southern California coast. After an appeal, she merely crippled those exercises with unneeded mandates. The suit and the judge ignored the Navy's extensive procedures, based on science, to protect marine life. They also ignored the national security need for expertise in the sonar that best detects the new "silent" submarines and mines.

The Navy has been spending \$10 million a year for university and ocean research on this sonar's impact on sea life. Since the one proven instance in 2000 of a whale's beaching itself because of sonar training, the Navy has developed 29 measures to minimize adverse effects.

When the NRDC, the California Coastal Commission and a federal district court maintain that "the Navy can carry out its mission as well as protect the whales" - but only under these opponents' direction - we have to wonder at their blithe dismissal of the Navy's protections and their dubious assumption of their own superior knowledge of the Navy's needs.

The Constitution provides for the common defense. Our world has always required a well-trained military. Pit sailors' welfare in training and war against whales' health and sailors win. The Navy is trying to avoid that choice. Environmentalists and courts should, too.

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