

CITIZENS OF EBHEY'S RESERVE

protecting our land, homes, and health

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COER files response to Magistrate's recommendation on Preliminary Injunction

Seattle, WA – Attorneys for Citizens of Ebey's Reserve (COER) have filed a response to the federal magistrate's adverse recommendation in COER's request for a preliminary injunction. COER seeks to enjoin the Navy from increasing and shifting Growler jet flights above the number of operations that existed before the Record of Decision was issued in March.

This request for relief action would precede the ultimate conclusion of the State of Washington and COER's National Environmental Policy Act (NEPA) lawsuits against the Navy. Magistrates assist District Court Judges in the performance of their duties and can make recommendations but not final rulings. Judge Jones will consider the Magistrate's recommendation along with COER's response when he ultimately makes a decision on COER's preliminary injunction request. It is anticipated that the Judge will rule in late September or October. Following that decision, the parties will begin briefing the issues in the National Environmental Protection Act (NEPA) lawsuits.

Bob Wilber, President of COER, commented "preliminary injunctions against the military are very hard to achieve, but as citizens, we have few peaceful options open to us and it's our responsibility to push the courts for equity, balance and justice. The U.S. Supreme Court has severely limited courts' abilities to enjoin the military. COER pursued a preliminary injunction because our communities are suffering from expanded Growler training and jet noise over our homes, businesses, schools and the hospital. This has been especially difficult for families and business during the pandemic because everyone is sheltering at home to be safe. Increased noise has added more stress to the lives of over 337,000 people in five counties of Northwest Washington. COER remains committed to taking any and all actions possible to bring relief to our communities suffering from jet noise from an out-of-balance expanded Navy mission." Wilbur concluded, "We thank the thousands of people throughout the region who have supported COER and our preliminary injunction action. We remain optimistic that the people will ultimately prevail on the merits in this case."

For more information about COER, the Citizen's of Ebey's Reserve's Objection to the Magistrates Recommendation to Deny the Motion for Preliminary Injunction, or how you can help, visit COER's website at citizensofebeyreserve.com.

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