



Press Release

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FOR IMMEDIATE RELEASE:

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Environmental Groups Sue San Diego Water Board

Conditional Approval of Desalination Plan is Improper Under State Water Law

SAN DIEGO, CA – Thursday afternoon, San Diego Coastkeeper and the Surfrider Foundation filed a civil lawsuit in San Diego Superior Court challenging the San Diego Regional Water Board's conditional approval of the Carlsbad desalination project. After repeatedly advising the Board of inadequacies in the project's review process, the groups were left with no option after the State Water Board denied an administrative appeal of the project approval late last month.

Under state law, the Regional Board is required to analyze project proposals to determine whether they will employ the best site, design, and technology. Both San Diego Coastkeeper and Surfrider repeatedly raised concerns about the lack of analysis by the Board, yet the agency refused to give the project the required scrutiny. Indeed, no other potential sites for the desalination plant were studied. Hence, the Board illegally approved the project with sufficient knowledge of likely impacts, alternatives, or feasible mitigation measures.

"Without knowing what the impacts of the plant will be, or how to avoid them, the Board could not responsibly approve the project," stated Gabriel Solmer, Legal Director of San Diego Coastkeeper. "It's common sense, and the law, to know what you're approving before you sign off on it."

When it approved Poseidon's so-called mitigation plan, the Water Board acknowledged significant important information was lacking. Nonetheless, the Regional Board chose to

conditionally approve the plan, subject to submission of a new, complete plan with amendments within six months of the conditional approval.

“This was the third version of the plan, and it was submitted seven months after the original permit was issued,” noted Surfrider’s attorney, Marco Gonzalez of Coast Law Group LLP in Encinitas. “You would think that would be enough time to get all the required analysis and detail into the document.”

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Founded in 1995, San Diego Coastkeeper protects the region’s bays, beaches, watersheds and ocean for the people and wildlife that depend on them. We balance community outreach, education, and advocacy to promote stewardship of clean water and a healthy coastal ecosystem.