



FOR IMMEDIATE RELEASE

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Court Rejects Magic Mountain's Attempt to Deprive Santa Clara River Of Its Day in Court

September 12, 2013 (Los Angeles, CA) — Despite Magic Mountain's attempt to dismiss several claims from the lawsuit filed against them for discharging stormwater pollution into the Santa Clara River, Los Angeles Waterkeeper, Ventura Coastkeeper, Wishtoyo, and Friends of the Santa Clara River (the "Coalition") will be moving forward with their case in court.

"We are relieved the Court saw through Magic Mountain's latest attempt to evade responsibility for the pollution it contributes to the Santa Clara River," said Liz Crosson, Executive Director of Los Angeles Waterkeeper. "LA Waterkeeper and our partners are committed to ensuring that Magic Mountain stops discharging toxic metals, bacteria and trash to this very special river and habitat."

With their notice of intent from April 2012, followed by a complaint in June 2012, the groups seek to hold the amusement park accountable for the illegal discharge of thousands of gallons of untreated stormwater runoff and trash into the Santa Clara River and, ultimately, the Pacific Ocean. In response, Magic Mountain filed two motions asking the court to throw out several claims pressed by the groups, including the claims alleging the amusement park continuously discharges toxic metals, bacteria and trash in violation of the Statewide General Industrial Stormwater Permit. In its September 9, 2013 ruling on these motions the court flatly rejected Magic Mountain's arguments, giving the groups the green light to pursue their case on the merits and prove that Magic Mountain is liable for violating its Clean Water Act permits by discharging stormwater pollution into the Santa Clara River.

"It is disappointing that Magic Mountain refuses to commit to preventing its trash from spilling into the Santa Clara River, and desires a right to discharge toxic levels of metals in its stormwater runoff without even being held to legal limits it can meet by implementing treatment and pollution prevention measures. Trash, and metals like copper, aluminum, lead, and zinc in the Facility's discharges threaten the River's species and degrade its aesthetic, recreational, and cultural uses," says Jason Weiner, Staff Attorney of Wishtoyo and its Ventura Coastkeeper Program.

Flowing approximately 116 miles from the headwaters of the San Gabriel Mountains to the Pacific Ocean through a 1,600 square mile watershed, the Santa Clara River is southern California's last naturally flowing major river system. In addition to being the largest wild river remaining in southern California, the Santa Clara River is home to as many as 17 species listed as threatened or endangered by state and federal governments, including the Southern California Steelhead, and provides unmatched recreational, cultural, aesthetic, and spiritual opportunities and resources in the region.

"The Santa Clara River is a cherished resource for native wildlife and for all the people who use and visit it. We must protect the River from Magic Mountain's discharges," said Ron Bottorff, Chair of the Friends of the Santa Clara River. Mati Waiya, Executive Director of the Wishtoyo Foundation and its Ventura Coastkeeper Program, adds that "The Santa Clara River must be protected from Magic Mountain's long standing egregious discharges that harm the River's native wildlife and endangered species, the Chumash People's cultural practices and ceremony, and the communities living alongside the Santa Clara River from Santa Clarita to Piru, Fillmore, Santa Paula, Saticoy, Ventura, and Oxnard."

ABOUT LOS ANGELES WATERKEEPER

Founded in 1993, LA Waterkeeper's mission is to protect and restore Santa Monica Bay, San Pedro Bay, and adjacent waters through enforcement, fieldwork, and community action. We work to achieve this goal through litigation and regulatory programs that ensure water quality protections in waterways throughout L.A. County. LA Waterkeeper's Litigation & Advocacy, Marine, and Water Quality teams conduct interconnected projects that serve this mission.

ABOUT WISHTOYO AND ITS VENTURA COASTKEEPER PROGRAM

Founded in 1997, the Wishtoyo Foundation's mission is to preserve, protect and restore Chumash culture, the culture and history of coastal communities, cultural resources, and the environment. Ventura Coastkeeper, a program of Wishtoyo, protects, preserves, and restores the ecological integrity and water quality of Ventura County's inland water bodies, coastal waters, and watersheds.

ABOUT FRIENDS OF THE SANTA CLARA RIVER

Friends of the Santa Clara River formed in 1993 and is dedicated to the protection, enhancement and management of the resources of the Santa Clara River.