

Los Angeles Waterkeeper Sues to Stop South Bay Desal

Watchdog group files lawsuit challenging West Basin's inadequate Environmental Impact Report

FOR IMMEDIATE RELEASE

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Los Angeles, CA (December 19, 2019)—Yesterday, Los Angeles Waterkeeper filed a lawsuit to prevent the West Basin Municipal Water District from moving forward with its proposed 20 million gallons-per-day* ocean desalination facility on the coast in El Segundo, CA.

The lawsuit challenges West Basin's Environmental Impact Report (EIR) for the project, which LA Waterkeeper contends falls significantly below the standards required of it by the California Environmental Quality Act. In its claim, LA Waterkeeper (LAW) cites a myriad of deficiencies within the EIR, including its failure to adequately analyze alternatives, reliance on false assumptions, and omission of the harmful impacts of the desalination facility.

Along with numerous other shortcomings, LAW is alleging that West Basin fails to sufficiently analyze or address the project's impacts on our climate and marine ecosystems, as well as the environmental justice impacts from poor air quality and rate increases associated with the plant. According to an analysis commissioned by LAW, the proposed plant will add an estimated 44,702 metric tons of CO₂e into our atmosphere every year**—the equivalent to the emissions associated with adding two Hermosa Beach-size cities to the grid—and will cost at least \$480 million to build the facility (not including operations & maintenance or financing). LAW also contends that the project falls outside land-use requirements for the area, and that West Basin failed to properly address the 200+ comments received by the agency during the EIR review period.

"We refuse to let West Basin move forward with a project knowing that ratepayers, our climate and marine environment will pay the price," states Bruce Reznik, Executive Director of Los Angeles Waterkeeper. "A price that we, quite frankly, cannot afford in the face of climate change and the decline of our world's oceans."

"It is a shame that in their quest to build a desal facility, West Basin chose to ignore the many superior alternatives available to meet the water demands of its customers in a sustainable way," says Kelly Clark, an attorney for LAW. "They also chose to ignore comments from numerous public agencies, customers and dozens of environmental and community groups concerned about LA's future."

Recognizing the need for a more renewable local water supply, LAW has long encouraged West Basin to pursue smarter water options—including expanding its existing water recycling capabilities—before pursuing a fiscally and environmentally reckless ocean desalination plant.

Ocean desalination is the most energy-intensive, climate-impacting, and expensive water supply option in LA and should be an option of last resort. "West Basin has proposed a 1970s solution to a 2019 problem," states Arthur Pugsley, lead attorney on the case. "We refuse to stand by and allow such harmful and flawed developments to occur. Los Angeles deserves better."

LAW's in-house counsel will be coordinating with Michelle Black of Chatten-Brown, Carstens & Minter on this suit.

**If West Basin pursues their regional project, the capacity is estimated to be 60 million gallons- per-day.*

***Powers Engineering, 2018. Assessment of Energy Intensity and Greenhouse Emissions of Proposed West Basin Desalination Plant and Water Supply Alternatives.*

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Los Angeles Waterkeeper (www.lawaterkeeper.org) safeguards LA County's inland and coastal waters by enforcing laws and empowering communities.

Chatten-Brown, Carstens & Minter (<http://www.cbcearthlaw.com/>) is a public-interest oriented law firm specializing in environmental and land use law.