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WATER: New lawsuit filed to halt desal project

Environmental groups sue Carlsbad, Poseidon Resources

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Opponents of the desalination plant proposed in Carlsbad have filed a new lawsuit seeking to block it, the latest of five filed over its six-year history.

Filed Friday in Superior Court for the county of San Diego, the suit says that the city of Carlsbad failed to adequately review the project's likely harm to the coastal environment when approving changes to the project.

Poseidon Resources Corp., which is scheduled to begin construction on the project in the next few weeks, replied in a statement that the lawsuit is based on "tired arguments" already rejected in previous lawsuits.

San Diego Coastkeeper and Coastal Environmental Rights Foundation, the groups that filed the suit, alleged that Carlsbad wrongly approved changes to the project on Sept. 15 without performing a legally required environmental review.

The lawsuit makes three main requests of the court:

-- To halt "all construction, approvals, permit processing or any other activities," related to, or depending on, the city's approval of the desalination project.

-- To order the city to set aside its project approval.

-- To order that desalination project activities remain suspended until the court rules that the city has fully complied with the California Environmental Quality Act.

Poseidon's statement said the allegations are false, and that the project has endured numerous reviews and lawsuits aimed at stopping it.

"This latest lawsuit involves the final design approvals for the project, which merely involve improvements and enhancements that allow the project to have a smaller footprint on the site and operate more efficiently," the statement said.

The desalination project is planned for construction next to the Encina Power Station, adjacent to the coast of Carlsbad. Poseidon has said construction will begin by Nov. 14, when a critical permit from the California Coastal Commission will expire if not acted on.

If constructed, the plant will have a capacity of making 50 million gallons a day of drinking water, about 9 percent of countywide demand, from ocean water.

The project is supported by the city and other local government agencies as an important new source of water for drought-prone Southern California.

However, Coastkeeper and other environmentalist opponents say the project will unduly harm the environment, by killing sea life taken in through pumps or trapped against intake screens. In addition, they say the project will use a large amount of energy and generate nearly 100,000 metric tons of carbon dioxide emissions per year.

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