

CLIENT SUCCESSES | MAY 13, 2016

BB&K Secures CEQA Appellate Victory in Water Project

Six Challenges to Public-Private Partnership Effort Overcome

A team of Best Best & Krieger LLP attorneys, led by Partner Michelle Ouellette and including Sarah Owsowitz and Jennifer Lynch, helped to secure a sweeping appellate victory against six lawsuits challenging a proposed water transfer public-private partnership project. The Fourth District Court of Appeal upheld the project on May 10, 2016, finding that challenges brought under CEQA and other laws lacked merit.

The attorneys represent the Santa Margarita Water District, which is partnering with private landowner, Cadiz, Inc., to pump fresh groundwater from an aquifer in the Mojave Desert. The water would otherwise become unusable after mixing with highly salinated brine water and evaporating. The project will prevent the waste of water and transport it to water customers in Los Angeles, Orange, Riverside, San Bernardino and Ventura counties.

Lawsuits alleged the project was improperly approved under CEQA, and claimed the District was wrongly designated as the project's lead agency. San Bernardino County's approval of the project was also unsuccessfully contested. In a detailed analysis, the appellate court rejected the challenges — thus bringing the project closer to fruition at a time when the region is desperate for innovative projects like these to boost water supplies.

Read More

- [“Sweeping Six-Case Win for Water District,” BB&K Legal Alert](#)
- [News reports and analysis of the opinion](#)
- [Center for Biological Diversity et al. v. County of San Bernardino, et al., Fourth District Court of Appeal, G051058](#)

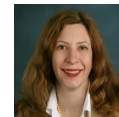
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