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LOCAL GROUP CHALLENGES CONTROVERSIAL I-5 WIDENING PLAN IN SAN DIEGO CO.

Cleveland National Forest Foundation Challenges Massive Freeway Widening Project That Would Cause Severe Climate Change Impacts

San Diego – The Cleveland National Forest Foundation (CNFF) filed a lawsuit against the California Department of Transportation (CalTrans) yesterday in San Diego Superior Court. The case aims to prevent the expansion of the I-5 freeway along coastal San Diego County. The lawsuit alleges that CalTrans did not comply with state environmental law when it approved the Interstate 5 North Coast Corridor Project and asks the court to delay any construction activities until it has an opportunity to evaluate CNFF's concerns about the project.

“CalTrans is stuck in a 1950s mentality, where building more and bigger freeways is seen as the solution to congestion,” said Jack Shu, president of CNFF. “Studies and our own experience in Southern California have proven that widening freeways only accomplishes one thing: enticing more single-occupancy vehicles onto the road. If CalTrans really wants to reduce congestion through High Occupancy Vehicle (HOV) lanes, all it needs is some signs and paint. The infrastructure costs and long-term public health and public safety impacts associated with this project far outweigh the short-term benefits it might provide.”

The I-5 North Coast Corridor Project would add four “managed lanes” to a 27-mile stretch of Interstate 5 north of San Diego up through Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside. While these lanes would be accessible to carpools and busses, they would also be used by single-occupant vehicles for a fee.

CalTrans projects that, with the expansion, the number of vehicles on the freeway will rise by approximately 50% from current levels, resulting in 140,000 more vehicles per day on some sections of the freeway. Along with increased traffic, the freeway expansion will increase air pollution in the region, which already gets a failing grade from the American Lung Association. The massive expansion will also trigger a surge in greenhouse gas emissions, in direct conflict with state laws calling for aggressive emissions reductions, and stimulate sprawl development, threatening the region's open space and wilderness areas.

The lawsuit alleges that CalTrans, as lead agency, did not adequately analyze and mitigate for these impacts in the Final Environmental Impact Report (FEIR) approved for the project. More than 5,000 comment letters by groups ranging from community and environmental groups to the California Coastal Commission and the U.S. Department of the Interior raised concerns about the project, yet the FEIR did little to address these issues.

Equally troubling, CalTrans did not release the FEIR to the public until *after* it had approved the project. “Given the level of controversy around this project, CNFF has serious concerns with CalTrans’ failure to allow public participation with respect to this vital document,” Shu stated.

“We are asking the court to stop CalTrans from rushing ahead with this damaging project, whose financial and environmental costs far outweigh any projected benefits,” commented Rachel Hooper, attorney with Shute, Mihaly & Weinberger, LLP, who represents CNFF in the case. “CalTrans based its decision to allow the freeway expansion on a flawed environmental document, one that improperly downplayed the project’s actual impacts. If the true extent of environmental harm had been disclosed, there might well have been an entirely different outcome.”

Community opposition to the freeway widening has been strong since the project was first proposed in 2004. In addition to the air quality and climate change-inducing impacts emphasized in this lawsuit, concerns over loss of scenic vistas (the project includes plans to erect sound walls along the expanded corridor that would block ocean views), economic impacts due to increased traffic and lost regional tourism-related revenue, and investment in car-oriented transportation at the expense of public transit have been cited by project detractors as significant impacts that must be mitigated.

“The bottom line is that the cost of expanding the I-5 is much greater than the wasted public dollars that would be invested in the construction project itself,” added Shu. “The degraded air quality from the project’s increased traffic will generate enormous health care costs as a result of increased cancer and asthma rates. The project will continue to lock us into an auto dependent economy with substantial amounts of capital leaving our region. Families will have to devote more of their budgets than necessary on transportation costs. It’s a bad deal for San Diegans, and it sets us on the wrong course for generations to come.”

To view the complaint or to arrange interviews with Mr. Shu or Ms. Hooper, contact Severn Williams at 510-336-9566 or sev@publicgoodpr.com.

The Cleveland National Forest Foundation is a nonprofit group dedicated to preserving the plants, animals and other natural resources of Southern California mountains by protecting the land and water they need to survive. For more information, see: www.cnff.org and www.transitsandiego.org.

Shute, Mihaly & Weinberger LLP is a law firm specializing in land use, natural resource, environmental, and governmental law. Since 1980, the firm has provided public agencies and community groups with the highest quality legal representation, offering an array of litigation, counseling and planning services. For more information, see: www.smwlaw.com.

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