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# Lawsuit Claims Maritime Industry Lied About Barrio Logan Referendum



Photo by [Sandhya Dirks](#) / KPBS

Above: Environmental Health Coalition executive director Diane Takvorian speaks at a press conference announcing the lawsuit outside of the San Diego Hall of Justice.

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By [Sandhya Dirks](#)

The proponents of a new community plan in the largely low income Latino neighborhood of Barrio Logan are fighting back against a referendum effort they claim is illegally lying to voters.

The [maritime industry has balked against the community plan](#), even as it passed San Diego City Council

on a 5-4 vote.

It says the plan would directly threaten San Diego's shipbuilding industry and could lead to the end of lucrative Navy contracts.

Over the past two months, the maritime industry has waged a [referendum campaign](#), paying signature gatherers to be out in full force across the city. (They need John Hancocks on [two petitions](#) to put the full community plan on a citywide ballot.)

Industry supporters say they've turned in 50,000 unverified signatures to the City Clerk's office -- about 15,000 more than is needed. That's for the first drive; they report similar success on the second.

Now the Environmental Health Coalition, which championed the new community plan, is striking back, claiming the signatures were obtained with misleading information and even lies.

If a judge agrees, the ruling would "invalidate the referendum process," according to Livia Borak, the lawyer filing suit on behalf of the EHC.

"There are strict timelines on how long you have to obtain signatures," she said. "If they did it unlawfully and they got it wrong, that's their shot."

In other words, Borak said, there are no do-overs.

The EHC notes multiple instances of signature collectors stretching the truth regarding the community plan. The media have also reported on signature gatherers making untrue claims, including Voice of San Diego's Scott Lewis, [who got into a heated discussion with a signature gatherer](#) over the Navy's position on the plan.

Outside an Albertsons yesterday, I witnessed [signature gathers inform people repeatedly that condominiums were planned to be built](#) in the area closest to the shipyards, which simply is not true.

Tensions over the new Barrio Logan Community Plan are isolated to a few blocks that separate the shipyards from the residential neighborhood, an area often called a buffer — or transition — zone. In this area, no residential units would be allowed. New commercial businesses that supply the shipyards would be allowed to set up shop, but only after going through a permitting process. Existing residences and businesses would both be grandfathered in.

The EHC's Georgette Gomez said the permitting process would make sure only commercial businesses that don't pollute the neighborhood should be allowed in the zone to make it a true buffer, creating space between heavy industry and families and schools.

Gomez said businesses the maritime industry wants to allow in the buffer zone aren't just shipyard supply companies.

"Some of the suppliers that they are trying to protect, in fact, are not suppliers. They are master platers, they are heavy industry," Gomez said.

She said the community is particularly wary of industry after years of lax zoning created a space where

polluting companies and residents were allowed to live side-by-side. She said that directly caused higher rates of asthma and illness in Barrio Logan.

But the shipyards say that the permitting process would be cost-prohibitive and trickle down to the ship repair industry, ultimately costing jobs.

Port of San Diego Ship Repair Association president Derry Pence called the lawsuit “frivolous” and said the EHC and key supporter San Diego Councilman David Alvarez were trying to “silence the will of voters.”

“Make no mistake,” Pence said in a press release, “EHC’s goal is to kill the shipbuilding and repair industry by jamming as many houses as possible into an industrial area to create future land-use conflicts.”

Pence said his point was made by the fact EHC first supported a version of the plan that would have allowed houses in the buffer zone.

EHC’s Georgette Gomez said her group willingly gave up the residential part of the plan in a compromise brokered by Alvarez. She noted the compromise was a sign of willingness to work with the maritime industry to find a solution for residents and industry alike.

Now the resolution might come in a courtroom.

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