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Greens Fight Referendum in San Diego

By RENI ANGUELOVA

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SAN DIEGO (CN) - A coalition of environmental groups sued San Diego to try to stop an industry-backed referendum that wants to derail the Barrio Logan Community Plan Update, five years and millions of dollars in the making.

Barrio Logan, "one of the oldest and most culturally significant neighborhoods in the city," is home to about 4,300 people, most of them Latino, according to the lawsuit in Superior Court. Barrio Logan is between downtown and San Diego Bay, near Interstate 5.

The neighborhood is "plagued by collocation of incompatible environmental justice concerns," The Environmental Health Coalition claims in its lawsuit against the City of San Diego, the city clerk and registrar of voters.

Barrio Logan is "disproportionately burdened by multiple sources of pollution," according to California Office of Environmental Health Hazards Assessment. According to the lawsuit, children in the barrio suffer "2.5 times the average San Diego County asthma hospitalization rate."

In response, the city recently approved a Community Plan Update, "a blueprint and visioning document for the next 20 to 30 years."

But a consortium of ship-building businesses wants the Barrio Logan Community Plan Update submitted to voters in a referendum.

The plaintiffs claim that the industry, "in an attempt to derail five years and millions of dollars worth of planning, circulators and proponents of the referendum made false statements and misrepresentations to persuade voters to sign a petition to refer the BLCPU."

The plaintiffs claim that the false statements and misrepresentations violated the Elections Code. They want the referendum petition invalidated.

Among the false statements, the plaintiffs say, is that the Navy would leave San Diego if the plan was implemented.

The Navy has a neutral position on the update, the plaintiffs say.

Another false statement is that "46,000 jobs would be lost if the BLCPU is not repealed," though the plan actually would create 4,800 new jobs, according to its environmental impact report, the plaintiffs say.


Another false statement was that the plan would "close down shipyards and that condominiums, hotels, and low-income housing will be built in their place," resulting in "regulation and reduction of the shipyard workers' shifts," according to the complaint.

In fact, the plaintiffs say, the plan update "does not and cannot grant or result in any approvals for low income housing, hotels, and condominiums on Port tidelands."

The Port of San Diego Ship Repair Association is also named as a defendant and real party in interest.

The plaintiffs seek declaratory judgment, and want the signatures on the referendum petitions invalidated for false statements.

They are represented by Marco Gonzalez with the Coast Law Group, of Encinitas.

Among other things, the Barrio Logan Community Plan Update would establish buffers between areas with incompatible uses, and increase allowable housing density in selected areas. The barrio would be divided into five planning neighborhoods, with a transition area to separate residential areas east of Main Street from industrial areas west of Harbor Drive. 

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