

Mojave Desert: Judge rules in favor of water mining

Janet Zimmerman, Press-Enterprise, 5-2-14

A judge on Friday rejected legal challenges filed against a controversial plan to mine water from a desert aquifer and pipe it to cities across Southern California.

Orange County Superior Court Judge Gail Andler issued a brief decision that clears the way for the Cadiz Valley Water Conservation, Recovery and Storage Project 40 miles east of Twentynine Palms.

“Cadiz is grateful for the thorough and deliberate review by the trial court and the court’s validation of the environmental review,” Scott Slater, the company’s chief executive officer, said in a statement.

The ambitious proposal to pump an average of 50,000 acre-feet per year — more than 16 billion gallons — from beneath the remote valley was challenged by the Center for Biological Diversity, National Parks Conservation Association, San Bernardino Valley Audubon Society, Sierra Club San Gorgonio chapter and Delaware Tetra, a brine-mining operation in the area.

Ileene Anderson, a biologist with the Center for Biological Diversity in Los Angeles, said the decision may be appealed.

“We are very disappointed,” she said.

The groups challenged project approvals by the Santa Margarita Water District in Orange County and San Bernardino County supervisors, as well as the environmental review, environmental impact report and groundwater management plan.

In her decision, Andler expressed concern over the designation of Santa Margarita Water District as the lead agency.

“Nonetheless, the court is not persuaded that those concerns constitute sufficient grounds” to halt the project, she wrote.

Santa Margarita is one of the potential buyers of the water, as is the Jurupa Community Services District in Riverside County and five other agencies as far north as San Jose.

Critics accuse Cadiz of overestimating the amount of natural water — such as rain — that will seep into the ground and replenish the aquifer. They also say the operation will drain the desert’s precious water supply in the area between Joshua Tree National Park and the Mojave National Preserve.

Proponents say the project will spur economic growth by bringing a new source of water to a state plagued by drought.

Still at issue is a right-of-way application for a pipeline that would cross public land overseen by the Bureau of Land Management. A federal review may be required.