

Ballona Litigation Press Statement sent May 19, 2023

Thank you for your inquiry about the Ballona litigation.

This restoration project remains the best mechanism to revitalize the Ballona Wetlands for many future generations of Angelenos. It will bring outdoor space for connection with nature to a city center where it is deeply needed.

We would not characterize this as a rejection of the EIR. Far from it. Although the Court's decision is disappointing, the bottom line here is that the California Department of Fish and Wildlife (CDFW) prevailed on the majority of claims brought by the petitioners. Facts matter: Petitioners raised 10 claims and CDFW won completely on eight of them. Moreover, of those the petitioners did win, none require CDFW to revise the analysis already contained in the EIR or to do anything we hadn't already identified as something that might become necessary in the future. Importantly, the Court's ruling rejects all of the petitioners' challenges to the EIR's analysis of the project as currently designed, including the EIR's conclusion that the project would protect wildlife and expand rare habitat to support rare species. This project is good for wildlife in Los Angeles and the ruling agreed.

Regarding the flood control design issue, CDFW and the Corps intended to resolve the issue during the next design phase. We knew that if the Corps ultimately requires a different modeled flow than used for the EIR that we would need to work with the Corps to determine whether any changes would be required to the levee design. Also, if we need to change the levee design, we knew that we would need to assess the need for additional environmental review under CEQA. CDFW has said this transparently and repeatedly before and during the litigation. We welcome the Court's instruction on this limited part of the ruling.

It's a large and complex project. Again, however we move forward, we have already accounted for any uncertainty concerning the flood control modeled flow volume and planned to resolve it in the next phases.

See the [CDFW website](#) for more information.