

February 28, 1992  
REPORT TO THE HONORABLE  
MAYOR AND CITY COUNCIL

U.S.A. V. THE CITY OF SAN DIEGO  
U.S. District Court No. 88-1101-B

The Sierra Club's motion for a preliminary injunction designed to halt all construction on the South Bay Land Outfall (Big Pipe Project) was denied today by United States District Judge Rudi M. Brewster. The court ruled there was no subject matter jurisdiction to hear the matter and further indicated that the injunction request lacked merit since the project was an integral part of the proposed solution to the international border pollution problem.

Of equal significance, the court granted the City's request to vacate the previously imposed dates for completion of an outfall extension at Point Loma in light of the recent rupture. Instead the court set a March 20, 1992 hearing to review what additional time will be needed to analyze the integrity of the existing out-fall as well as alternative plans of extending or replacing the outfall.

Respectfully submitted,  
JOHN W. WITT  
City Attorney

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