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Final

Suit filed on toll road report

Environmentalists fault federal wildlife agency

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Environmentalists are challenging a U.S. Fish and Wildlife Service report that says extending a toll road to link Orange and San Diego counties would not irreparably harm endangered species.

They sued the federal agency yesterday, seeking to have a judge require a new biological opinion to replace the one issued in March. They allege that the Transportation Corridor Agencies, which want to build the 16-mile tollway, persuaded federal wildlife officials to ignore or downplay the road's significant environmental effects.

Lengthening state Route 241 would reduce traffic on Interstate 5 in southern Orange County, but it also would cut through San Onofre State Beach and a habitat reserve near San Clemente.

Fish and Wildlife Service officials stand by the accuracy of their report, said Jane Hendron, a spokeswoman for the agency's office in Carlsbad.

They concluded that the tollway will have some environmental impacts and recommended that the project's supporters "explore the feasibility of other alignment alternatives," Hendron said.

In February, the California Coastal Commission rejected plans to build the four-lane tollway extension. That decision is under review by the U.S. Commerce Department, which is involved because part of the toll road would be on federal land.

Yesterday, the Natural Resources Defense Council filed the lawsuit against the Fish and Wildlife Service in U.S. District Court in San Diego.

It acted on behalf of the Save San Onofre Coalition, which issued a statement saying that wildlife officials, at the behest of the Transportation Corridor Agencies, "selectively deleted scientifically damaging passages" from a draft of the biological opinion.

Those changes "smack of politics and political influence," said Damon Nagami, a lawyer for the Natural Resources Defense Council.

The lawsuit further alleges that the Fish and Wildlife Service report fails to address the tollway project's potential harm to rare species such as the arroyo

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SOURCES: ESRI; TeleAtlas;
Transportation Corridor Agencies

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► TOLL ROAD

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Local, federal agencies defend biological report

toad and southern steelhead trout, and that it espouses unproven mitigation measures to offset environmental damage.

Lisa Telles of the Transportation Corridor Agencies said the draft report's overall conclusion — that no federally protected species will be pushed to extinction by the toll road — is identical to the final report's findings.

Telles said the lawsuit is "basically a delaying tactic."

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A proposal to extend state Route 241 remains hotly contested. The project would reduce traffic congestion, but it also would cut through a nature reserve and San Onofre State Beach.