

DEL MAR, Calif. (KGTV) --There's a new chapter in the battle over the iconic land best known as the "Polo Fields" in Del Mar.

A lawsuit has been filed on behalf of the Friends of the San Dieguito River Valley, an environmental watchdog group, against the City of San Diego and Surf Cup Sports. The lawsuit is demanding the city set aside Surf Cup's lease until an environmental impact report can be completed.

Maggie Brown is president of the Friends of the San Dieguito River Valley which has been fighting to preserve the scenic open space just east of the Interstate and El Camino Real since 2004.

"It's a precious natural resource. We don't have a lot of open space and land, so we would like to preserve as much of it as possible. A lot of people would like to develop it. and we would like to see it in its natural condition.' said Brown.

The land has a long history. In 1983, Watt Industries deeded a portion of the land to the city in mitigation for building Fairbanks Ranch Country Club and golf course. Brown says at the time, the land was native scrub, chaparral, open space natural wetlands, wildlife habitat and a flood plain.

The original deed specified "passive and active non-commercial activities" not involving large assemblages of cars or people.

"Over the last 30 years, there's been massive increase in use of this property and more cars and more people all of which was not part of the grant deed," said Brown.

In 1986, the city signed a lease with the Fairbanks Polo Club. Last summer. Surf Cup Sports took over the lease. Neighbors have been using drones to capture the cars and crowds that gather on weekends. An Environmental Impact Report has never been required.

"All the cars that park here especially on big tournament weekends. You can park up to 2,200 cars here, and they are constantly coming and going on the roads, the traffic can back up, it's noise, it's traffic, it's a lot of people, and all of that runs straight off into the river," said Brown.

Surf Cup took steps to reduce traffic by widening the back entrance of off Via De La Valle. Brown worries the increased traffic through the back entrance, a dirt road along the river valley, is harmful to the sensitive habitat.

We feel like all the grading, all the bulldozing, all the new turf is damaging," said Brown.

Julie Hamilton is an environmental attorney representing the non-profit in the lawsuit.

"Environmental impacts are important to the birds and the bees, but they're also important to the humans, and this project has significant demonstrated impacts. What do you do with your roads? How do you keep all of the material that comes off of cars from washing into the river? Anybody else in this situation would be required to protect against those kinds of impacts, but the City of San Diego has somehow determined that this site, and this sensitive location isn't required to mitigate those impacts," said Hamilton.

The city won't comment on pending litigation, but a spokesman sent 10News the following email.

"When the project was reviewed by the City's Planning Department, it was determined this lease was not a project per the California Environmental Quality Act (CEQA), and therefore an Environmental Impact Report (EIR) was not required," said Arian Collins, Public Information Officer for the City of San Diego.

The attorney for Surf Cup Sports said the lawsuit is groundless.

"We do not need to do a full-blown environmental impact report because what this lease does is continue historic uses and so there will be no new environmental impacts as a result of this new lease, so we are exempt from CEQA," said attorney Scott Williams.

Williams says the use of the fields has not changed.

"In fact, the new lease doesn't permit anything that wasn't permitted before and the use of the polo fields has been remarkably stable over the last 20 years and it will continue that way, and there's no reason to think otherwise," said Williams, adding that a judge already rejected the group's motion for a restraining order to stop activity at the property. "They claimed they had video of the road being widened into this sensitive habitat. That's one of their big claims they raised that issue with the judge in our case and at city council hearing last July and, they raised it to the city prior to that time, and the city code enforcement investigated the claim and found it had no merit."

Hamilton said the FSDRV has had a difficult time getting the City of San Diego to police its own land.

"Despite clear evidence of grading within the floodplain, the City has refused to enforce the municipal code," said Hamilton.

Kids from all over the country compete during soccer tournaments held on the fields.

"San Diego has the opportunity to host really the elite soccer tournaments in the country and Surf, the Surf Organization is instrumental in that and the Polo Fields is instrumental in that. Frankly, it's sad and discouraging that folks are trying to interfere with just a wonderful youth opportunity," said Williams.

Brown insists the group isn't against kids playing soccer or polo. It's about being a good environmental steward.

"We feel the city is not a good steward of this land, because if they treasured the resource here and the surrounding river, the whole river valley, this is just one piece of it, but what this piece of it may be doing to the whole river valley and the river itself we would like to know," said Brown.

The case is expected to be heard in the fall.