



## PRESS RELEASE

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## Nonprofits sue County over largest development in area

Local group partners with state-wide organization for legal challenge

NIPOMO - The Nipomo Action Committee (NAC), alongside the San Luis Obispo chapter of the California Native Plant Society (CNPS), filed a lawsuit on Tuesday challenging the approval of the Dana Reserve housing project. NAC and CNPS contend that the County's approval of the Dana Reserve project violated the California Environmental Quality Act (CEQA).

"At 1,470 units, the Dana Reserve project is completely out of balance for the community of Nipomo," said Alison Martinez, Director of NAC. "The project has 19 significant unavoidable adverse impacts as identified in the Environmental Impact Report, including the removal of 3,000 oak trees. We simply reject the proposition that ripping out an old oak forest in order to build more luxury homes will meaningfully address our affordable housing shortage.

"Many other impacts from the project are as a result of the significant and unplanned population growth and will increase Nipomo's population by 25%. Without the sufficient infrastructure to support this huge increase, our existing and future citizens will suffer. This is unacceptable; Nipomo deserves better."

At the direction of the County Planning Commission, NAC, alongside the Nipomo Oak Alliance and the South County Advisory Council, worked diligently to develop an alternative plan to the Dana Reserve project that the community could support.

With remarkable unity, this community coalition embraced a proactive approach and proposed an alternative concept map to the developer and the County Board of Supervisors that would have built more than 800 homes while preserving more than 100 acres of oak woodland. A broad cross section of the Nipomo population supported this community plan evidenced by a petition with over 4,000 signatures.

Despite this genuine spirit of collaboration, the community alternative plan was summarily dismissed by the developer and the Board of Supervisors. On April 24, after a contentious hearing that spanned two days, the Board of Supervisors narrowly approved the Dana Reserve project as proposed by a 3-2 vote.

This approval came despite 4th District Supervisor Jimmy Paulding, who represents Nipomo, voting against the project arguing that the benefits of a project with just 30% of affordable housing did not outweigh the significant and unavoidable impacts.

Martinez continues “We made every effort to work with the developer and the County on a compromise that would have reduced impacts to the community and the environment all while providing more of the type of affordable housing our county actually needs,” said Martinez “The community plan was a real win-win for the developer and the community. Unfortunately, our good faith efforts were rejected, leaving us with no choice but to pursue legal action.”

Bill Waycott, past president of both the California Native Plant Society and its San Luis Obispo Chapter states “We are joining this lawsuit because we too believe the environmental impacts of this project are egregious and unacceptable. The County should never have considered approving this project as proposed.”

Waycott continues, “If allowed to go forward, this project would eliminate significant acreage of the Mesa’s oak woodland and maritime chaparral habitats, unique to the Nipomo area and some of the last remaining stands in San Luis Obispo County. The project’s mitigation plan is devious and a betrayal of trust, because it proposes protection of oaks located in the mountains east of Nipomo as a substitute for the 3,000+ oak trees destined for destruction within the development acreage.

“The two habitat areas exist miles apart, in different terrains, and have virtually nothing in common. Thus, this proposed property ‘swap’ clearly doesn’t compensate for the critical loss of precious oak woodland that Nipomo would have to bear. It is tragic, especially when it sidesteps the County’s oak tree ordinance, setting a dangerous precedent.”

NAC and CNPS are confident that the Dana Reserve project as approved by the County will not be built.

“Our lawsuit exposes the fatal flaws with the project’s Environmental Impact Report, and we feel confident that a judge will agree with us,” said Martinez. “Questions remain about the approval for the water allocation and cost sharing details are still not finalized. It remains unclear how much will be shouldered by the ratepayers. The Nipomo Community Services District will also have to approve the necessary annexing of this project into the NCSD boundary in order for the project to receive water.

“So many residents of Nipomo have educated themselves about the Dana Reserve and are overwhelmingly opposed. However, there are many more who are still not aware of the disastrous impacts this project will have on our community. This lawsuit will bring additional attention to the issues as we continue to work together and advocate for Nipomo. All our collaborative efforts have been exhausted, so we now seek to stop the project.”

NAC and CNPS’s efforts to protect Nipomo from the Dana Reserve project are supported by a growing list of local and statewide organizations including California Wildlife Federation/California Oaks, Sierra Club Santa Lucia Chapter, and North County Watch.

**ABOUT NAC:** The Nipomo Action Committee is a California 501(c)(3) nonprofit corporation that was formed in response to the Dana Reserve project. NAC’s mission is to maintain and enhance Nipomo’s rural character, unique biodiversity, cultural heritage and economic vitality which is essential for a sustainable quality of life for people, wildlife, native plants and trees for generations to come. Learn more at [stopdanareserve.com](http://stopdanareserve.com).

**ABOUT CNPS:** California Native Plant Society is a California nonprofit public benefit corporation. Its mission is to protect California’s native plants and their natural habitats, today and into the future, through public awareness, science, education, stewardship, gardening, and advocacy.