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SUPERIOR COURT JUDGE TO RULE ON LEGALITY OF SANTA BARBARA RANCH (AKA NAPLES) DEVELOPMENT APPROVALS

On Tuesday, July 31, 2012, at 9:30 a.m. in Department 3, Santa Barbara County Superior Court Judge Thomas P. Anderle is scheduled to issue a decision on a lawsuit filed in December of 2008 by the Naples Coalition, Surfrider Foundation, and the Environmental Defense Center (EDC) (Petitioners), challenging the then Board of Supervisor's approval of the Santa Barbara Ranch Project (the Project) on the Gaviota Coast property known as Naples. The lawsuit alleged that the Board of Supervisors' approval of the Project and certification of its Environmental Impact Report (EIR) violated the California Environmental Quality Act (CEQA), the California Coastal Act, and other state and local laws.

The lawsuit challenges the approval of a 71-unit luxury residential subdivision on the rural Gaviota Coast that will cause significant and unavoidable environmental impacts and forever alter the rural character of eastern Gaviota. The lawsuit is in the form of a "petition for writ of mandate" that, if granted by Judge Anderle, would compel the County and Board of Supervisors to rescind the Project approvals and certification of the EIR until they recirculate a revised EIR and then demonstrate to the Court that they have complied with the law.

Since Petitioners filed the lawsuit, the original Project developer Matthew Osgood lost the property in foreclosure. The bank that now owns the property, First Bank of Missouri (through its holding company SBRHC, Inc.) had a set of potential developers interested in the property, but they withdrew after undertaking their "due diligence" review of the property and recognizing the multiple challenges to any form of development at Naples. Attorneys for the bank will defend the County's 2008 Project approvals, along with attorneys for the County and other entities with an interest in the Project.

Briefing in the case was completed in July of 2011, but the parties voluntarily delayed the trial to pursue possible settlement. In May 2012 the parties sought an order scheduling the matter for hearing after settlement talks failed to yield any agreement. Among the issues that the Judge is expected to rule on are whether the County improperly rejected feasible reduced-scale alternatives, whether the EIR used the correct baseline for analyzing certain impacts, whether the merger of coastal lots requires a Coastal Development Permit, and whether the Board properly determined that the Project complies with the County's General Plan and Land Use and Development Code.

Judge Anderle is expected to release a tentative decision no later than Monday July 30, which can be found at the following link:

<http://www.sbcourts.org/tentativeruling/rulelist.php?DeptID=3>. A tentative decision is the judge's preliminary ruling, which may be changed based on the hearing. Any argument presented by any of the attorneys will be focused on the specifics of the Judge's tentative decision.

About The Naples Coalition:

The Naples Coalition is a Santa Barbara County, CA-based public benefit corporation with representation by local non-profit groups including the Citizens Planning Association of Santa Barbara County, Gaviota Coast Conservancy, League of Women Voters of Santa Barbara County, Los Padres Chapter of the Sierra Club, Santa Barbara Chapter of Surfrider Foundation, Santa Barbara Chapter of the Audubon Society and Santa Barbara Community Action Network. The Naples Coalition is dedicated to the preservation of the rural character of the Naples property on the Gaviota coast. Specifically, the Naples Coalition is responding to Vintage Communities, an Orange County development company that purchased the Naples town site lots and has an application pending with the County of Santa Barbara to build up to 71 large luxury houses on the rural Naples property. The Naples Coalition seeks to preserve the rural character of the Naples area from this development's impacts.

About the Environmental Defense Center:

The Environmental Defense Center protects and enhances the local environment through education, advocacy, and legal action and works primarily within Santa Barbara, Ventura and San Luis Obispo counties. Since 1977, EDC has empowered community based organizations to advance environmental protection. Program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. EDC has represented Surfrider Foundation in opposition to the Naples development project since 1999.

About Surfrider Foundation:

Surfrider Foundation is a nonprofit environmental organization dedicated to the protection and enjoyment of the oceans, waves and beaches for all people, through conservation, activism, research and education. The Santa Barbara Chapter of the Surfrider Foundation was founded in 1990 to protect local beaches, coastal areas, and water quality. One of Surfrider Foundation's priority campaigns is to protect the Gaviota Coast, including Naples.

For more information about Naples, the Naples Coalition, and the Santa Barbara Ranch Project, please visit www.savenaples.org. Information about the Environmental Defense Center is at www.Environmentaldefensecenter.org, and information about the Santa Barbara Chapter of the Surfrider Foundation is at <http://santabarbara.surfrider.org/>.