



# PRESS RELEASE

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## **ENVIRONMENTAL GROUPS CELEBRATE VICTORY FOR ORMOND BEACH SUPERIOR COURT JUDGE REJECTS APPROVAL OF SOUTHSHORE PROJECT**

*Ventura County* --- Earlier today, Ventura County Superior Court Judge Glen Reiser issued an Order rejecting the City of Oxnard's approval of the SouthShore project and certification of the Environmental Impact Report (EIR) for the Ormond Beach Specific Plans. The Order was made in response to a lawsuit filed by the Sierra Club, Environmental Coalition of Ventura County and Environmental Defense Center (EDC) on July 28, 2011, and requires the City to redraft and recirculate a new EIR. The lawsuit alleged that the City's approvals violated state planning and environmental protection laws. Most significantly, the lawsuit sought to protect the ecologically sensitive Ormond Beach wetlands from proposed nearby development.

"This decision marks a significant step forward in the community's attempts to protect the Ormond Beach wetlands," remarked Linda Krop, Chief Counsel for EDC, who along with EDC Staff Attorney, Karen Kraus, represented the environmental groups in the litigation. "Not only will the City have to redraft the Environmental Impact Report to consider impacts to the wetlands, other important coastal habitats, and water resources, but the public will be an integral part of that process. As the Court noted, the City must conduct a 'good faith, reasoned analysis' of the impacts that will be generated by this proposed development."

In ruling against the City, the Judge agreed with the environmental groups that:

- The EIR failed to adequately describe the existing biological resources that would be harmed by the proposed development. The Court noted that the Ormond Beach wetlands constitute "one of the largest and most important coastal wetland, estuarine and dune complexes remaining in Southern California." The Court directed the City to go back and "conduct scientifically appropriate surveys both on-site and offsite" in order to assess potential impacts and consider additional mitigation measures.
- The EIR failed to consider the impacts of sea level rise on the Ormond Beach wetlands, including the potential future loss of wetlands, and the fact that introducing new development would interfere with the ability of the wetlands to naturally migrate inland in the future.
- The EIR improperly relied on unknown future plans to mitigate the impacts to the wetlands and important bird foraging habitat.
- The EIR failed to analyze the full water supply demands of the project, specifically for the increase in housing.

The Court therefore ordered the City to redraft and recirculate an EIR to focus on these issues.

“The Sierra Club is thrilled that the City will have to go back and take our concerns seriously,” said Mike Stubblefield of the Sierra Club. “We will continue to work hard to make sure that the Ormond Beach wetlands are protected now and into the future.”

“The Court’s ruling breathes life into the fight to protect the Ormond Beach wetlands,” said Janis McCormick, President of the Environmental Coalition. “The public must remain vigilant to make sure that the City does a better job to make sure that Ormond Beach remains viable as an ecological, recreational and economic asset for the community.”

The SouthShore project would have added 1545 new housing units and paved over a vast open space area that currently protects the Ormond Beach wetlands from existing urban development. The wetlands, which are located in Oxnard, between Port Hueneme and the Point Mugu Naval Base, support numerous rare plants and wildlife, including more than 200 species of migratory birds. Although part of the wetlands have been historically filled in to create agricultural fields and to support industrial development (including the Halaco facility which has become an EPA “Superfund” clean-up site), the area is still considered an important habitat area. In recent years, the California State Coastal Conservancy (SCC) has been acquiring property to permanently protect and restore Ormond Beach. If successful, the SCC’s restoration plan would restore Ormond Beach to one of the largest preserved coastal wetlands in southern California.

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*The Environmental Defense Center, a non-profit law firm, 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. Learn more about EDC at [www.EnvironmentalDefenseCenter.org](http://www.EnvironmentalDefenseCenter.org).*

*The Sierra Club is a national, environmental organization that protects communities, wild places, and the planet. The Los Padres Sierra Club serves Ventura and Santa Barbara Counties. Learn more about Los Padres Sierra Club at <http://lospadres.sierraclub.org/>*

*The Environmental Coalition is a confederation of citizens and local groups working together to protect the environment and the quality of life throughout Ventura County.*