

# The fight to stop Nipomo's Dana Reserve project is far from over

*By Herb Kandel*

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The Board of Supervisors got it wrong when it [approved the Dana Reserve](#) housing project, despite a valiant effort by South County Supervisor Jimmy Paulding and community groups to get the developer to agree to a reasonable compromise.

The 1,470 unit housing project was approved on a 3-2 vote by the Board of Supervisors on April 24, paving the way for development of the 288-acre parcel, removal of 3000 Oak trees, and an increase of the population of Nipomo by about 25%.

Paulding's explanation for voting against the project was thorough and well reasoned. During the Board of Supervisors hearing on the project, he stated, "I've never seen this many significant adverse impacts on a significant project. I'm simply not convinced that the benefits of approving a project that contains a mere 30% of the type of housing that we need outweigh significant and unavoidable impacts."

To be clear, Jimmy Paulding and second district Supervisor Bruce Gibson, who both voted no, and the Nipomo Coalition that came together with a community backed alternative plan, were not opposing development. Instead, they were advocating for an opportunity to reduce impacts and increase the ratio of affordable housing. They believed the project could be modified in a way that achieved a win-win for both the developer and the community.

There were many reasons why the Dana Reserve project should not have been approved as proposed, but here are just three main issues that Paulding and Gibson tried to address during the hearing.

Only 30% of the proposed 1,470 units meet the state's mandate for low-to-moderate income housing. Low-income housing does not require high-end housing for financial feasibility. Over the past few months, the county has approved 384 low-income affordable housing units in Nipomo without building a single luxury home. The argument that this project requires so many high-end homes to pencil out just doesn't hold water.

The project's water will come from the Nipomo Community Services District (NCSD) relying on imported water from Santa Maria. Golden State Water Company, another water purveyor, contends that NCSD is not authorized to allocate this water to new projects outside NCSD's service area. This raises concerns about water security and fairness as other developers have been denied water for their projects within the NCSD sphere of influence.



*Herb Kandel leads a group of Sierra Club activists on a tour of oaks near the Dana Reserve property.*

This project has 19 significant unavoidable adverse impacts, in six different categories including, air quality, biological resources, greenhouse gas emissions, land use, population and transportation. Cutting down more than 3,000 mature oak trees in violation of the county's oak woodlands ordinance establishes another dangerous precedent. Special status plants and wildlife species will be significantly impacted. The proposed preservation of non-developable land at Dana Ridge is not a true offset for the loss of oak trees, another dangerous precedent.

Despite the serious issues with the project as proposed, a community backed alternative plan was presented to the Board of Supervisors. At the direction of the Planning Commission, a

community coalition led by the Nipomo Action Committee, Nipomo Oak Alliance, and the South County Advisory Council developed an alternative map that would have built more than 800 homes while reducing environmental impacts. While maintaining some of the positive amenities in the developer's plan, the community alternative would have protected 100 acres of oak woodland and associated rare plants, rerouted a collector road to avoid the old growth oak forest and improved the ratio of affordable housing to high-priced luxury housing. These professionally vetted concepts would significantly reduce multiple unmitigated impacts and avoid the need for costly additional CEQA studies.

Support for the community plan represented a broad cross section of the Nipomo community as evidenced by a petition with over 4,000 signatures and several town hall meetings. The community-driven effort was an olive branch, a demonstrated willingness for compromise and a vision for both housing and habitat.

Despite this genuine spirit of collaboration, the community alternative map and the community coalition behind it were met by both County staff and the developer with a cold reception and consistent resistance and dismissal. For example: 1) our request to meet with the public works manager regarding road and grading designs was denied; 2) our request to the applicant to share the economic feasibility study for us to respond to was ignored; 3) our experts were denied access to the property during our design stage; 4) once submitted, the staff and applicant made no attempt to clarify questions about the concept map making unwarranted assumptions regarding grading impacts and financial feasibility; 5) Despite a condition passed along by the Planning Commission for the Nipomo Community map to be considered as an alternative at the April 23/24 supervisors hearing (which set into motion hundreds of hours of community work), just before the hearing, county staff stated that the Nipomo community map would not be on the table as part of the board's consideration.

Genuine effort would result in a better plan acceptable to the community that is feasible for the applicant. Yet the county staff and developer's response to the community alternative map made it clear that no alternatives, even those created and summarily disregarded in the earlier CEQA process, would be seen as reasonable to staff or the developer.

While staff and the developer rejected this well-intended effort to collaborate on an improved plan, two county supervisors gave the community alternative plan serious consideration at the board hearing. We are grateful that Paulding listened to his constituents and the experts in fields of urban planning, environmental and biological preservation, health and safety and others who did not have personal or economic interests in endorsing this project.

He demonstrated bold leadership in opposing the Dana Reserve as proposed and advocating for the community alternative plan.

So, what's next for this highly engaged community coalition that has exhausted all conceivable collaborative measures? After refusing our genuine attempts to compromise, the developer has left us with no other choice but to [file a lawsuit against the county](#) and the developer.

The Nipomo Action Committee (NAC) and the local chapter of the California Native Plant Society have joined forces as co-plaintiffs to respond to violations in the county process and stop the project from being developed.

While the Dana Reserve project may have been approved by the county, the Nipomo Community Services District still has to approve the annexation of the project in order to supply it with water. In other words, the fight to preserve Nipomo is far from over and NAC and the community coalition won't be giving up. Find out how you can join us at [stopdanareserve.com](http://stopdanareserve.com)

*Herb Kandel was the coalition liaison to the county for the Nipomo Community Alternative Map. He is an executive member of Nipomo Action Committee and the Nipomo Oak Alliance and a former South County Advisory Council member.*