

Significant risks to Santa Barbara County associated with Naples project

The Santa Barbara Ranch (aka Naples) subdivision on the Gaviota Coast was initially submitted and planned as a package project whose final county approval would be contingent on Coastal Commission approval. Recently Orange County developer Matt Osgood has asked the County to split his project into separate coastal and inland projects, thereby allowing the inland portion to proceed to construction much faster. The Planning Commission recommended the project be split. The Board majority is anxious to please the developer and is considering this issue in closed session on Tuesday October 7. This memo describes the hazards to the County and to the public if the Board approves separating the project as requested.

1. Promised Project Benefits are Smoke & Mirrors

The County has relied on the developer's offers to provide permanent Agricultural Conservation Easements and public trails over the adjoining Dos Pueblos Ranch as central elements of the Project's benefits, but the County has failed to ensure these public benefits by making them requirements of the approval!

Dos Pueblos Ranch has said repeatedly that they will only give their lands up (for the easement and trails) if they get a full package of approvals, and those approvals would require the Coastal Commission to give this development more favorable treatment than any other in the entire state. Before the County will receive any of the "great benefits" of the Santa Barbara Ranch/Naples development scheme, the County and the Coastal Commission must give full approval for six luxury mansions on prime agricultural soils on top of important historic Chumash village sites and burial grounds. Dos Pueblos Ranch also conditions the use of their lands on the requirement of no Coastal Commission conditions for beach access on their lands (as is required by the Local Coastal Plan), no Coastal Commission conditions requiring reduced building sizes, and no Coastal Commission conditions requiring restoration of Dos Pueblos Creek, an important steelhead watershed that is badly degraded. The Coastal Commission has already put the County on notice that that the proposed mansions on Dos Pueblos Ranch are not acceptable and that each of the prohibited conditions should be imposed. We know that the benefits are just smoke and mirrors! We need some guarantees that the benefits we are promised will be received – it's simple to do that, make sure nothing is built until all the approvals for both projects are final – or require that the benefits are secured **BEFORE** any construction begins on any part of the project.

2. The Project will cause extraordinary increased costs and future liability to Santa Barbara County to address foreseeable problems

The Naples project will built 71 luxury mansions and a private gated community in a high wildfire hazard area. Most of the proposed estates will have only one way in and one way out, necessitating extraordinary fire protection services to avoid an evacuation nightmare and loss of life when the next fire burns through. Additionally, the development will be built upon known oil exploration sites, but astonishingly, unlike virtually every other development project, the County has not required that the wells be located **PRIOR** to approval. The County has not bothered to test soils for contamination, although they admit contaminated soils are probably on the site, and that cleanup may involve environmental impacts not considered in the EIR. This is

just bad planning – taxpayers could end up footing all or part of the bill for environmental cleanup – after multi-million dollar homes are built. We’ve seen that happen in Santa Maria and Orcutt – let’s learn from the mistakes of the past, and require that the soils be identified and cleaned up before any development begins.

Finally, the coastal bluff development has inadequate set-backs from the coastal bluffs, because the setbacks are based on a study of bluff retreat that is over 26 years old. We’ve learned a lot in the past 26 years. . We now know that not only will sea level rise cause catastrophic bluff failures like witnessed at the City’s Shoreline Park, but the Project’s disposal of large volumes of sewer treatment plant effluent to soils on the site will accelerate bluff failures at times when rainfall has already saturated the soils. And we have just to look to La Conchita to see the devastation caused by man-caused over saturation of a coastal bluff. This project is a planning nightmare, and long after the current developer, planners and supervisors are gone, County taxpayers will be left holding the bag, to the tune of potentially hundreds of millions of dollars.

3. Separate County approval of the inland project, before final approval of the coastal portion, is bad practice! It puts the cart before the horse and increases future financial liabilities to the County.

Unbelievably, the County is preparing to allow the inland part of the project be built before the coastal portion gets final approval, even though the major benefits to the County and the public are contingent on that approval! Coastal Commission approvals are required for the inland portion’s access roads and the entire project’s water treatment plant. The Coastal Commission has strongly objected to premature approval of the inland approval, but the County is ignoring these concerns and (is set to/today) approve(d) separating the project at the developer’s request in closed session. As it now stands, if the developer gets approval of his project and begins construction, the developers rights will have “vested.” If the Coastal Commission later decides that the access roads or the special water treatment plant cannot be built, the County would either have to pay for the developer’s damages (possibly in the hundreds of millions), after the project is partially built or would have to further compromise planning standards to provide access through an inland corridor, causing extensive environmental damage.

There is no reason for the County to rush the decision making process and act in closed just because there is an election next month. Do the public’s business in public – no special closed door deals for developers.

The developer’s addition of the Dos Pueblos Ranch into this project substantially increased the number and complexity of project issues and impacts, yet they demand adherence to a schedule set for a much simpler project. The developer has themselves caused numerous delays by introducing major changes to the project late in the process. The County has rushed this process to get the Supervisor’s approval before the election and while the pro-development majority is in place to approve a massive give-away to an Orange County developer.

The Orange County developer will never be satisfied. He purchased a property with a set of development rights, and in 2001 agreed to no development on the Bluffs. Six years ago, he asked the Board to increase those development rights, and allow development on the bluff – in

exchange for public beach access and creation of public open space on the coastal bluff. Now, he's coming to the County for final approval of a plan that separates the development into two projects – and wants to start now, with the inland portion that provides No Public Benefits – but lots of potential Public liabilities. It's time to say NO.