



For Immediate Release, March 4, 2021

California Court Stops Big Bear Development from Relying on Expired, Decades-old Permits

FAWNSKIN, Calif. – A California Superior Court judge has ruled in favor of conservation groups and found the Marina Point Development on the shores of Big Bear Lake lacks valid permits. Nearly seven years after the petition and complaint was filed, the court's ruling makes clear that unless San Bernardino County issues new project approvals the project construction cannot move forward. The project threatened habitat for bald eagles and other wildlife.

"We're thrilled that the truth of the situation has finally been set straight and the court has upheld the law," said Roman Silberfeld, Chairman of the Board for Friends of Big Bear Valley. "We are happy to help protect our beautiful rural community and majestic natural resources with this action."

Friends of Big Bear Valley and the Center for Biological Diversity filed the original complaint in San Bernardino County Superior Court in June 2014. The suit challenged the county's issuance of demolition permits even though the underlying approvals for the project had expired. County code sets a five-year deadline from date of approval for a project to take concrete steps toward timely completion of the project and here the developer failed to take the necessary steps to keep the permit alive, according to the ruling issued last week.

"To obtain a new approval, this project will now have to perform proper environmental review, as should have been required two decades ago," said Sandy Steers, Friends of Big Bear Valley Executive Director. "The bald eagles and other species and unique habitats detrimentally impacted by this project can finally be protected."

The Marina Point Development project was approved in 1991, based on extremely limited environmental review from 1983. The court of appeal has already acknowledged that the 1991 environmental review was deficient. When work on the project began again in 2014 after years of delay, conservation groups took notice and filed this legal challenge.

The Law Offices of Babak Naficy successfully represented the conservation groups in this legal action. "I am delighted that this long-running saga has finally come to an end and the good guys prevailed," said Naficy.

The now-expired project was a condominium complex consisting of 19 three-story condominium buildings on only 12 acres of undeveloped lakefront, along with an expansive 175 boat slip private marina, clubhouse, restaurant and other shared facilities.

"Marina Point threatened the long-term survival of Big Bear Lake's iconic bald eagles, a pair of which now nest year-round within a mile of the project site" said Aruna Prabhala, a Center for Biological Diversity senior attorney. "As the lake's shoreline gets more and more developed, and bald eagle habitat is lost, it's become increasingly important that we preserve foraging and nesting areas."