



Land Use News JUNE 2010

COMMENTS ARE IN ON THE GENERAL PLAN UPDATE/RE-CIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT (GPU/RDEIR): The Plan Still Needs a Lot of Work!

Over two years after receiving 1200 pages of comments on the 2008 version of its draft General Plan Update/Draft Environmental Impact Report (GPU/DEIR), Tulare County released, on March 25, 2010, its next iteration of the Plan documents for public comment.

TCCRG volunteers and coalition partners spent hundreds of hours poring over the documents, comparing them with the previous versions and prior comments, conferring with others reviewing the draft Plan, and researching and writing new comments. Unfortunately, we have been forced to conclude that the GPU/RDEIR is no better than its predecessor. In some respects, the revised version is actually worse. Bad news for the taxpayers of Tulare County, and for the health, safety, and welfare of all County residents and our environment.

What's new? The 2010 version of the GPU documents does include *the County's first draft Climate Action Plan (CAP)*, which makes a weak and half-hearted gesture toward compliance with California State law regarding global climate change. The CAP is described as "a guiding document for County actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change." It is defined as an implementation measure of the General Plan 2030 Update, "a specific action, program, procedure, or technique" to "help ensure that appropriate actions are taken to implement the General Plan."

Regrettably, enforcement of the CAP relies on the far too often vague, untimely, and unenforceable policies and implementation measures of the GPU itself. Incredibly, the CAP, the purported guiding and implementing document, is *not* going to be considered for adoption at the time of the GPU adoption. Therefore, it couldn't serve as mitigation even if it tried. The County has given no explanation for why it is delaying consideration of adopting the CAP until "subsequent to" adoption of the GPU.

Aside from producing the CAP, the County appears to have made little effort to address the substantial and substantive comments it has been receiving on the GPU over the last six years. Instead of providing clear, firm, effective policies and implementation measures that would promote better air quality, improved water quality and availability, significant protection of agricultural and natural resource lands, and a more diverse economy, by focusing future growth in existing urbanized areas, per the public's input, the current version of the GPU is pushing even harder for sprawling, leapfrog

development along all the County's highways and in New Towns. This development could apparently be located anywhere and is *in addition to* the over 80 areas (cities, unincorporated communities, hamlets, mountain service centers, etc.) that have already been identified as locations for growth and development.

When is a Plan not a plan? While continuing to give lip service to the people's priorities, the Plan fails to provide any clear description of what Tulare County would look like in 2030, the rationale for its intended land use, or how the plan means to get us there. It fails to adequately describe and quantify the environmental impacts of the proposed plan, and it fails to supply effective mitigation for the impacts. It still does not provide any reasonable range of alternatives to the proposed plan, nor does it explain how the alternatives presented would produce any different effects. So much for CEQA (the California Environmental Quality Act), the State Attorney General's comments, and the many hundreds of pages of suggestions for improving and correcting the GPU.

Much of the County's effort in the last two years seems to have gone into reorganizing the material in the various Plan documents so as to make it harder to find and compare related sections in the two versions. The Foothill Growth Management Plan has been further compromised and weakened (paving the way for more new cities like Yokohl Ranch), the thousands of acres within the new Hamlet Development Boundaries have been removed from the Rural Valley Lands Plan, and the Planning Framework has been significantly changed for the worse. As for the Regional Growth Corridor "Opportunity Areas," the County has given itself permission in the GPU to approve highway oriented commercial, industrial, and mixed use development on an "interim" basis "until such time as a regional growth corridor plan is adopted." Meanwhile, all that unplanned "interim" development and its impacts will be with us for decades to come. And despite the County's stated commitment to protecting and promoting agriculture, about 60,000 acres of farmland are projected to be lost under this Plan, *not counting* what would be lost to the corridor development and new towns.

Clearly, the County still intends to allow "the market," rather than sound, cost-effective, resource-efficient, responsible planning, to guide growth and development. Once again, the Plan is not a plan.

What's next? The County recently made available on disk all of the comments received (from over 40 sources) on the GPU/RDEIR. We have begun reviewing them, and we will be posting them on the TCCRG website for your information. While 2200 pages of the GPU documents may have seemed like too much to wade through, reading the comments is much quicker and provides a great summary of key issues; try reading a few! You'll quickly see why we're not alone in calling for substantial improvements to the Plan.

TCCRG has also submitted a Public Records Information Act request to the County to ascertain how it prepared and evaluated the "City-Centered Growth" and "Confined Growth" alternatives it proposed in the RDEIR, as well as how it evaluated and assessed their environmental impacts, how it compared them to each other and to

those of the proposed project, and how it determined to recommend or not recommend the adoption of the various alternatives. So far, the County has produced 49 pages of documents in response, most of which are non-responsive, and none of which is more recent than 2006 (including a 13-page Board of Supervisors' agenda listing and a 24-page brochure/newsletter). We'll keep trying to get some real information, which the California Environmental Quality Act (CEQA) requires the County to present in its EIR.

Additionally, the County has been asked to provide information on what it has spent to date on the GPU process. (Why does the County keep saying that it knows it's going to get sued on the GPU, while continuing not to address the many basic and pervasive deficiencies that have been pointed out, nor to incorporate the many suggestions for improvement that have been submitted? How many times are the taxpayers going to have to pay to get a lawful and effective Plan?)

Public Hearings: The County has estimated that it will take until late August or early September for RMA (Resource Management Agency – Planning) staff to digest the comments received and prepare a response to present to the Planning Commission (and ultimately to the Board of Supervisors). There will be a public hearing before the Planning Commission during which RMA will ask for direction. The Commission could direct RMA to move forward with the Plan or to make changes and bring the Plan to the Commission at a later date. There will also be a hearing when RMA presents their recommendations to the Board of Supervisors.

The County will not respond to any public comments received after May 27 on the *RDEIR*, but **public comments made before the Planning Commission and/or the Board of Supervisors on any other parts of the Plan will be presented.** We will alert you to the dates of these hearings, and urge you to attend and to speak. If you can't make it to a meeting, *remember: your Supervisor is just an email or a phone call away.*

Meanwhile, County staff has been making **GPU presentations** to various groups and communities. The most recent was an Open House in Three Rivers on June 29. A presentation will be given in Exeter on July 13 at the City Council meeting. Save the date, and we'll send you the details. If you can be there, **let the County know that you are expecting a MUCH better GPU than what's currently being offered.**

What you can do:

- **Attend and make a comment** at a County GPU presentation. Review the GPU comments posted on the TCCRG website for ideas. We'll be glad to help.
- **Watch for the dates of the public hearings on the GPU** and attend if you can.
- **Write a letter to the editor** of your local paper expressing your thoughts on the GPU or aspect of it that particularly interests you.
- **Talk to your friends and neighbors** about the importance of the GPU to our County's economy and quality of life; give them our website address (www.tccrg.org), and ask them to get involved. We're more than happy to sign them up to receive newsletters and action alerts.

- **Let your Supervisor know what you think about the Plan** and how you think it should be improved.
- **Volunteer to host a house party** and help us spread the word. (And donations are always appreciated!)

AND HERE'S SOME GOOD NEWS: TCCRG has hired Kelly Mitchell as our organization's Executive Director, after an extensive search and interviewing process. Kelly started working part-time with us on April 19, and will begin full-time work July 1. She retired as a Lieutenant Commander two years ago, after a twenty-one year career in the U.S. Navy, moved to her new home base in Three Rivers, and enrolled in a Master's degree program, from which she graduated in June. If you stopped by the TCCRG booth at the Earth Day event in Lindsay, you would have met Kelly; she was a volunteer staffer that day. Her extensive experience in organizing, leadership, analysis, and communications are sure to benefit TCCRG, and her genuine commitment to Tulare County and her enthusiasm about the opportunity to address the challenges that we're facing are inspiring. We're very glad to have her aboard, and she's looking forward to meeting you.

OUTREACH ACTIVITIES: TCCRGers staffed our booth at Lindsay's first-ever Earth Day event on April 3 and at Woodlake's inaugural Earth Day event on April 17 (events sponsored by Sunset Waste Systems). We enjoyed talking with the folks in these communities and were happy to sign up new members and get more signatures on the Oaks petition. The Earth Day event scheduled for Exeter was cancelled due to rain, but maybe we'll be attending their first Earth Day celebration next year. We presented the TCCRG GPU PowerPoint at a graciously hosted house party in Visalia on May 6, and relished the lively discussion that followed on sustainable growth, including the Transition Towns movement. Please let us know if you would like to host a house party or have TCCRG speak to your service group or other organization. We'd also like to hear about events in your community that would provide a venue for a visit from TCCRG. There are well over 400,000 people in Tulare County, and we'll never reach them all without your help!

GROUNDSWELL -- AN IMPORTANT (AND HELPFUL) NEW WEBSITE: Check out www.groundswellsjv.org. The purpose of Groundswell is to educate the public and encourage citizen participation in local land use decision making to foster growth that strengthens the economy, conserves resources, causes less pollution, demands fewer tax dollars and better serves the region's diverse population. Thanks to American Farmland Trust for creating this informative and interactive site. Visit it soon, and let us know if you have ideas or calendar items for the site. It's for all of us concerned about responsible growth.

A Special Thank You to all the volunteers who worked on organizing the GPU coalition and its response and to those who worked on GPU comments.