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Calaveras Planning Coalition to sue County over General Plan Update

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San Andreas. In a letter dated November 30, the Calaveras Planning Coalition notified the Calaveras County Board of Supervisors that the Coalition intends to file suit against the General Plan Update (GPU). Any group seeking to challenge a project under the California Environmental Quality Act (CEQA) must send a notice to the lead agency in advance. The letter, from Coalition attorney Tom Infusino, identified three reasons for the legal action.

One purpose of the suit is to protect the people of Calaveras County from the harm that would result from the County's approval of an incomplete a general plan. According to the letter, the General Plan Update indefinitely defers addressing missing community plans, improving emergency response times, pedestrian safety, and agricultural land conservation. In 2008, the County identified each of these issues as critical to address in the General Plan Update. "Unfortunately, it was too easy for our local government to put off until tomorrow what it must do today," Infusino wrote.

A second reason for the suit is to avoid the economic harm that will result from the General Plan Update. This is because the General Plan Update defers indefinitely work needed to fund the infrastructure and service expansions needed to accommodate new development. As the letter explained, "After spending 13 years waiting for the County to complete a general plan, we do not have the time for further delay."

The third purpose of the suit is to protect the natural resources of Calaveras County. The environmental impact report for the General Plan Update indicated that it would have 25 significant impacts including the increased risk of loss, injury, or death due to wildfire. To make matters worse, the County indefinitely deferred adopting the mitigation measures that are supposed to reduce such impacts. In addition, the County rescinded several community plans that had mitigated many of these impacts for years. The letter states, "Although the end of the GPU process included plenty of public hearings and comments, the Supervisors failed to listen intently and to act responsibly."

On behalf of the Calaveras Planning Coalition, Infusino expressed appreciation to all who tried to work with the County to prepare a lawful and comprehensive General Plan Update. As Infusino wrote, "If the County had simply done its job over the 13-years it took to finish a general plan, then the CPC would not have to file suit to protect the safety of our people, the vibrancy of our economy, the value of our resource production lands, and the vitality of our fish and wildlife."

Through their attorney, the Planning Coalition challenged the Board of Supervisors to immediately take steps to complete the deferred parts of the General Plan Update.

At the November 12 meeting where supervisors adopted the General Plan Update, Supervisor Merita Callaway wanted to include Planning Coalition volunteer Joyce Techel as an "honored name associated with the General Plan," but Techel's immediate and emphatic response from the gallery was, "No, thank you." So while there was clear recognition that the Coalition has played a major role in the update, there was also a deliberate misunderstanding of the Coalition's opinion of the newly adopted general plan.