

**Community Action Project**  
PO Box 2633,  
Murphys, CA 95247  
telephone: (209) 728-0710  
email: CAP@goldrush.com  
www.CalaverasCAP.com

# CAP/CPC Newsletter

Community Action Project / Calaveras Planning Coalition

July, 2010 / Issue 23

## In This Issue ...

Supes Say No to Sprawl ..... pg. 1  
VS Community Plan Update ... pg. 2  
*Commentary:*  
Mr. Tofanelli's Map ..... pg. 3  
CAP/CPC Mission & Vision .... pg. 4  
VS Plan "Tofanelli" Map ..... pg. 5  
VS Plan "Consensus" Map ..... pg. 6  
Housing Element Approved .... pg. 7  
Merced Mulls Initiative ..... pg. 7  
*Commentary:*  
Planning for What? ..... pg. 8



## Calaveras Planning Coalition Members

- Calaveras Child Care Council
- Central Sierra Environmental Resource Center
- Citizens for San Andreas
- CAP
- Ebbetts Pass Forest Watch
- FOCUS
- Foothill Conservancy
- Keep It Rural, Calaveras
- Mountain Ranch Community Club
- Murphys Homeowners Protection Alliance
- MyValleySprings.com
- Paloma Community Group
- Wallace Citizens Serving Residents

### Associate Members

- Frank Meyer

## Supervisors Decide Against Sprawl for Calaveras County

### *Other Issues Not So Clear*

At an April 20 combined session of the Calaveras County Board of Supervisors and the Planning Commission, the Supervisors decided against residential sprawl.

By approving the map associated with Alternatives B & C as detailed in the Alternatives Report (see the April 2010 CAP/CPC Newsletter for an explanation of the Alternatives), Supervisors have indicated that the land use policies in the General Plan update will encourage future growth in existing community centers.

This policy change reflects a departure from the way Calaveras County has approached growth in the past. Before the collapse of the housing bubble, the sundry pressures to approve far-flung residential projects often proved too great for the Supervisors to resist. These and other planning failures have contributed to an overall infrastructure deficit in Calaveras County that is today estimated to approach one billion dollars. Inadequate roads, unsafe bridges, water and wastewater facilities operating at or beyond capacity, and a public safety net that must respond over an increasingly vast area with diminishing resources – all are a legacy of the poor planning decisions made in the last 25 years.

By focusing future growth in existing community centers, it is hoped that infrastructure costs can be reduced - helping to keep taxes and rates down while reducing the costs of environmental mitigation. Although

not a complete answer to the County's planning and infrastructure problems by itself, adoption of the B/C map is a significant first step towards putting Calaveras County on the road to a healthier economy and preservation of our rural lifestyle.

The Supervisors, however, were unable to choose between Alternative B, which projects a vigorous growth rate similar to that experienced in the last 10 years, or Alternative C, which increases that growth rate by another 50 percent. In response to inquiries, the Planning Department says it will take various factors into account while deciding whether a given community will be associated in the General Plan with a B growth rate or a C growth rate. The Planning Department says that the factors to be considered will include infrastructure constraints.

The Planning Department is currently scheduling meetings with community

[Click to watch video of the April 20 joint Planning Commission / Board of Supervisors Public Hearing on the General Plan Alternatives.](#)

planning groups to discuss how the General Plan update will reflect the goals and vision of their specific community.

Several community groups, some of whom are members of the Calaveras Planning Coalition, have for the last few years gone through an open,

*Continued on page 2*

**Supes Say No to Sprawl (con't.)**

public, and democratic process that has resulted in community plans, visions, and other documents being submitted to the Planning Department for consideration in the General Plan update. When these community groups have their opportunity to sit down with the Planning Department, it will be their first chance to see how their hard work over the years has been reflected in the General Plan update so far.

The CAP/CPC Newsletter is produced by the Calaveras Community Action Project. CAP's fiscal sponsor is [Ebbetts Pass Forest Watch](#).

For more information please contact CAP@goldrush.com.

Thank you.

### County Board of Supervisors

**The Calaveras County Board of Supervisors** meets Tuesdays at 9:00 am in the Supervisors Chambers at Government Center, 891 Mountain Ranch Road, San Andreas. Agendas are available on the County's website <http://co.calaveras.ca.us/cc/Departments/Supervisors/SupervisorsAgendaMinutes.aspx>

### Calaveras Planning Commission

**The Calaveras County Planning Commission** meets every first and third Thursday at 9:00 am, unless otherwise posted, in the Supervisors Chambers at Government Center, 891 Mountain Ranch Road, San Andreas. Agendas are available on the County's website <http://co.calaveras.ca.us/cc/Departments/PlanningDepartment/PlanningCommission.aspx>

## Valley Springs Community Plan Update – The Long & Winding Road Takes a Detour

No community in Calaveras County felt the impact of the housing bubble of 2005-2008 more than Valley Springs.

As rapid growth continued in the area, problems with traffic, water, wastewater, public safety, and environmental protection worsened, leading many citizens in the area to fear that the contented, rural community that they invested in was disappearing before their eyes. Accordingly, the citizens looked at updating the 30-year old Valley Springs Community Plan to better manage the growth that was threatening to overwhelm their community and threaten their chosen way of life.

What they found was alarming. Valley Springs was growing without an effective, up-to-date, community plan, and at build-out the potential population for the area could be substantially higher. The infrastructure and environmental issues in Valley Springs were not being addressed by anybody, and they obviously were not going to get better by themselves.

In response, a group of citizens calling themselves MyValleySprings.com began exploring ways to find the resources to do a comprehensive update of the Community Plan that reflected the vision and goals of the Valley Springs community.

Those efforts were rewarded in September 2008, when the Calaveras Council of Governments (CCOG) was awarded a Caltrans Community-Based Transportation Planning Grant to update the Valley Springs Community Plan. The \$204,000 grant, along with a \$50,000 match from the CCOG, was awarded for the preparation of a Community Plan in Valley Springs. The Grant is administered by the CCOG, and the project partners include MyValleySprings.com (MVS.com) the Local Government Commission, and, importantly, Calaveras County. MVS.com and the LGC wrote the grant proposal with input from the County.

MVS.com is a member of the Planning Coalition.

The project got under way in January of 2009. Along the way, after a series of highly publicized citizen meetings, six alternative maps of the prospective footprint of the draft Valley Springs Community Plan were presented to the public in another highly publicized community meeting held in late summer of 2009. At this meeting, a slim majority of those attending indicated that they preferred a planning footprint that *included* the large Rancho Calaveras planned development located south of Valley Springs.

Soon thereafter, some residents of Rancho Calaveras expressed dismay at the prospect of their subdivision being included in the Valley Springs Community Plan. Despite assurances that their various fears were groundless, these citizens persisted in objecting to being included in the planning process, and ultimately produced a petition, reportedly with 500 signatures, demanding to be excluded. The issue was finally resolved in late February 2010 when another well-publicized community meeting produced a clear majority that wanted Rancho Calaveras *excluded* from the Valley Springs Community Plan.

But, a very few citizens involved in the Rancho Calaveras issue, but not necessarily from Rancho Calaveras, decided to expand their criticisms to include a rejection of community planning itself on what they refer to as "Constitutional" grounds. Taking inspiration from libertarian ideology, these citizens began to demand that the work that had been done to date on the Valley Springs Community Plan be abandoned because it failed to reflect their libertarian beliefs regarding the primacy of property rights.

They denied the validity of the

*Continued on page 3*

*The Long & Winding Road (con't)*

admittedly democratic processes that produced the Valley Spring Community Plan update because the United States was not (or wasn't supposed to be) a democracy. Finally, they claimed the process of updating the Valley Springs Community Plan, which was paid for by a grant from Cal-Trans, administered by the Calaveras Council of Governments, and included Calaveras County as a Project Partner, was a threat to national security because MVS.com, and the Planning Coalition were part of a United Nations conspiracy to take away property rights and institute a one-world government.

These views evidently found a sympathetic ear in the person of 1<sup>st</sup> District Supervisor Gary Tofanelli.

Tofanelli, who had won election less than two years earlier on a simple and unexplained five-bullet point platform of "Business Development, Job Creation, Public Safety, Community College for Higher Education, and Parks for Our Children," effectively withdrew County support from the existing process in which the County was itself a partner.

It seems clear that Supervisor Tofanelli, in mid-May, 2010, decided that the existing County-approved effort to update the VS Community Plan was so flawed it was necessary to convene his own hand-picked group to draw their own map of the VS Community Plan area. In addition, this mostly anonymous handpicked group also felt empowered to produced Vision and Goals statements on behalf of the community of Valley Springs.

For their part, MVS.com declined an invitation to attend a second meeting of the group, saying in a press release "After attending ... the May 17 meeting (we) believe there is a conflict of interest having a small, handpicked group working behind closed doors ... (W)e are unwilling to ignore and abandon over a year of existing public input and direction."

On June 1, 2010, the new Map and

documents, labeled the May 27 map, came before the Board of Supervisors and were approved 4 to 1 as the "Preferred Alternative." However the Supervisors decided that the community consensus map, and other planning documents to be produced by the open process, could, depending on schedule, be accepted by the Planning Department as a "non-preferred" alternative.

Afterwards, Supervisor Tofanelli told the Valley Springs News, "What we came up with was well represented by the community people involved who were representing certain community groups and the people at large."

Although who was invited to participate in the meetings that produced the VS Community Plan's Preferred Alternative is not part of the public record, one of the participants identified herself as the author of a "Minority Report" that was published shortly after the last meeting of Tofanelli's committee. Of course, a "Minority Report" suggests there was a corresponding "majority" that carried the day in these meetings. However, since the meetings were closed and by invitation only, the public has no idea who this "majority" is that is deciding the future of Valley Springs.

In their June 16 "Open Letter" to residents, property owners, and business owners in Valley Springs, the CCOG, administrators of the Planning Grant, reviewed the facts about the Supervisor's actions and laid out plans to go forward. The CCOG's Open Letter asked for the Valley Springs community to remain involved, solicited citizen input for the Community Plan update, and announced that their next Community Meeting was scheduled for August, 2010.

What it means to not be the Preferred Alternative is significant beyond the indication of Supervisorial preference, because the Planning Department has indicated that it will not perform the same kind of thorough analysis on the non-preferred alternative as

it will on the Preferred, relying on a simple "more or less" comparison between the Preferred and all other alternatives. However, California law requires a comparative *and* quantitative evaluation of Community and General Plan alternatives under CEQA, not one or the other. The courts have indicated that those impacts that *can* be quantitatively evaluated *must* be, reasoning that the inability to evaluate alternatives on an even basis reduces the process of preparing alternatives to a largely symbolic exercise, and this is not the intent of the law.

At its June 27<sup>th</sup> meeting, the Calaveras Planning Coalition discussed the ramifications of the County's decision to limit evaluation of non-preferred planning alternatives for both the Valley Springs Community Plan and the General Plan, and the item was scheduled for further discussion and possible future action.

## *Commentary*

### **Mr. Tofanelli's Map**

CAP has stressed the importance of a comprehensive update to the General Plan that is informed and guided by open, public, and community-driven processes.

This emphasis is not just because democracy is an important value in its own right, but also because experience has shown that planning processes that are not open and fair will produce plans that don't work and benefit only a favored few at the expense of others.

In the story of the Valley Springs Community Plan update, we see further confirmation of this: bad processes produce bad results.

Among the things that the VS Community Plan update could do to improve conditions for the residents of Valley Springs is to plan for growth that will not result in higher taxes, increased

*Continued on page 4*

**Mr. Tofanelli's Map (con't.)**

traffic, and other impacts to existing residents. But the Tofanelli map (there is no more precise description of it) clearly fails to do this.

Supervisor Tofanelli, in seeking to invalidate the efforts of the Council of Governments, community groups like MyValleySprings.com, and literally hundreds of citizens who have taken part in the open process to update the Valley Springs Community Plan, has done more than show his contempt for democracy. This isn't the first time a Calaveras County Supervisor has essentially thrown the planning work of their own constituents in the garbage. Both the existing Arnold Community Plan and the pending Copperopolis Community Plan have a similar provenance. But in both those cases it can at least be argued that the process that supplanted the original was open and produced a viable plan that reflected some community input.

Not so the Tofanelli map. The Tofanelli map fails to do anything to address the issues that prompted the citizen's planning efforts in the first place.

First, Tofanelli's map converts approximately 600 acres of existing Agricultural land to Mixed Commercial and Residential land use, far more than can be justified by any educated estimate of future economic growth in Valley Springs. The map produced via the open process overseen by the Council of Governments (CCOG) was optimistic enough in proposing 106 acres of mixed use development, but noteworthy is that all 106 acres are located in the existing town center, and not on what is currently agricultural land.

Secondly, The Tofanelli map does nothing to alleviate the traffic bottleneck that plagues Valley Springs at the intersection of Hwys 12 and 26. Although the Tofanelli map does have a new road going around the intersection, it goes through land that is designated on his map to be changed from agricultural to mixed use development. By using this new route as infrastructure for

new development, rather than as a pressure-relieving by-pass, traffic at the intersection could actually get worse because of the additional number of residents and cars on the road. And there would still be a need for a by-pass, since no rational truck driver is going to leave the State highway and take a route through a developed area that only increases his travel time.

But even more curious is this: the additional mixed use commercial and residential growth called out in the Tofanelli map is in areas that have *no* infrastructure (pipes in the ground), while nearby areas *with* infrastructure are left outside the boundary.

These bad decisions, and the confusion and division they are creating in the community, are unnecessary. Why are the residents of Valley Springs being forced to go accept this?

Why, after the open and democratically organized meeting where the Rancho Calaveras development was removed from the VS Community Plan footprint, did Supervisor Tofanelli find the need to organize his own separate, secret process? Obviously, the open process, in which the County was itself a partner, was working; Rancho Calaveras was removed from the map.

The press reports that Supervisor Tofanelli says he torpedoed the community-based process because he had heard from District One constituents who didn't like it, or perhaps just didn't like some of the people involved. But if these alleged legions of "District One constituents" were so concerned, why didn't the Supervisor encourage them to participate in the existing process and, utilizing the democratic process make the changes they desired, just as the residents of Rancho Calaveras did?

At the end of the day, what, or who, benefited from Supervisor Tofanelli's actions? What, or who, benefits from the Tofanelli map that did not benefit from the community consensus map? Calaveras citizens who value open, honest government, democratic

processes, and healthy sustainable communities should demand answers.

We know from experience that the original community-based planning effort will deliver a data driven Community Plan that is the result of a long, open, public, democratic process. Unfortunately, we cannot say the same thing about Supervisor Tofanelli's Preferred Alternative.

---

### **CAP: Bringing Together Community Groups & Individuals**

The Community Action Project and the Calaveras Planning Coalition bring together community groups and individuals who are dedicated to planning for a better future for Calaveras County.

#### **The CAP / CPC Mission:**

Promote community-based democracy in Calaveras County so that local citizens have the maximum possible control of quality of life issues that affect them.

#### **Our Vision:**

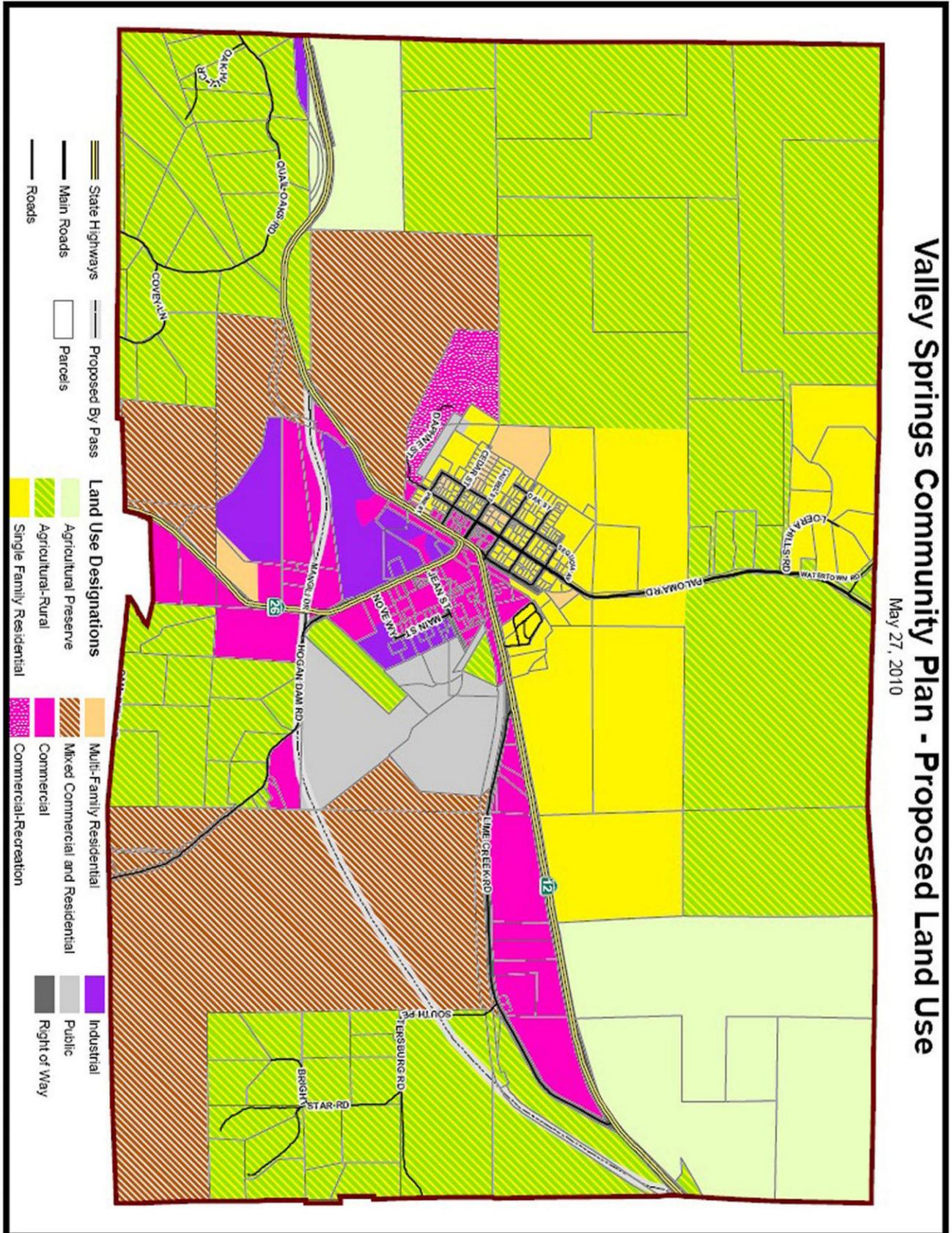
- Preserve the rural quality of life in our County
- Protect our natural environment and our agricultural lands
- Promote locally owned viable businesses
- Provide jobs and housing for all residents
- Preserve our historical and cultural resources

#### **The Values that Drive our Work:**

- Strive to encourage the widest possible public participation in decision making
- Seek educational and economic opportunities for all citizens
- Maintain an open and transparent decision making process
- Create change and growth using a positive approach based on principles that protect both our citizens and our environment

### Tofanelli (May 27) Map

This is the map that the Supervisors voted to be the Preferred Alternative for the Valley Springs Community Plan update. Although not currently available to the public, it was included in the Supervisor's June 1 meeting packet and is a public document. For a clearer image, [please click here](#).





# Supervisors Adopt New Housing Element

## Housing Element Draft Gets State Approval

On a 4 to 1 vote at the June 22, 2010 meeting, the Calaveras County Board of Supervisors voted to adopt the 2010 Public Hearing Draft as the Housing Element for Calaveras County. This Element will also be incorporated into the General Plan update when it is finished.

The Supervisor's action comes after a long process that began in January 2009 with a letter by CAP Board

agreed upon goals and objectives of the then current Housing Element, which technically "expired" in August 2009. They also learned that the County had failed to provide required reports to the State on its progress in implementing the Housing Element, which may be understandable since the County was making virtually zero progress on implementing anything relating to the Housing Element.

Board of Supervisors voted (again 4 to 1) in November of 2009 to send the draft Housing Element to the State for review. After making several changes requested by the State, on May 7, 2010 the State finally signed off, and on June 22 the Board of Supervisor adopted the revised Public Hearing draft as the County's new Housing Element.

To read the adopted Housing Element, please [click here](#).



Looking North Over San Andreas

member Holly Mines to acting County Administrator Brent Harrington. In this letter, Ms. Mines, speaking on behalf of a group of concerned citizens she helped form, asked the County if it was considering an update to the Housing Element, and, if so, wouldn't it make sense to coordinate that effort with the General Plan update?

Initially, the County responded with the same silent indifference that it had always exhibited when asked about the Housing Element. The purpose of the Housing Element, Holly reminded them, was to try to get developers to build houses that working people can afford.

Indeed, Holly and other citizens learned that Calaveras County had failed in nearly every aspect to meet the

In spite of this, a majority of the County Supervisors, in the face of law, logic, and common sense, from 2006 through April 2009, had only one official response to the question of "will you please update the Housing Element?" That response was "No."

But on April 1, 2009 that all changed when Brent Harrington, after giving the Supervisors an update on the stalled General Plan update, asked them "What do I tell Holly (about the Housing Element)?" This time, by a 4 to 1 vote, the answer was "yes," and the update of the Housing Element finally began.

After overcoming the deficiencies of a hastily prepared background report that prompted a withering public critique by Diane Keane of San Andreas, the

## Merced Supervisors Study Anti Sprawl Initiative

Merced County, like Calaveras, has seen a steady conversion of agricultural land to residential development.

But some Merced citizens have had enough and have turned in over 7600 signatures in support of a "Save Farmland" initiative that would require a favorable vote of the people before land designated as either agricultural or open space could be converted to residential use.

By law, the Merced Supervisors have begun a 30-day study of the potential impacts the initiative would have on the County. Once the study is completed, Supervisors will have 10 days to either enact the initiative into law or place it on the November 2 ballot.

The Merced County "Save Farmland" initiative is modeled after a Stanislaus County "Stamp Out Sprawl" initiative that passed with 66 percent of the vote in 2008.

A "Save Farmland" spokesman was quoted in the *Merced Sun-Star* as saying "This doesn't stop development or growth. It just means people have a say in whether there should be massive housing tracts in the middle of farmland." According to the language of the initiative, developers seeking to rezone land, not the county, would have to pay for the cost of the election to allow such changes.

## Commentary

# Just What IS the Future We're Planning For?

by Mickey Williamson

The planning process in Calaveras County has been under attack from many fronts in recent weeks: property rights advocates' backlash against the Board of Supervisors choice of Alternative B/C as the preferred growth pattern for the new General Plan; angry objections to the Valley Springs Community Plan consensus map and the subsequent selection by the BOS of a totally different map, produced by a select group without public process; the vilification of anything and anyone that uses the words "smart growth," "sustainable," or "community."

In the midst of all the fireworks has no one noticed the elephant in the midst of Calaveras County? (And, no, I do not mean the ones that live graceful lives at the PAWS Sanctuary.)

A very small handful of Calaveras citizens recently met for four evenings to study the 20-session "Crash Course" designed and produced by Chris Martenson ([www.chrismartenson.com](http://www.chrismartenson.com)). Martenson, a former Fortune 300 executive and scientist, looked at the data for population growth, world debt, and dwindling supplies of oil, and came to the opinion that "the next 20 years will not look like the last 20 years." And he means that in the sense that they will look **nothing at all** like the last 20 years.

In the course, Martenson presents both data and his opinions and he is careful to distinguish between the two. His opinion is that our world – the way of life we have all come to accept as "the way it is" – is headed for a crash that will supplant our assumptions about how we live, eat, travel, and use money. His data is convincing in support of his opinion. For me, it was a revelation – particularly the information that exposes

our economy as a house of cards, built almost solely on growth and spiraling debt which cannot be indefinitely sustained.

Martenson, purely and simply, advocates planning for survival. His emphasis is personal, suggesting that we ask ourselves questions that I find it challenging to answer. What are my savings and investments worth if the dollar collapses or the banks close? Where will I find food if the grocery stores are no longer stocked? How will I meet my needs if I cannot get gasoline for my car? Literally, am I living in a place



Backyard Vegetable Garden in the Sierra Foothills

where I would be able to survive under enormously different circumstances than what I have today?

I have learned that Martenson is not alone in his thinking and preparing. Websites, courses, blogs, books, videos abound on how to prepare for the potential of economic collapse and the demise of the era of cheap oil.

Now, I concede that not everyone agrees with these projections and that many see no reason for concern or adaptation. I know that whenever I have raised the issue of dwindling supplies of petroleum as part of county planning discussions, I am met with glazed looks after which people go right on with their

business as if I were speaking Bemba.

**But**, if a county is creating a document to lead it through the next twenty-five years, and those twenty-five years may, just may, be radically different than what we now know, shouldn't these issues at least be considered as we plan for our future?

I can't be sure, but I strongly suspect that the possibility of such a drastically altered future is so terrifying and paralyzing to many of us that we choose to see what we prefer – twenty or twenty-five more years that look like the last twenty or twenty-five. Personally, I also

wonder if it is exactly that fear and paralysis that gives rise to the anger that is being so unremittingly expressed in our public sessions. I think we know the tectonic plates have already begun to shift and we are desperate to do all that we can to preserve what we know and love.

I simply suggest that everyone take the time to view the Crash Course (it can be seen online or purchased as a 3-DVD set) and draw your own conclusions.

Bottom line: An ever larger number of people feels certain that the life style that most of us have known is not sustainable. They strongly suspect that we are seeing the swan song of growth, smart or not. Of the three suspicious words I began with, the one that has a chance to survive is community. Can we build relationships of cooperation and trust with our neighbors as we retool for energy descent and economic reorganization? And, even if the catastrophic predictions do not happen, would we not then be stronger, together, as we enjoy whatever future we have?

Want to join me as I learn to preserve and store foods and investigate electric cargo bicycles?