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Peter N. Maurer, Planning Director
Calaveras County Planning Department
891 Mountain Ranch Road
San Andreas, CA 95249

RE: Response to NOP for General Plan Update DEIR.

Dear Mr. Maurer:

My name is Tom Infusino, and I am providing these scoping comments on behalf of the Calaveras Planning Coalition (CPC). Please note that these scoping comments supplement previous comments we have made including two volumes of input for the Background Report submitted in 2007, comments on the Baseline Report submitted in 2008, comments on the draft setting sections for the general plan EIR submitted in March of 2013, policy input we submitted in August 2013, and comments on the draft general plan submitted in March of 2015. We strongly encourage you and your consultants to review these comments for background information and potential mitigation measures that would be useful as you prepare the General Plan Update DEIR. If you have misplaced your copies these documents, copies are available for your review on our website www.calaverascap.com.

As you know, the CPC is a partnership of member organizations, groups, and individuals. Its mission is to promote public participation in sensible land use and resource planning, ensuring a healthy human, natural, and economic environment. That is why we have been trying to constructively participate in the General Plan Update process since its inception in 2006. During the last decade we have assisted local residents to participate in public workshops, to comment on background studies, to review land use maps, to help in drafting elements, and to brief new planning directors as they enter the general plan update process.

The General Plan Update will set the County on a course that will affect many of the aspects of Calaveras County that residents value most, including our rural quality of life, our safety, our ability to travel freely, our property values; agriculture, scenic beauty, natural places, cultural and historical resources, rivers and creeks, dark night skies, and much more. As a locally-based organization largely made up of local residents and taxpayers, the CPC will continue to make a good-faith effort to put forward solutions to maintain these and other aspects of local life, and to craft a good, legally defensible

general plan. The EIR for the general plan is the first real, fact-based analysis of the impacts of the plan update on our communities and environment. It's critical for the County to get it right. Our scoping comments are intended to help the County do just that.

Much to our dismay, many of our recommendations have not survived the General Plan Update process, and in some ways the County has gone in the exact opposite direction. Of most concern to us at this time is the County's desire to develop a general plan that is primarily grounded in vague goal and policy platitudes rather than on clear directions to keep Calaveras County a safe, affordable, and attractive place to live, work, and play. We do not feel that there should be such equivocation in a document referred to as the County's Land Use "Constitution." We can't help but wonder if the freedoms that we so dearly treasure in these United States of America would have survived centuries of turbulent history, if our revered Constitution had read, "Consider the freedom of speech and assembly," or "Encourage the right to bear arms."

We live in challenging times. Never in recent history has there been a more critical time for our local leadership to inspire its people to band together and work for a better future. The County needs to lead, or to join, and it needs to do so collaboratively—not by ignoring or worse, running roughshod over the concerns of many county residents and taxpayers who want a county grounded on both modern realities and our county's rich history. Through its actions on the general plan, the County can deepen the divisions that have emerged in the process to date, or work to heal them for the benefit of our communities. We strongly urge you to do the latter.

Following this cover letter is a list of those who have contributed to the drafting of these comments, along with their contact information. Please provide them with notice when the DEIR is available for review and comment.

Following the list of contributors is a detailed set of general recommendations to follow in preparation of the General Plan Update EIR. These recommendations are based upon the CEQA Guidelines, CEQA case law, and our experience reviewing environmental review documents over the last decade. We strongly encourage you to follow these recommendations, and to avoid the pitfalls they identify. We have watched as our neighbors to the north, El Dorado and Amador counties, completed general plan updates in 2015 and 2016 that ignored this sage advice, and ended up in litigation. It is in Calaveras County's best interest to develop a strong, clear, valid, and legally defensible EIR.

Following the general recommendations, there are specific recommendations regarding your evaluation and mitigation of specified impacts of the general plan. We strongly encourage the County to embrace these recommendations.

As you prepare the General Plan Update DEIR, we anticipate that the significant impacts may trigger the need for mitigation measures. In fact, you may need to reconsider policy suggestions that were unceremoniously jettisoned in earlier phases of the general plan update process. On the disk that accompanies these comments, we have provided

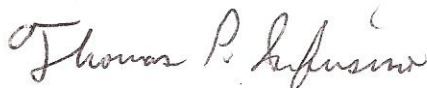
numerous sources of practical mitigation measures on the subjects of agricultural land protection, air quality, biological resources, child care, conservation and open space, economic development, fire hazards, global climate change, historic preservation, public services, trails, and water. Please use these sources as you evaluate impacts, develop mitigation measures; and draft objectives, implementation programs, and standards.

To help reverse this disturbing trend toward meaningless “politician speak” in the general plan, we have included a copy of the OPR 2003 General Plan Guidelines, and the 2015 Draft General Plan Guidelines, on the disk that accompanies these comments. Please follow the general plan structure suggested in those guidelines, complete with quantified objectives, implementation programs, and specific standards. Note the need for a comprehensive general plan that covers all important County issues. Note the requirement for general plan elements to be consistent with each other. For example, do not again approve a land use map with so much development potential that the County is hundreds of millions of dollars short of the funds needed to build the accompanying roadways. (Calaveras COG, 2012 Draft Regional Transportation Plan, p. 110.) Also, please follow OPR’s recommendation to use mandatory language in policies. Without such mandatory provisions, the county cannot meet its obligations to include enforceable mitigation measures in the plan. (CEQA Guidelines, sec. 15126.2, subd. (a)(2).) The OPR General Plan Guidelines are more than just an excellent cookbook for developing a general plan, they are the State’s official guidance in interpreting general plan law, and thus provide somewhat of a safe harbor for County’s wanting to meet their general plan responsibilities. We urge you to follow the OPR General Plan Guidelines and not to cut corners.

Finally, we want the County to acknowledge that there are divergent points of view on the general plan, and to separately engage these interests in crafting separate general plan alternatives, that would be comparatively and quantitatively evaluated in the EIR, along with the General Plan Project Description. This would best meet the purposes of CEQA to foster informed public participation and informed decisionmaking. We would be glad to work with you in the crafting of such an alternative.

We offer your fine staff our best wishes for their successful execution of the challenging tasks ahead. We hope that our County will lead the region by developing a general plan that makes ours a more healthy, prosperous, and attractive county in which to live, work, and play. Since an outstanding general plan EIR is an essential step toward achieving those goals, our hopes are entrusted to your capable hands.

Sincerely,

A handwritten signature in cursive script that reads "Thomas P. Infusino".

Thomas P. Infusino

P.S. Please retain a copy of these comments for the administrative record.