



# SIERRA CLUB

## TEHIPITE CHAPTER

### The Fresno County 2042 General Plan Must Be Rejected: Part 1

On February 20, 2024, the Fresno County Supervisors, for the first time in a quarter century, approved an update of the County's General Plan and its Environmental Impact Report (EIR). Despite considerable modifications, and relabeling it as a "2042 General Plan", the County, wanting to assure a *minimum* of public opposition, carefully avoided giving the public time to absorb and comment on these dramatic changes.

As the lead government agency on this project, the County is required by the California Environmental Quality Act (CEQA) to reveal all known, significant, negative impacts created by the General Plan for the environment and the health of County residents, and to mitigate these impacts to the maximum extent feasible. Instead, the County identified the harmful impacts of the 2042 General Plan, declared these impacts to be "significant and unavoidable" — then threw up its hands and *avoided proposing the mitigations* required by law to reduce the impacts as much as possible. This flaw was noted in a public comment on the EIR submitted by the Sierra Club Tehipite Chapter, Central Valley Partnership, and League of Women Voters of Fresno.

These harmful impacts include: (1) air pollution from passenger vehicles and diesel trucks; (2) greenhouse gas emissions and their resulting climate impacts; (3) conversion of agricultural land to urban land uses; (4) water quality and water supply impacts; (5) wildlife habitat; and (6) environmental justice issues (siting polluting industries near low-income, Latino and African-American communities). Press reports have reflected these concerns — see this article in the Feb. 19 Fresno Bee, at <https://fresnoland.org/2024/02/19/fresno-county-supervisors-development-general-plan/>.

*What has changed in the 2042 General Plan?* First, whereas the former 2000 General Plan recognized the destructive impacts of sprawl, the new version takes a giant leap backwards to the 1980s, before the drastic impacts to the climate from vehicle carbon dioxide emissions were understood. Today, with the climate crisis all around us, we are faced with a bleak future if immediate, drastic action is not taken to restrict the burning of fossil fuels. Land use planning in Fresno County has now returned to an

era when developers saw limitless possibilities for expansion into our foothill and farmland regions, with more freeways. The County continues its destructive expansion of housing developments and shopping centers on the periphery of the City of Fresno, a trajectory guaranteed to set back any progress on improving air pollution and respiratory disease. Sprawl means the conversion of agricultural lands to urban uses, enriching major developers who purchase farmland and construct subdivisions, passing on the costs to the public.

Second, in the previous General Plan, new housing and other development was limited to areas with *existing* urban infrastructure. With the new 2042 General Plan, this requirement has been *eliminated*. There is no longer any requirement for streets, water supplies, and sewage treatment systems to be in place before a housing plan can be submitted to the County for approval, as is required in the 2000 General Plan. This loophole is a *gift to developers*, who have never been required to pay for needed County infrastructure. Using their friends in government, they shift the cost of infrastructure to the taxpayers, and government fails to aggressively negotiate on behalf of their constituents to require developers to foot the bill.

Third, the General Plan's EIR air quality analysis is inadequate and does not adopt binding mitigation, in violation of CEQA. CEQA requires both, (1) *full disclosure of the type and degree of environmental harms a project may cause* and (2) *binding adoption of all feasible mitigation measures to limit that harm*. The EIR performed by Fresno County here fails on both counts. It consistently declines to provide adequate information on the environmental harm that the 2042 General Plan would cause in Fresno County and beyond, and its proposed mitigation measures are *long on adverbs but short on enforceable mandates*.

California state law requires that General Plans adopted by municipalities in the San Joaquin Valley must contain, among other things: A comprehensive set of goals, policies, and objectives to improve air quality, consistent with CEQA; a plan for the construction of affordable housing; and a set of feasible implementation measures designed to carry out those goals, policies, and objectives.

This EIR contains goals and policies, but what it lacks, crucially, are the *required implementation measures*. It is difficult to determine whether policies in the 2024 General Plan and Zoning Update are enforceable on individual projects by permit conditions or the like, as required by

the CEQA Guidelines. Further, the air quality mitigation discussed in the EIR focuses mainly on emissions from project *construction*, not from ongoing *operations*. The EIR offers a menu of potential mitigations, but does not impose any requirements or criteria to tell us which, or how many, of these mitigation measures are sufficient. This is a violation of CEQA's mandate that projects with significant impacts *may not be approved unless all feasible mitigations are adopted*.

Another serious failure to meet CEQA's requirements is the County's apparent elimination of *over 200 mitigation measures* adopted by the County in the 2000 General Plan, but which were *never enforced*. Reclassified as "policies," in violation of CEQA case law, these former mitigation measures may now be unenforceable. No analysis accompanies or justifies these changes. Either a full analysis and justification of the reclassification, supported by substantial evidence, must be made and disclosed to the public, or the County must make clear that the new policies are fully enforceable.

Finally, two new projects which the County Supervisors promised that would be included in the new 2042 General Plan — a 700-acre development on John Harris grazing lands along the Kings River, near Sanger, into luxury homes, and a large property planned for a Business Industrial Campus, east of Highway 99 between Fresno and Fowler, have been designated as "study areas" as a way of evading inclusion of their environmental impacts in the General Plan. This is a creative way for the County to "fudge the data" and evade responsibility, because these two sprawl developments will be governed by the new, laxer, developer-friendly rules of the new General Plan,

**WHAT YOU CAN DO:** Our Sierra Club Tehipite Chapter is gearing up to fight this backwards-thinking General Plan, and looking for volunteers who are willing to take on two tasks. *No experience is required for these roles, and we will provide all the support you need.* **First**, we need "watchdogs" willing to keep an eye out for upcoming projects, and to research their harmful impacts to our air quality, water supplies, water quality, and other impacts to residents throughout the San Joaquin Valley and foothill communities. **Second**, we need volunteers to write letters-to-the-editor and to make public comments; these do not require detailed knowledge, just a willingness to express yourself. *Contact Gary* at the Sierra Club Tehipite Chapter, in Fresno, if you are interested or have questions, at [tehipite.chapter@sierraclub.org](mailto:tehipite.chapter@sierraclub.org).

### Potluck and Awards Banquet Saturday March 9 at 5:30 pm

First Congregational Church (The Big Red Church) 2131 N Van Ness Blvd, Fresno

**Our Keynote Speaker:** William Tweed, retired Chief Naturalist at Sequoia and Kings Canyon National Parks, presenting "A Shaping Force: How the Early Sierra Club Shaped the Southern Sierra." Tweed is the author of numerous books including "Granite Pathways: A History of the Wilderness Trail System of Sequoia and Kings Canyon National Parks" and "Uncertain Path: A Search for the Future of National Parks."

Bring your potluck item ready to serve with a serving utensil. Suggestions of what to bring: Main dish (P to Z) side dish or salad (H to O) dessert (A to G) This is a free event open to the general public, but you are welcome to make a donation to help defray costs.

Questions? Email: [ecuagirl45@yahoo.com](mailto:ecuagirl45@yahoo.com)

