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### **CEQA Lawsuit Filed, Florin-Vineyard Gap Community Plan EIR**

Cheating on wildlife protections by County of Sacramento must stop and so yesterday Friends of the Swainson's Hawk filed a lawsuit to overturn an Environmental Impact Report (EIR) and approval for development of a 3,766 acre area in southeast Sacramento County. The Plan and EIR were approved by the Sacramento County Board of Supervisors December 15, 2010.

The Florin-Vineyard Gap EIR, prepared by the County, falsely declares that Swainson's Hawk habitat loss from development of the area would be only a fraction of what it actually will be, using a formula based exclusively on zoning without regard for the physical condition of the land. This is illegal under the California Environmental Quality Act. The defective mitigation plan will result in unmitigated loss of Swainson's Hawk habitat of an estimated 1,000 to 2,000 acres, depriving the public of its right to permanent habitat protection for wildlife in the county. For more information: <http://www.swainsonshawk.org/FVGap.html>

"Not every parcel in the Florin - Vineyard Plan area is habitat for Swainson's Hawks, but hundreds of acres of habitat will be developed without mitigation under this faulty EIR," said president Judith Lamare. "We don't oppose the development of the Florin-Vineyard plan area, but we can't close our eyes while cheaters win. The County can easily fix this problem if it wants to."

Legal Counsel James Pachl noted that "the County's regression on environmental protection has reached the crisis stage. Trying an illegal loophole on hawk mitigation? Why not? The County has delayed for over a decade completion of the South Sacramento County Habitat Conservation Plan which is a requirement of a federal water contract, fiercely fought sewage discharge clean up requirements by the Central Valley Water Control Board to protect the Sacramento River, has failed to adopt a General Plan update with reasonable growth management policies, and is supporting Elk Grove's march to annex and pave thousands of acres of more farmland and wildlife habitat. Unless forced by outside legal action, the County seems to have no appetite for environmental protection."

Pachl has represented FOSH since the group was founded in 1994, including previous lawsuits challenging local government actions by the City of Sacramento, Sacramento Local Area Formation Commission (SacLAFCo), City of Davis, and Sutter County.