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Sierra Club v. County of Fresno

Court of Appeal, Fifth District, California - May 27, 2014 - Cal.Rptr.3d - 14 Cal. Daily Op. Serv. 5810 - 2014 Daily Journal D.A.R. 6590

Objectors petitioned for writ of mandate challenging county's approval of environmental impact report (EIR) for residential development. The Superior Court entered judgment for county and developer. Objectors appealed.

The Court of Appeal held that:

- County general plan did not preclude changing agricultural land use designations by amendment;
- EIR adequately addressed balancing of effluent production, storage, and disposal; but
- EIR was inadequate in its discussion of health impacts of air pollutants;
- EIR's mitigation measures were improperly vague and unenforceable; and
- EIR improperly allowed for deferred formulation of mitigation measures.

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