



A Model County

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From the moment Attorney General Jerry Brown filed his global-warming lawsuit against San Bernardino County, it was clear the county was to be made an example of.

Brown had been urging counties up and down the state to take steps to reduce greenhouse gas emissions. Suing San Bernardino County was a convenient way to put pressure on the others to toe the line and avoid going to court.

Now that a settlement has been reached, San Bernardino County is being called a "model" for other counties to copy.

Nice spin. "Model" sounds a lot better than "example."

The county has agreed to estimate 1990 greenhouse-gas emission levels, assess what they are today and where they're coming from, and project what emissions will be through 2020, attributable to county land-use decisions and internal operations.

The attorney general has agreed to help the county avoid future litigation by consulting early on proposed projects, and to help the county defend legal challenges to its future greenhouse gas reduction plan.

Even an environmental group suing the county over some of the same issues calls the settlement a win-win.

But how did San Bernardino County get put in the position of having to defend a first-of-its-kind lawsuit?

Last fall, just as the county was wrapping up revising its general plan, the blueprint for development in unincorporated areas through 2030, the Legislature was enacting a new law requiring greenhouse-gas emissions statewide to be reduced to 1990 levels.

Brown sued the county, saying its plan failed to address global-warming emissions related to the projected growth.

The county countered that regulations for how local governments must comply with the new greenhouse-gas law haven't been written yet.

County officials seemed prepared to go to the mat to prevent the general plan -- five years and millions of dollars in the making -- from being thrown out. The Board of Supervisors allocated \$350,000 for lawyers' fees.

Fortunately, an amicable settlement was reached after a Sunday afternoon meeting between Brown, Board Chairman Paul Biane and Vice Chairman Gary Ovitt -- at a Chili's restaurant in Whittier, no less.

But the county isn't out of the woods yet.

There's still the lawsuit filed by the Center for Biological Diversity, San Bernardino Valley Audubon Society and the Sierra Club challenging the general plan over global warming and other issues.

The environmental groups allege the county is allowing rampant growth in the mountains, where global warming and drought are creating high fire-danger. They question the adequacy of mountain evacuation routes during wildfires.

Will the environmental groups be invited to discuss a possible settlement over tea and cookies on a Sunday afternoon? Spokesmen for Ovitt and Biane said they wouldn't be opposed to it.

But Jonathan Evans, a lawyer for the biological diversity center, said there have been no such overtures yet.

Biane hasn't been burning up the phone lines calling the environmental groups, as he did to get the meeting with Brown.

I think he should. It would be a nice show of good faith, and save taxpayers' money by avoiding a long legal fight.

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