

<https://www.lakeconews.com/news/68008-state-attorney-general-seeks-to-intervene-in-support-of-lawsuit-against-lake-county-over-guenoc-valley-resort-project>

State attorney general seeks to intervene in support of lawsuit against Lake County over Guenoc Valley resort project

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LAKE COUNTY, Calif. – The California Attorney General’s Office is offering its support of a lawsuit challenging the building of a major new south Lake County resort and residential development.

On Monday, Attorney General Xavier Becerra filed a motion to intervene in a [Center for Biological Diversity](#) lawsuit challenging Lake County’s approval and certification of an environmental impact report for the proposed Guenoc Valley Mixed Use Planned Development Project, also known as Maha Guenoc Valley.

Lotusland Investment Holdings Inc. proposes to build the project on the 16,000-acre Guenoc Ranch along Butts Canyon Road near Middletown. The project area excludes 360 acres which contains the Langtry winery and the estate home of the famed British actress, Lillie Langtry.

The project, as currently proposed, would include 1,400 new homes, several new hotels and nearly 1,000 resort and hotel rooms.

Echoing concerns it had raised last year, the Attorney General’s Office said Monday that Lake County finalized an environmental impact report, or EIR, that fails to adequately analyze and mitigate the increased wildfire risk associated with the project, as well as the greenhouse gas emissions and other adverse environmental impacts.

Becerra’s motion seeks to ensure that Lake County discloses and mitigates the impacts of the Guenoc Valley Project in a manner that fully complies with the California Environmental Quality Act.

“Lake County residents have borne the brunt of many of the recent wildfires that have ravaged

our state," said Attorney General Becerra. "They deserve to know that the increased wildfire risks resulting from any new development in their area have been properly considered – and mitigated."

County Counsel Anita Grant confirmed to Lake County News that the county received the filing document late Monday afternoon.

"At this time, the county is looking at what steps to take in response to the filing. It is still too early to provide more comments on this new development," Board of Supervisors Chair Bruno Sabatier told Lake County News.

Lake County News reached out to Katherine Philippakis, the attorney who represented Lotusland Investment Holdings Inc. in the county hearings, but she did not respond to offer comment on Monday night.

"This project is a playground for the 1 percent in a very high risk wildfire zone. It will have significant negative impacts to wildlife habitat, fire risks, community safety and greenhouse gas emissions," said Peter J. Broderick, a staff attorney for the Center for Biological Diversity, which filed the suit against the county over the summer.

When the Center for Biological Diversity filed its lawsuit, the project site was burning from the LNU Complex fire, Broderick pointed out. "The attorney general's move today to participate in this case confirms that this project is harmful and should never have been approved."

Lawsuit followed summertime project approval

In July, [the Board of Supervisors approved the project](#), believed to be one of the largest land use projects in the county's history.

During the environmental review process, Attorney General Becerra submitted two comment letters to Lake County regarding inadequacies in the final environmental impact report's analysis of wildfire impacts.

Becerra's office said those comments provided detailed evidence that the Guenoc Valley Project's design would exacerbate wildfire risk, increase the likelihood of wildfire ignition and lacked adequate opportunities for evacuation in a wildfire.

The developer asked the board to hold over its planned discussion on July 7 to July 21 – the meeting in which the board approved the project – in order to address concerns raised by the Attorney General's Office and other stakeholders.

However, "These wildfire impacts were neither adequately analyzed nor mitigated in the final EIR," the Attorney General's Office said Monday.

The [Center for Biological Diversity](#) also had raised numerous issues about the project in the lead up to its approval, including submitting extensive comment and documents.

Within hours of the board's July vote, the organization issued a criticism of the project that intimated they were considering legal action.

On Aug. 21, exactly one month after the board's approval, [the Center for Biological Diversity filed suit](#) against the county of Lake, alleging that the county's EIR for the project repeatedly violated the California Environmental Quality Act and that the project is inconsistent with the county's general plan, as Lake County News has reported.

On Monday, the Attorney General's Office said the Guenoc Valley Project site is largely designated as a very high fire hazard severity zone, and was affected by wildfires in 1952, 1953, 1963, 1976, 1980, 1996, 2006, 2014, 2015, 2018 and 2020.

In addition to increasing fire risk, the Attorney General's office said the Guenoc Valley Project will generate tens of thousands of metric tons of greenhouse gas emissions from gas and electricity usage, mobile transportation and other causes.

Rather than addressing these emissions adequately in the EIR, Becerra's office said Lake County issued a last-minute errata to the final EIR that purports to reduce the project's greenhouse gas emissions through the purchase of carbon offsets.

That measure fails to include requirements to ensure that the carbon offsets are verifiable, enforceable and quantifiable as required by the California Environmental Quality Act, the Attorney General's Office said.

Additionally, the agency faulted the final EIR for failing to consider all feasible mitigation measures to reduce greenhouse gas emissions, such as measures to reduce vehicle miles traveled.

In the motion to intervene, Attorney General Becerra argues that the approval of the Guenoc Valley Project based on such an inadequate environmental review violates California law and must be overturned.

Attorney General Becerra seeks to join the [Center for Biological Diversity](#) and the California Native Plant Society in their lawsuit challenging Lake County's EIR.

Grant said that interventions in development projects by the Attorney General's Office have happened elsewhere before but she didn't recall them occurring in Lake County in the recent past.

Examples of Becerra's office becoming involved in development cases include action to join a lawsuit to stop a Fresno industrial park in June 2018 and in January 2020 he filed to intervene in a case involving a proposal for new San Mateo condominiums.

In November, his office submitted comments to the county of San Diego raising issues with its final EIR for the Otay Ranch Resort Village.

As for the **Center for Biological Diversity's** suit, Grant said the legal action is moving along, and they are taking the final steps toward lodging the administrative record, which represents all of the evidence to be presented in the case.

“At that point, a briefing schedule will be developed,” Grant said.

Broderick said no hearing date has since yet been set in the case. He said the county took a long time – several months – to produce the documents that will form the administrative record of proceedings.

“We will likely get a hearing date after the administrative record has been finalized and certified by the county,” Broderick said.

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