

Incorporate Olympic Valley faces uphill battle

By Melissa Siig, Moonshine Ink

The struggle between Squaw Valley Ski Holdings and Incorporate Olympic Valley over the future of the valley may be playing out publicly in newspaper ads and editorial pages, but behind the scenes another battle is brewing – one that involves hundreds of thousands of dollars, multiple attorneys and consultants, and a complex political process that pits a grassroots effort against a million dollar corporation.

In the latest chapter of this saga, the ski resort and the anti-incorporation group it funds, Save Olympic Valley, won out in their request that an environmental impact report (EIR) be conducted for the proposed town. Incorporate Olympic Valley, which will have to pay for the study, claims this is part of an ongoing strategy by SVSH to draw out the incorporation process and force it to exhaust its financial resources. The ski area, however, states that it is merely exercising its legal rights and abiding by state laws, unlike IOV. Whether you see this story as a modern day David versus Goliath or the majority protecting itself from minority interests, Squaw Valley Ski Holdings is making incorporation supporters work hard to achieve their goals.

“We are moving forward but against strong headwinds,” Fred Ilfeld, chairman of the IOV Foundation, told *Moonshine Ink*.

Squaw Valley Ski Holdings has been pushing since April for the Placer County Local Agency Formation Commission to require an EIR as part of the incorporation process. An EIR, as required by the California Environmental Quality Act (CEQA), identifies a project’s significant environmental impacts and ways to avoid or mitigate those impacts. The ski area believes that an

EIR is necessary because the proposed town would result in a change of wildfire fighting responsibility from the state to the new town, as well as shift transit occupancy tax (TOT) dollars away from public transportation.

“The IOV incorporation may result in a potentially significant adverse impact by reducing wildland fire response times and thereby exposing people and structures to a significant risk of loss, injury, or death,” wrote law firm Remy Moose Manley, on behalf of SVSH, in an April 4 letter to LAFCO.

“Incorporation could also result in a reduction in TOT revenue needed to ensure continuation of basic TART [Tahoe Area Regional Transit] levels of service.”

Additionally, SVSH hired Environmental Science Associates, which stated in an Aug. 11 letter to LAFCO that an EIR is needed because of the vagaries of climate change. The environmental science and planning firm claims that because the town’s income would be dependent on the ski industry, the town will have to diversify its economy, which would result in “additional development and land use changes.”

IOV, on the other hand, argues that an EIR is not necessary because no land is being disturbed in the decision to form the town of Olympic Valley.

“We are not turning a spade of dirt,” Ilfeld told *Moonshine Ink*. “It has no effect on the environment.”

IOV points to a 2008 article written by lawyer Julie Biggs, who has represented numerous California community incorporation attempts – some successful, some not – such as Goleta, Caramel Valley, Wildomar, and East Los Angeles. Biggs argued that, as decided by the Monterey County Superior Court in 2008, an EIR is not required when forming a city because incorporation of a new city alone does not constitute a project under CEQA. In other words, the decision is who should govern, not what will be constructed.

Read the whole story