

*Silveira v. Las Gallinas Valley Sanitary Dist.* (1997) 54 Cal.App.4th 980

The Sanitary District is not required to prepare an EIR prior to condemning vacant land adjacent to its treatment plant for use as an odor buffer zone. The court held that since the land was not being developed or otherwise changed by the acquisition and there was no related change in treatment plant size or operations, no EIR was warranted. Further, an inadequate initial study does not mandate an EIR where the whole record does not support a fair argument. The court upheld the district's negative declaration.