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11 LEAGUE TO SAVE LAKE TAHOE,
MOUNTAIN AREA PRESERVATION
12 FOUNDATION, AND SIERRA WATCH

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF PLACER

15 LEAGUE TO SAVE LAKE TAHOE,
MOUNTAIN AREA PRESERVATION
16 FOUNDATION, and SIERRA WATCH,

17 Petitioners,

18 v.

19 PLACER COUNTY; PLACER COUNTY
BOARD OF SUPERVISORS; and DOES
20 1-20,

21 Respondents.

22 SIERRA PACIFIC INDUSTRIES;
23 MOUNTAINSIDE PARTNERS LLC;
MVWP DEVELOPMENT LLC; and
24 DOES 21-40,

25 Real Parties in Interest.
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27
28

FILED
Superior Court of California
County of Placer

JUL 06 2022

Jake Chatters
Executive Officer & Clerk
By: O. Lucatuorto, Deputy

Case No. SCV-0038666

~~PROPOSED~~ PEREMPTORY WRIT
OF MANDATE

1 **TO RESPONDENTS PLACER COUNTY AND PLACER COUNTY BOARD OF**
2 **SUPERVISORS (COLLECTIVELY, “RESPONDENTS”):**

3 The Court having entered a new Judgment following an appeal in this proceeding
4 ordering that a peremptory writ of mandate issue under seal of this Court,

5 **YOU ARE HEREBY COMMANDED**, on receipt of this writ, to:

6 1. Within 90 days of service of this writ, Respondents shall vacate and set aside its (i)
7 approvals of the Project, including the Martis Valley West Parcel Specific Plan, the
8 Development Agreement, the Large-Lot Vesting Tentative Subdivision Map, amendments to the
9 Martis Valley Community Plan, zoning change, development standards and design guidelines,
10 and related resolutions and ordinances (collectively, “Project Approvals”); (ii) certification of
11 the Environmental Impact Report (“EIR”) for this Project; and (iii) adoption of related findings
12 of fact, statement of overriding considerations, and mitigation monitoring reporting program.

13 2. Respondents shall not readopt the Project Approvals or certify a revised EIR
14 unless and until Respondents comply with the California Environmental Quality Act (“CEQA”),
15 including by correcting the deficiencies in the EIR found by the Court of Appeal.

16 3. Pursuant to Public Resources Code section 21168.9(a)(2), because specific Project
17 activity or activities could prejudice the consideration or implementation of particular mitigation
18 measures for, or alternatives to, the Project, until this Court determines that Respondents have
19 taken the actions specified herein to bring the Project Approvals into compliance with CEQA,
20 the Court mandates that Respondents, Real Parties in Interest, and their respective agents
21 suspend all project approvals and activities that are based upon, or related to, the Project
22 Approvals and that could result in any change or alteration to the physical environment.

23 4. Respondents shall file an initial return to the peremptory writ of mandate within
24 120 days of service of this writ regarding completion of the activities mandated by paragraph 1
25 of this writ. Respondents shall file a supplemental return to the writ of mandate within 270 days
26 after service of the writ, setting forth what it has done to comply with paragraph 2 of the writ.
27 Respondents shall thereafter file supplemental returns to the writ if there are any modifications
28 or readoptions of the Project Approvals or as otherwise directed by this Court until it has fully

1 complied with this writ.

2 5. Under Public Resources Code section 21168.9, subdivision (c), nothing in this writ
3 shall be understood to direct Respondents to exercise their lawful discretion in any particular
4 way.

5 DATED: _____, 2022

6
7 _____
8 Clerk of the Superior Court

9 **APPROVED AS TO FORM:**

10 DATED: June 27, 2022

11 OFFICE OF COUNTY COUNSEL

12 ✓
13 By: 
14 CLAYTON T. COOK

15 Attorneys for Respondents
16 PLACER COUNTY AND PLACER COUNTY
17 BOARD OF SUPERVISORS

18 DATED: June ____, 2022

19 REMY MOOSE MANLEY, LLP

20 By: _____
21 HOWARD F. WILKINS III

22 Attorneys for Real Parties in Interest
23 SIERRA PACIFIC INDUSTRIES;
24 MOUNTAINSIDE PARTNERS LLC; AND
25 MVWP DEVELOPMENT LLC

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1 complied with this writ.

2 5. Under Public Resources Code section 21168.9, subdivision (c), nothing in this writ
3 shall be understood to direct Respondents to exercise their lawful discretion in any particular
4 way.

5 DATED: July 06, 2022



7 [Signature] O. Lucatuorto
8 Clerk of the Superior Court

9 **APPROVED AS TO FORM:**

10 DATED: June 1, 2022

OFFICE OF COUNTY COUNSEL

13 By: _____
14 CLAYTON T. COOK

15 Attorneys for Respondents
16 PLACER COUNTY AND PLACER COUNTY
17 BOARD OF SUPERVISORS

18 DATED: June 27, 2022

REMY MOOSE MANLEY, LLP

19
20 By: [Signature]
21 HOWARD F. WILKINS III

22 Attorneys for Real Parties in Interest
23 SIERRA PACIFIC INDUSTRIES;
24 MOUNTAINSIDE PARTNERS LLC; AND
25 MVWP DEVELOPMENT LLC

26 1514763.3

1 **PROOF OF SERVICE**

2 *League to Save Lake Tahoe et al. v. County of Placer et al.*
3 **Case No. S-CV-0038666**
4 **Placer County Superior Court**

5 At the time of service, I was over 18 years of age and **not a party to this action**. I am
6 employed in the County of San Francisco, State of California. My business address is 396 Hayes
7 Street, San Francisco, California 94102.

8 On June 29, 2022, I served true copies of the following document(s) described as:

9 **[PROPOSED] PEREMPTORY WRIT OF MANDATE**

10 on the parties in this action as follows:

11 **SEE ATTACHED SERVICE LIST**

12 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the
13 document(s) to be sent from e-mail address Larkin@smwlaw.com to the persons at the e-mail
14 addresses listed in the Service List. I did not receive, within a reasonable time after the
15 transmission, any electronic message or other indication that the transmission was unsuccessful.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

18 Executed on June 29, 2022, at San Francisco, California.

19 *Patricia Larkin*

20 Patricia Larkin

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SERVICE LIST

League to Save Lake Tahoe et al. v. County of Placer et al.
Case No. S-CV-0038666
Placer County Superior Court

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*Attorneys for Respondents County of Placer
and County of Placer Board of Supervisors*

*Attorneys for Real Parties in Interest Sierra
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LLC and MVWP Development LLC*

COURTESY COPY

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Energy Committee*

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