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10 Attorneys for Petitioner  
11 SIERRA WATCH

12  
13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 COUNTY OF PLACER

15 SIERRA WATCH,

16 Petitioner,

17 v.

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

20 Respondent.

21 SQUAW VALLEY REAL ESTATE, LLC;  
22 and DOES 21-40,

23 Real Parties in Interest.  
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**FILED**  
Superior Court of California  
County of Placer

JUL 29 2022

Jake Chatters  
Executive Officer & Clerk  
By: K. Harding, Deputy

Case No. SCV0038777  
[Related to Case No. SCV0038917]

**[PROPOSED] JUDGMENT  
FOLLOWING APPEAL**

1 On November 15, 2016, the Board of Supervisors of Placer County<sup>1</sup> approved the  
2 Village at Squaw Valley Specific Plan and related planning approvals (“Project”). The  
3 County also certified an environmental impact report (“EIR”) for the Project as compliant  
4 with the California Environmental Quality Act (“CEQA”) and adopted related CEQA  
5 documents. On December 15, 2016, Petitioner Sierra Watch filed a petition for writ of  
6 mandate and complaint for injunctive and declaratory relief, challenging the EIR’s adequacy  
7 under CEQA.

8 This Court (Honorable Judge Jones) held a writ hearing for this matter on May 24,  
9 2018, and issued its Ruling denying the petition on August 13, 2018. On August 21, 2018,  
10 this Court entered judgment for the County and Real Party in Interest Squaw Valley Real  
11 Estate, LLC (“Real Party”). On October 11, 2018, Sierra Watch timely filed its Notice of  
12 Appeal.

13 On August 24, 2021, the Court of Appeal issued its decision, reversing this Court’s  
14 judgment. *Sierra Watch v. Placer County, et al.* (Court of Appeal Case No. C088130,  
15 “Opinion”).<sup>2</sup> Portions of the Court’s opinion are published as *Sierra Watch v. Placer County,*  
16 *et al.* (2021) 69 Cal.App.5th 86. The Court of Appeal’s disposition states: “The judgment is  
17 reversed. The trial court is instructed to enter, consistent with this opinion, a new judgment  
18 granting the petition for writ of mandate and specifying those actions the County must take  
19 to comply with CEQA. Sierra Watch is entitled to recover its costs on appeal.” *Sierra Watch,*  
20 69 Cal.App.5th at 111. On November 23, 2021, the Court of Appeal issued the remittitur,  
21 indicating that its Opinion has become final.

22 **IT IS THEREFORE ORDERED, DECREED AND ADJUDGED that:**

23 (1) For the reasons set forth in the Opinion, the County committed a prejudicial  
24 abuse of discretion by failing to comply CEQA when it approved the Project and certified  
25 the EIR. Judgment in this case is therefore entered in favor of Petitioner Sierra Watch.

26 (2) A Peremptory Writ of Mandate directed to the County shall issue under seal

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28 <sup>1</sup> Placer County and its Board of Supervisors are referred to collectively herein as the  
“County.”

<sup>2</sup> The Court of Appeal’s opinion is attached hereto as Exhibit A and incorporated herein.



1 of this Court, ordering all of the following:

2 (a) The County shall vacate and set aside its (i) approval of the Project,  
3 including the Specific Plan, the Development Agreement, the Large-Lot Vesting Tentative  
4 Subdivision Map, amendments to the Squaw Valley General Plan and Land Use  
5 Ordinance, zoning change, development standards, and related resolutions and ordinances  
6 (collectively, "Project Approvals"); (ii) adoption of related findings of fact, statement of  
7 overriding considerations, and mitigation monitoring reporting program; and (iii)  
8 certification of the EIR.

9 (b) The County shall not readopt the Project Approvals or certify a  
10 revised EIR unless and until the County complies with CEQA by correcting the  
11 deficiencies in the EIR found by the Court of Appeal.

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

20 (d) The County shall file an initial return to the writ no later than 120  
21 days after service of the writ, setting forth what it has done to comply with paragraph 1 of  
22 the writ. The County shall file a supplemental return to the writ no later than 270 days after  
23 service of the writ, setting forth what it has done to comply with paragraph 2 of the writ.  
24 The County shall thereafter file supplemental returns to the writ if there are any  
25 modifications or readoptions of the Project Approvals or as otherwise directed by this  
26 Court until it has fully complied with paragraph 2 of the writ.

27 (3) Pursuant to Public Resources Code section 21168.9(c), nothing in this  
28 Judgment or the writ issued hereunder may be construed as an order that the County

1 exercise its lawful discretion in a particular way.

2 (4) Until such time as (a) this Court has determined that the County has taken  
3 the actions specified herein to bring the Project Approvals into compliance with CEQA,  
4 and (b) this Court has discharged the writ, the County, Real Party, and their respective  
5 agents, employees, and persons acting in concert with them are enjoined from all activities  
6 that are based upon, or related to, the Project Approvals and that could result in any change  
7 or alteration to the physical environment.

8 (5) Petitioner Sierra Watch is awarded its costs of suit. This Court reserves  
9 jurisdiction to consider an award of attorneys' fees pursuant to any properly and timely  
10 filed motion by Sierra Watch.

11 (6) Pursuant to Public Resources Code section 21168.9(b) and Code of Civil  
12 Procedure section 1097, this Court shall retain jurisdiction over the County's proceedings  
13 by way of the return to the peremptory writ of mandate until the Court has determined that  
14 it has complied with this Judgment.

15 DATED: July 28, 2022

  
\_\_\_\_\_  
Judge of the Superior Court  
Michael Jones

19 **APPROVED AS TO FORM:**

20 DATED: January 14, 2022

OFFICE OF COUNTY COUNSEL

21  
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23 By:   
\_\_\_\_\_  
CLAYTON T. COOK

24 Attorneys for Respondents  
25 PLACER COUNTY AND PLACER  
26 COUNTY BOARD OF SUPERVISORS  
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DATED: January 17, 2022

REMY MOOSE MANLEY, LLP

By: *Whitman F. Manley*  
WHITMAN F. MANLEY

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SQUAW VALLEY REAL ESTATE, LLC

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