

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.21  
(ID # 12613)**

**MEETING DATE:**

Tuesday, June 02, 2020

**FROM:** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Set aside certification of the Project Description section of Environmental Impact Report No. 546, and that portion of Resolution No. 2018-130 certifying the Project Description section of Environmental Impact Report No. 546, associated with the approvals of General Plan Amendment Nos. 1151 and 1152; Change of Zone Nos. 7872 and 7873, Plot Plan Nos. 25837 and 25838, and Tentative Parcel Map Nos. 36950 and 36962 for the project commonly referred to as the Knox Business Park. District 1. [Applicant Fees 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Set aside and vacate the certification of the Project Description section of Environmental Impact Report No. 546, with all other associated project approvals and the certification of the remainder of Environmental Impact Report No. 546 remaining in effect;
2. Set aside and vacate only that portion of Resolution No. 2018-130 certifying the Project Description section of Environmental Impact Report No. 546, with all other portions of Resolution 2018-130 remaining in effect; and
3. Direct County Counsel's office to file a return on the writ with the Court, describing the actions taken by the Board of Supervisors, prior to August 22, 2020.

**ACTION: Policy**

Charissa Leach, Assistant TLMA Director

5/26/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

**Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt  
**Nays:** None  
**Absent:** None  
**Date:** June 2, 2020  
**xc:** Planning, County Counsel

Kecia R. Harper  
Clerk of the Board

By   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>SOURCE OF FUNDS: Applicant Fees 100%</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	N/A

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

On May 22, 2018, the Board of Supervisors (“Board”) tentatively approved General Plan Amendment (“GPA”) Nos. 1151 and 1152 and Change of Zone (“CZ”) Nos. 7872 and 7873, and approved Plot Plan Nos. 25837 and 25838 and Tentative Parcel Map Nos. 36950 and 36962 subject to final approvals of GPA Nos. 1151 and 1152 and CZ Nos. 7872 and 7873 (together, “the Project”). On June 26, 2018, the Board took multiple actions, including certifying Environmental Impact Report (“EIR”) No. 546 and issuing final approvals of GPA Nos. 1151 and 1152 and CZ Nos. 7872 and 7873.

On July 25, 2018, a petition for writ of mandate was filed against the Project, *Rural Association of Mead Valley v. County of Riverside*, Case No. RIC 1815176. After preparation of the administrative record and briefing, the matter was heard on August 30, 2019. The Judgment partially granting and partially denying the writ of mandate was signed on February 20, 2020, and the Judgment was filed with the Court on February 24, 2020. Notice of entry of the Judgment was filed and served on February 26, 2020. A writ of mandate was also signed by the court on February 20, 2020 and issued on February 24, 2020.

The Judgment ordered a peremptory writ of mandate directing the County to do the following:

- a. Decertify only the EIR’s Project Description and prepare a revised Project Description to include the actual distances between the Redwood Drive residential properties and Building D and Building D’ s parking area.

Accordingly, a peremptory writ of mandate was signed by the judge, which directed the County to decertify the section of EIR No. 546 relating to a., above, and to: (1) prepare a revised environmental analysis, revising EIR No. 546’s Project Description to include the actual distances between the Redwood Drive residential properties and Building D and Building D’s parking area, and (2) revise the EIR to correct a typographical error regarding blasting noise by deleting the term “including blasting” from the statement which concerns construction activities. The County is then to recirculate the revised Project Description for public review and comment. The corrected typographical error regarding blasting noise must also be provided on an informational basis and included with the notice and revised Project Description. Upon such revision and recirculation, it is left to the Board’s discretion whether to re-certify the revised Project Description.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

The County has 180 days from issuance of the writ of mandate to file a return to the writ describing the action it has taken to comply with the writ. Accordingly, the County is required to set aside and vacate the portions of the EIR and resolution described above before August 22, 2020, by which time the County must file a return to the writ with the Court. Staff recommends that the Board approve this item and direct County Counsel's office to file a return on the writ with the Court no later than August 22, 2020.

Applicant and Real Party in Interest Trammell Crow So. Cal. Development., Inc. and the County's consultants and staff have revised the project description and portion of the noise section as directed by the court. The revised environmental document is currently being circulated in a 45-day review period, which is set to end on July 6, 2020. Consideration of the revisions, including consideration of comments on the revisions and responses to those comments, is anticipated to come back to the Board in July or August 2020 upon completion of a Final EIR. Once the revised environmental document has been brought back to the Board for consideration and potential re-certification, the County will be able to return to the court to demonstrate compliance with the writ of mandate. If the Board recertifies the Project Description, after the County returns to the court to demonstrate compliance with the court's judgment and writ and the court discharges the writ, the Applicant would then be allowed to proceed with the Project.

**Impact on Residents and Businesses**

The actions herein are to comply with the court's judgment and writ and have been ordered by the court, and therefore do not require environmental review. The two identified issues in the court's judgment and writ are being addressed in revised environmental review, and any new or increased impacts on residents and businesses as to those issues will be fully disclosed and addressed prior to any future action by the Board on the revised environmental review for the Project.

**Additional Fiscal Information**

There is no fiscal impact to the County because the cost for processing the Project's environmental review, litigation, and other actions related to the Project has been borne by the applicant.

**ATTACHMENTS:**

- A. Judgment of Court, signed 2/20/2020
- B. Writ of Mandate, signed 2/20/2020
- C. Resolution No. 2018-130

  
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Jason Farin, Principal Management Analyst      5/27/2020

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ORIGINAL

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

FEB 24 2020

L. Howell *LH*

KKL

FEB 24 2020

RE

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

RURAL ASSOCIATION OF MEAD VALLEY,  Petitioner,
v.
COUNTY OF RIVERSIDE,  Respondent.
TRAMMELL CROW SO. CAL. DEVELOPMENT, INC., and DOES 1 through 100, inclusive,  Real Parties in Interest

Case No. RIC 1815176  
Case Designation: CEQA  
JUDGE: Honorable Randall S. Stamen  
DEPT: 07

**RESPONDENT AND REAL PARTY IN INTEREST'S ~~PROPOSED~~ PEREMPTORY WRIT OF MANDATE**

**PEREMPTORY WRIT OF MANDATE**

Judgment having been entered in this proceeding, ordering that a peremptory writ of mandate be issued from this Court,

**IT IS ORDERED** that, immediately on service of this peremptory writ:

- Respondent County of Riverside ("Respondent") shall revise its Final Environmental Impact Report ("EIR") Project Description to include the actual distances between the Redwood Drive residential properties and Building D and Building D's

1 parking area, all as needed to comply with the Court's Ruling on Petition for Writ of  
2 Mandate, dated November 26, 2019 (the "Ruling").

3 2. Respondent shall revise the EIR to correct the typographical error regarding  
4 blasting noise by deleting the term "including blasting" from the statement which  
5 concerns construction activities, all as needed to comply with the Ruling.

6 3. Respondent shall decertify only the EIR's Project Description and prepare a  
7 revised Project Description to include the actual distances between the Redwood Drive  
8 residential properties and Building D and Building D's parking area. Respondent shall  
9 recirculate the revised Project Description for public review and comment. The corrected  
10 typographical error regarding blasting noise shall be provided on an informational basis  
11 and included with the notice and revised Project Description. Project approvals shall  
12 remain in place. Upon revision and recirculation of the Project Description, Respondent's  
13 Board of Supervisors shall exercise its discretion to determine whether to re-certify the  
14 Project Description.

15 4. Under California Public Resources Code Section 21168.9(c), this Court  
16 does not direct Respondent to exercise its lawful discretion in any particular way in  
17 complying with this peremptory writ.

18 5. Under California Public Resources Code Section 21168.9(b), this Court will  
19 retain jurisdiction over Respondent's proceedings by way of a return to this peremptory  
20 writ until the Court has determined that Respondent has complied with the provisions of  
21 CEQA.

22 6. Respondent must file a return to this peremptory writ no later than 180 days  
23 after the issuance of this writ describing the steps Respondent has taken to comply with  
24 the judgment and writ. Any objections to the return shall be filed no later than 30 days  
25 after service of the return. If any objections to the return are filed, Respondent and Real

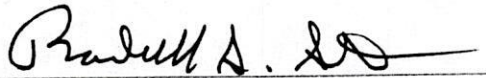
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1 Party in Interest shall have 30 days to respond to such objections, and the Court will  
2 conduct a hearing on the return to the writ as soon as such hearing can be calendared.

3  
4 Dated: February 20, 2020 ~~2019~~

  
Honorable Randall S. Stamen

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1 *Rural Association of Mead Valley v. County of Riverside*  
2 *RCSC Case No. RIC 1815176*

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4 **PROOF OF SERVICE**

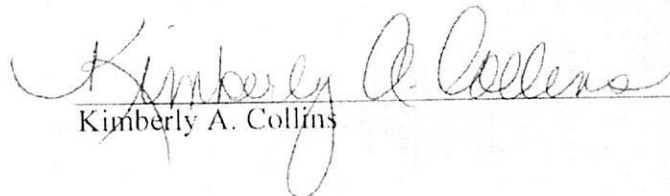
5 I am employed in the County of Orange, State of California. I am over the age of  
6 18 and not a party to the within action; my business address is 600 Anton Boulevard,  
7 Suite 1400, Costa Mesa, CA 92626-7689.

8 On December 19, 2019, I served, in the manner indicated below, the foregoing  
9 document described as **RESPONDENT AND REAL PARTY IN INTEREST'S**  
10 **[PROPOSED] PEREMPTORY WRIT OF MANDATE** on the interested parties in this  
11 action as follows:

- 12  BY REGULAR MAIL: I caused such envelopes to be deposited in the  
13 United States mail at Costa Mesa, California, with postage thereon fully  
14 prepaid. I am readily familiar with the firm's practice of collection and  
15 processing correspondence for mailing. It is deposited with the United  
16 States Postal Service each day and that practice was followed in the  
17 ordinary course of business for the service herein attested to (C.C.P. §  
18 1013(a)).
- 19  BY OVERNIGHT DELIVERY: I caused such envelopes to be delivered  
20 by air courier, with next day service, to the offices of the addressees.  
(C.C.P. § 1013(c)(d))
- 21  BY PERSONAL SERVICE: I caused such envelopes to be delivered by  
22 hand to the offices of the addressees. (C.C.P. § 1011(a)(b)).
- 23  BY ELECTRONIC MAIL: I caused courtesy copies of such document(s)  
24 to be delivered by e-mail. [abby@socalceqa.com](mailto:abby@socalceqa.com);  
25 [michelle.ouellette@bbklaw.com](mailto:michelle.ouellette@bbklaw.com); [mcushman@co.riverside.ca.us](mailto:mcushman@co.riverside.ca.us)

26 I declare under penalty of perjury under the laws of the State of California that the  
27 above is true and correct.

28 Executed on December 19, 2019, at Costa Mesa, California.

  
Kimberly A. Collins

PROOF OF SERVICE

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Service List

*Rural Association of Mead Valley v. County of Riverside*  
*RCSC Case No. RIC 1815176*

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Attorneys for Respondent County of Riverside

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Attorneys for Respondent County of Riverside

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E-mail: mcushman@co.riverside.ca.us



DEC 19 2019

ORIGINAL

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

FEB 24 2020

L. Howell *AKY*

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FEB 24 2020

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

RURAL ASSOCIATION OF MEAD VALLEY,

Petitioner,

v.

COUNTY OF RIVERSIDE,

Respondent.

Case No. RIC 1815176  
Case Designation: CEQA  
JUDGE: Honorable Randall S. Stamen  
DEPT: 07

**RESPONDENT AND REAL PARTY  
IN INTEREST'S ~~PROPOSED~~  
JUDGMENT IN CASE NO. RIC  
1815176**

TRAMMELL CROW SO. CAL.  
DEVELOPMENT, INC., and DOES 1  
through 100, inclusive,

Real Parties in Interest

**JUDGMENT**

This matter came on regularly for hearing on August 30, 2019, in Department 7 of this Court, located at 4050 Main St, Riverside, CA 92501. Abigail Smith appeared on behalf of Petitioner, Rural Association of Mead Valley (the "Petitioner"). Michelle Ouellette and Melissa Cushman appeared on behalf of Respondent, County of Riverside ("Respondent"). Sean M. Sherlock and Jing (Jenny) Hua appeared on behalf of Real Party in Interest, Trammell Crow So. Cal. Development, Inc. ("Real Party in Interest").

The Court having reviewed the record of the proceedings in the matter, the briefs

JUDGMENT

1 submitted by counsel, and the arguments of counsel; the matter having been submitted for  
2 decision; the Court having issued its Ruling on Petition for Writ of Mandate, dated  
3 November 26, 2019 (the "Ruling"); and the Court having entered its Minute  
4 Order/Judgment, dated November 26, 2019.

5 **IT IS ORDERED** that:

6 1. Judgment is entered partially granting and partially denying Petitioner's  
7 petition in this proceeding. Judgment is entered in favor of Petitioner on the issue of  
8 inadequate Project Description as to the sub-issue of the distance between Building D and  
9 adjacent residential properties. Judgment is entered in favor of Respondent and Real  
10 Party in Interest as to all other issues raised in the petition, for the reasons described in the  
11 Ruling.

12 2. A peremptory writ of mandate directed to Respondent shall issue under seal  
13 of this Court, ordering Respondent to:

14 a. Revise the EIR's Project Description to include the actual distances  
15 between the Redwood Drive residential properties and Building D and Building D's  
16 parking area, all as needed to comply with the Ruling.

17 b. Revise the EIR to correct the typographical error regarding blasting  
18 noise by deleting the term "including blasting" from the statement which concerns  
19 construction activities, all as needed to comply with the Ruling.

20 3. Under California Public Resources Code section 21168.9(a), the peremptory  
21 writ of mandate shall direct Respondent to decertify only the EIR's Project Description  
22 and prepare a revised Project Description to include the actual distances between the  
23 Redwood Drive residential properties and Building D and Building D's parking area.  
24 Respondent shall recirculate the revised Project Description for public review and  
25 comment. The corrected typographical error regarding blasting noise shall be provided on  
26 an informational basis and included with the notice and revised Project Description.  
27 Project approvals shall remain in place. Upon revision and recirculation of the Project  
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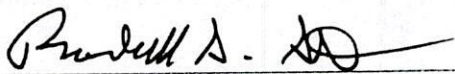
1 Description, Respondent's Board of Supervisors shall exercise its discretion to determine  
2 whether to re-certify the Project Description.

3 4. Pursuant to California Public Resources Code Section 21168.9(b), the two  
4 issues referenced in Paragraph 2, above, are severable from the remainder of the EIR and  
5 Respondent's findings and approvals in connection with the project; severance will not  
6 prejudice complete and full compliance with the California Environmental Quality Act  
7 ("CEQA"); and the Court has not found the remainder of the project to be in  
8 noncompliance with CEQA. The required revisions do not affect the EIR's analysis or  
9 conclusions with regard to the project's environmental impacts. Other than the issue of  
10 inadequate Project Description as to the sub-issue of the distance between Building D and  
11 adjacent residential properties, the project, project approvals, and the EIR were found to  
12 be in compliance with CEQA. Leaving the project approvals in place will not prejudice  
13 full compliance with CEQA.

14 5. Under California Public Resources Code Section 21168.9(b), this Court will  
15 retain jurisdiction over Respondent's return to the writ.

16 6. Respondent and Real Party in Interest shall file a return to the peremptory  
17 writ no later than 180 days after the date of the issuance of the peremptory writ describing  
18 the steps Respondent has taken to comply with the judgment and writ. Any objections to  
19 the return shall be filed no later than 30 days after service of the return. If any objections  
20 to the return are filed, Respondent and Real Party in Interest shall have 30 days to respond  
21 to such objections, and the Court will conduct a hearing on the return to the writ as soon  
22 as such hearing can be calendared.

23  
24 Dated: February 20, 2020 <sup>2019</sup>

  
\_\_\_\_\_  
Honorable Randall S. Stamen

1 *Rural Association of Mead Valley v. County of Riverside*  
2 *RCSC Case No. RIC 1815176*

3 **PROOF OF SERVICE**

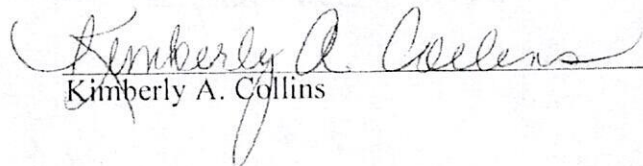
4 I am employed in the County of Orange, State of California. I am over the age of  
5 18 and not a party to the within action; my business address is 600 Anton Boulevard,  
6 Suite 1400, Costa Mesa, CA 92626-7689.

7 On December 19, 2019, I served, in the manner indicated below, the foregoing  
8 document described as **RESPONDENT AND REAL PARTY IN INTEREST'S**  
9 **[PROPOSED] JUDGMENT IN CASE NO. RIC 1815176** on the interested parties in  
10 this action as follows:

- 11  BY REGULAR MAIL: I caused such envelopes to be deposited in the  
12 United States mail at Costa Mesa, California, with postage thereon fully  
13 prepaid. I am readily familiar with the firm's practice of collection and  
14 processing correspondence for mailing. It is deposited with the United  
15 States Postal Service each day and that practice was followed in the  
16 ordinary course of business for the service herein attested to (C.C.P. §  
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- 18  BY OVERNIGHT DELIVERY: I caused such envelopes to be delivered  
19 by air courier, with next day service, to the offices of the addressees.  
20 (C.C.P. § 1013(c)(d))
- 21  BY PERSONAL SERVICE: I caused such envelopes to be delivered by  
22 hand to the offices of the addressees. (C.C.P. § 1011(a)(b)).
- 23  BY ELECTRONIC MAIL: I caused courtesy copies of such document(s)  
24 to be delivered by e-mail. [abby@socalceqa.com](mailto:abby@socalceqa.com);  
25 [michelle.ouellette@bbklaw.com](mailto:michelle.ouellette@bbklaw.com); [mcushman@co.riverside.ca.us](mailto:mcushman@co.riverside.ca.us)

26 I declare under penalty of perjury under the laws of the State of California that the  
27 above is true and correct.

28 Executed on December 19, 2019, at Costa Mesa, California.

  
Kimberly A. Collins

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Service List

*Rural Association of Mead Valley v. County of Riverside*  
*RCSC Case No. RIC 1815176*

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**Snell & Wilmer**  
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9000 Ardour Boulevard, Suite 1400  
Costa Mesa, California 92626-7089  
(714) 427-7000

10:26

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Debbie Walsh

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 3.21

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

       Support              Oppose             Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

       Support             Oppose             Neutral

I give my 3 minutes to: \_\_\_\_\_

*Clerk's Original*

June 2, 2020

RAMV  
PO Box 2244  
Perris, CA 92572

Riverside County Board of Supervisors  
4080 Lemon Street  
Riverside, CA 92501

**Agenda Item 3.21.**

**RE: Set aside certification of the Project Description section of Environmental Impact Report No. 546, and that portion of Resolution No. 2018-130 certifying the Project Description section of Environmental Impact Report No. 546, associated with the approvals of General Plan Amendment Nos. 1151 and 1152.**

Honorable Supervisors:

The Rural Association of Mead Valley filed appeal RIC1815176 on April 24, 2020 with the 4<sup>th</sup> District Court of Appeals against the above project of two massive warehouses located directly next to homes in the rural community of Mead Valley. The Environmental Impact Report 546 was shown to be inadequate in addressing a number of critical issues. The environmental Impact Report continues to be inadequate by failing to address a number of critical areas that were never adequately addressed in the EIR.

The main issues include the project description, which failed to analyze Decker Road as a secondary access road. Failed to describe and analyze Decker Road as a through street into the residential community of Mead Valley for truck traffic directly into the community. Failed to analyze that Decker Road is required by the County to be paved from Oleander to Markham Street as part of this project. Failed to analyze the impacts of hundreds of semi-trucks using Decker Road from this project directly into our rural Community each day. The County removed the two Tentative Track Maps for this project after the Planning Commission meeting in order to remove the requirement for Decker Road as a secondary access road and the required paving of that road. The Plot Plans included the secondary access requirements and yet this was completely ignored when the project was brought before the Board of Supervisors for approval.

The project description changes being brought forward today do not include the County requirement to pave Decker Road from Oleander to Markham Street, but simply include paving a small stretch of Decker from the southern boundary of the project to Redwood Street. The pavement design and width is not up to County standards required for a secondary access road. The pavement narrows significantly and ends at Redwood Street leaving the remainder of Decker Road dirt and unimproved. No provisions are

Submitted by Debbie Walski  
6/2/2020 Item 3.21  
(date)

being made to prevent hundreds of trucks a day from using this now unimproved secondary access road.

In addition, the two warehouse plot plans were approved without the required secondary fire access roads required by State law leading into each of the facilities. These are massive warehouses one over 750,000 sq. ft. and the other over 400,000 sq. ft. One of the warehouses is directly next to homes. Should a fire break out the fire department would have only one access on the north side of the building where all vehicles are lined up to enter the project. There is no way to access the west, south or east side of the building in case of emergency or fire. The west side has a severe slope, the south side homes and the east side a massive water quality basin. Last year there was a massive fire on the very property that these warehouses are proposed to be built.

Yet the County is moving forward with minimal changes to the project description section of the environmental report. Certainly, this does not meet the County road standards and California State Fire standards.

Another issue is the lack of a buffer between the homes and the warehouses. The EIR failed to accurately describe the distance between the residential property that abuts the project and homes on Redwood Drive and warehouse Building "D". The true distance is 70 feet, but was analyzed as 191 feet between the property line and warehouse. The negative effects of the project such as noise, pollution, lighting, etc., were never accurately analyzed in the EIR.

As we all know the Covid19 crises has limited the Court trial system.

I urge the Board to move this item off calendar until after the Court of Appeals can make their decision. Even without the appeal, the County is required by State law to add secondary fire access roads to each warehouse. This has not been added to the project description or Plot Plans.

Sincerely,

Debbie Walsh  
President, RAMV



ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 116284 NAME: Christopher Sutton FIRM NAME: Law Office of Christopher Sutton STREET ADDRESS: 586 La Loma Road CITY: Pasadena STATE: CA ZIP CODE: 91105-2443 TELEPHONE NO.: 626-683-2500 FAX NO.: 626-405-9843 E-MAIL ADDRESS: christophersutton.law@gmail.com ATTORNEY FOR (name): Petitioner and Appellant Rural Association of Mead Valley	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b> STREET ADDRESS: 4050 Main Street MAILING ADDRESS: CITY AND ZIP CODE: Riverside, California 92501 BRANCH NAME: Riverside Historic Courthouse	
PLAINTIFF/PETITIONER: RURAL ASSOCIATION OF MEAD VALLEY DEFENDANT/RESPONDENT: COUNTY OF RIVERSIDE, ETC., ET AL.,	
<input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL -CORRECTED- (UNLIMITED CIVIL CASE)	CASE NUMBER: CORRECTED: RIC 1815176

**ORIGINAL FILED 4-24-2020**

**Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases* (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal. A copy of this form must also be served on the other party or parties to this appeal. You may use an applicable Judicial Council form (such as APP-009 or APP-009E) for the proof of service. When this document has been completed and a copy served, the original may then be filed with the court with proof of service.**

1. NOTICE IS HEREBY GIVEN that (name):

appeals from the following judgment or order in this case, which was entered on (date):

- Judgment after jury trial
- Judgment after court trial
- Default judgment
- Judgment after an order granting a summary judgment motion
- Judgment of dismissal under Code of Civil Procedure, §§ 581d, 583.250, 583.360, or 583.430
- Judgment of dismissal after an order sustaining a demurrer
- An order after judgment under Code of Civil Procedure, § 904.1(a)(2)
- An order or judgment under Code of Civil Procedure, § 904.1(a)(3)-(13)
- Other (describe and specify code section that authorizes this appeal):

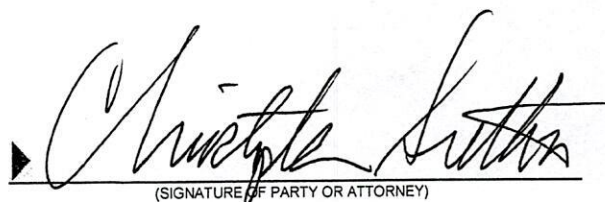
2. For cross-appeals only:

- a. Date notice of appeal was filed in original appeal:
- b. Date superior court clerk mailed notice of original appeal:
- c. Court of Appeal case number (if known):

Date: APRIL 24, 2020

CHRISTOPHER SUTTON

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)



Christopher Sutton <christophersutton.law@gmail.com>

---

**eSubmit 10258421 - Documents Received**

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eSubmit - Riverside Superior Court <donotreply@riverside.courts.ca.gov>  
To: christophersutton.law@gmail.com

Fri, Apr 24, 2020 at 10:31 AM



Hello,

Thank you for submitting your document(s) to the Superior Court of California, County of Riverside. Your submission id is 10258421.

Your documents have been received as of 4/24/2020 10:32:08 AM and will be reviewed shortly.

If you have any questions or concerns, please contact us during normal business hours.  
Click here for a list of Court phone numbers and hours of operation.

Thank You,  
Riverside County Superior Court


**DO NOT REPLY**

*Please do not reply to this e-mail. Replies to this e-mail will not be responded to or read.*

**CONFIDENTIALITY NOTICE**

*This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee, or it appears from the context, that you have received this e-mail in error, keep the contents confidential, and immediately delete the message and any attachments from your system.*

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 eSubmit Confirmation - 10258421.pdf  
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# eSubmit – Document Submission Portal

## Delivery Confirmation

<b>Submission ID</b>		<b>Date Received</b>	
10258421		4/24/2020 10:32:08 AM	
<b>First Name</b>	<b>Middle Name</b>	<b>Last Name</b>	
CHRISTOPHER		SUTTON	
<b>Street Address</b>		<b>City</b>	<b>State</b> <b>Zip</b>
586 La Loma Road		Pasadena	CA   91105
<b>Phone Number</b>	<b>Fax Number</b>	<b>Company / Agency</b>	
(626) 683-2500		Christopher Sutton	
<b>Email Address</b>			
christophersutton.law@gmail.com			
<b>New Case</b>	<b>Case Number</b>	<b>Case Type</b>	<b>Court Location</b>
No	RIC1815176	Appeals	Countywide
<b>Fee Waiver or Other Exemption</b>			
Filing Appeals Documents			
<b>Filing as an Attorney</b>	<b>Bar Number</b>	<b>Attorney for</b>	
Yes	116284	RURAL ASSOCIATION OF MEAD VALLEY	
<b>Documents</b>			
1 Notice of appeal - Unlimited Civil			
<b>Notes / Special Instructions</b>			
<b>IMPORTANT:</b> This document serves as a confirmation of delivery only and the submitted documents have not yet been processed and/or filed by the Superior Court of California, County of Riverside.			



Christopher Sutton <christophersutton.law@gmail.com>

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## eSubmit 10258421 - Submission Receipt

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eSubmit - Riverside Superior Court <donotreply@riverside.courts.ca.gov>  
To: christophersutton.law@gmail.com

Mon, Apr 27, 2020 at 9:57 AM



Hello,

Thank you for submitting your document(s) to the Superior Court of California, County of Riverside. The documents for submission 10258421 have been reviewed.

- **Accepted Documents:** 1
- **Rejected Documents:** 0

No fees were required for this submission. Please see the attached receipt for additional information.

Conformed copies will be sent in separate notifications to this email address as your documents are filed and/or processed.

If you have any questions or concerns, please contact us during normal business hours.  
[Click here](#) for a list of Court phone numbers and hours of operation.

Thank You,  
Riverside County Superior Court


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**CONFIDENTIALITY NOTICE**

*This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee, or it appears from the context, that you have received this e-mail in error, keep the contents confidential, and immediately delete the message and any attachments from your system.*

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# eSubmit – Document Submission Portal

## Final Receipt

Submission ID		Date Received
10258421		4/24/2020
Credit Card Transaction Details		
Transaction ID	Date Processed	Amount Charged
N/A	N/A	\$0
Processed Documents and Fees		
Documents*	Amount	
Notice of appeal - Unlimited Civil	\$0.00	
Additional Fees		
Submission Fee	\$0.00	
<b>TOTAL</b>		<b>\$0</b>
<i>*Conformed copies will be sent to the email address provided once the accepted documents have been filed and/or processed by the Superior Court of California, County of Riverside.</i>		
Rejected Documents		
Document	Reject Reason	

## PROOF OF ELECTRONIC SERVICE (Court of Appeal)

**Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read *Information Sheet for Proof of Service (Court of Appeal)* (form APP-009-INFO) before completing this form.**

Case Name: Rural Association of Mead Valley v. County of Riverside, etc., et al.,

Court of Appeal Case Number: Not yet assigned

Superior Court Case Number: RIC1816176

1. At the time of service I was at least 18 years of age.
  2. a. My  residence  business address is (*specify*):  
586 LA LOMA ROAD, PASADENA, CALIFORNIA 91105-2443, Telephone: 626-683-2500
  - b. My electronic service address is (*specify*): christophersutton.law@gmail.com
  3. I electronically served the following documents (*exact titles*):  
NOTICE OF APPEAL (UNLIMITED CIVIL CASE)
  4. I electronically served the documents listed in 3. as follows:
    - a. Name of person served: a.1: Sean Sherlock, Lyndsey Torp, at SNELL & WILLMER, LLP  
On behalf of (*name or names of parties represented, if person served is an attorney*):  
a.1: for TRAMMEL CROW SO CAL DEVELOPMENT, INC.  
And a.2: Michelle Ouellette, at BEST BEST & KRIEGER, for COUNTY OF RIVERSIDE  
And a.3: Melissa Cushman, for COUNTY OF RIVERSIDE
    - b. Electronic service address of person served: a.1: ssherlock@swlaw.com, ltorp@swlaw.com
    - c. On (*date*): MAY 4, 2020
- The documents listed in 3. were served electronically on the persons and in the manner described in an attachment (*write "APP-009E, Item 4" at the top of the page*).

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

Date: MAY 24, 2020

CHRISTOPHER SUTTON  
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

  
(SIGNATURE OF PERSON COMPLETING THIS FORM)

<b>PROOF OF SERVICE (Court of Appeal)</b> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Personal Service	
<b>Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read <i>Information Sheet for Proof of Service (Court of Appeal)</i> (form APP-009-INFO) before completing this form. Do not use this form for proof of electronic service. See form APP-009E.</b>	
Case Name: Rural Association of Mead Valley v. County of Riverside, etc., et al., Court of Appeal Case Number: not yet assigned Superior Court Case Number: RIC 1815176	

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. My  residence  business address is (*specify*):  
 586 La Loma Road, Pasadena, California 91105-2443 Telephone: 626-683-2500 email: christophersutton.law@gmail.com
3. I mailed or personally delivered a copy of the following document as indicated below (*fill in the name of the document you mailed or delivered and complete either a or b*):

## NOTICE OF APPEAL (UNLIMITED CIVIL CASE)

- a.  Mail. I mailed a copy of the document identified above as follows:

- (1) I enclosed a copy of the document identified above in an envelope or envelopes **and**
- (a)  **deposited** the sealed envelope(s) with the U.S. Postal Service, with the postage fully prepaid.
- (b)  **placed** the envelope(s) for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope(s) with postage fully prepaid.

(2) Date mailed: May 4, 2020

(3) The envelope was or envelopes were addressed as follows:

(a) Person served:

(i) Name: Sean Sherlock, Lyndsey Torp, SNELL & WILLMER LLP

(ii) Address:  
 600 Anton Boulevard, Suite 1400, Costa Mesa, California 92626-7689 Tel: 714-427-7000, 714-427-7529  
 And a copy also was sent by email to: ssherlock@swlaw.com, and ltorp@swlaw.com

(b) Person served:

(i) Name: Michelle Ouellette, BEST BEST & KRIEGER

(ii) Address:  
 3390 University Avenue, 5th Floor, Riverside, California 92501-3320 Tel: 951-826-8373, 951-686-1450  
 And a copy also was sent by email to: michelle.ouellette@bbklaw.com

(c) Person served:

(i) Name: Melissa Cushman, OFFICE OF COUNTY COUNSEL

(ii) Address:  
 3960 Orange Street, Suite 500, Riverside, California 92501-3644 Tel: 951-955-6300  
 And a copy also was sent by email to: mcushman@co.riverside.ca.us, mcushman@rivco.org

Additional persons served are listed on the attached page (*write "APP-009, Item 3a" at the top of the page*).

- (4) I am a resident of or employed in the county where the mailing occurred. The document was mailed from (city and state):

Case Name: Rural Association of Mead Valley v. County of Riverside, etc., et al.,	Court of Appeal Case Number: not yet assigned
	Superior Court Case Number: RIC 1815176

3. b.  **Personal delivery.** I personally delivered a copy of the document identified above as follows:

(1) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

(2) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

(3) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

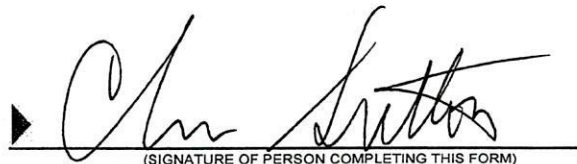
Names and addresses of additional persons served and delivery dates and times are listed on the attached page (*write "APP-009, Item 3b" at the top of the page*).

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

Date: MAY 4, 2020

CHRISTOPHER SUTTON

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)



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ORIGINAL

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

FEB 24 2020

L. Howell *[Signature]*

KKL

FEB 24 2020

R

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

RURAL ASSOCIATION OF MEAD VALLEY,  
  
Petitioner,

v.

COUNTY OF RIVERSIDE,  
  
Respondent.

Case No. RIC 1815176  
Case Designation: CEQA  
JUDGE: Honorable Randall S. Stamen  
DEPT: 07

**RESPONDENT AND REAL PARTY  
IN INTEREST'S ~~PROPOSED~~  
PEREMPTORY WRIT OF  
MANDATE**

TRAMMELL CROW SO. CAL.  
DEVELOPMENT, INC., and DOES 1  
through 100, inclusive,  
  
Real Parties in Interest

**PEREMPTORY WRIT OF MANDATE**

Judgment having been entered in this proceeding, ordering that a peremptory writ of mandate be issued from this Court,

**IT IS ORDERED** that, immediately on service of this peremptory writ:

1. Respondent County of Riverside ("Respondent") shall revise its Final Environmental Impact Report ("EIR") Project Description to include the actual distances between the Redwood Drive residential properties and Building D and Building D's

1 parking area, all as needed to comply with the Court's Ruling on Petition for Writ of  
2 Mandate, dated November 26, 2019 (the "Ruling").

3 2. Respondent shall revise the EIR to correct the typographical error regarding  
4 blasting noise by deleting the term "including blasting" from the statement which  
5 concerns construction activities, all as needed to comply with the Ruling.

6 3. Respondent shall decertify only the EIR's Project Description and prepare a  
7 revised Project Description to include the actual distances between the Redwood Drive  
8 residential properties and Building D and Building D's parking area. Respondent shall  
9 recirculate the revised Project Description for public review and comment. The corrected  
10 typographical error regarding blasting noise shall be provided on an informational basis  
11 and included with the notice and revised Project Description. Project approvals shall  
12 remain in place. Upon revision and recirculation of the Project Description, Respondent's  
13 Board of Supervisors shall exercise its discretion to determine whether to re-certify the  
14 Project Description.

15 4. Under California Public Resources Code Section 21168.9(c), this Court  
16 does not direct Respondent to exercise its lawful discretion in any particular way in  
17 complying with this peremptory writ.

18 5. Under California Public Resources Code Section 21168.9(b), this Court will  
19 retain jurisdiction over Respondent's proceedings by way of a return to this peremptory  
20 writ until the Court has determined that Respondent has complied with the provisions of  
21 CEQA.

22 6. Respondent must file a return to this peremptory writ no later than 180 days  
23 after the issuance of this writ describing the steps Respondent has taken to comply with  
24 the judgment and writ. Any objections to the return shall be filed no later than 30 days  
25 after service of the return. If any objections to the return are filed, Respondent and Real

26 ///

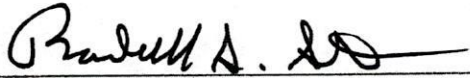
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1 Party in Interest shall have 30 days to respond to such objections, and the Court will  
2 conduct a hearing on the return to the writ as soon as such hearing can be calendared.

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Dated: February 20, 2020 ~~2019~~

  
Honorable Randall S. Stamen

1 *Rural Association of Mead Valley v. County of Riverside*  
2 *RCSC Case No. RIC 1815176*

3 **PROOF OF SERVICE**

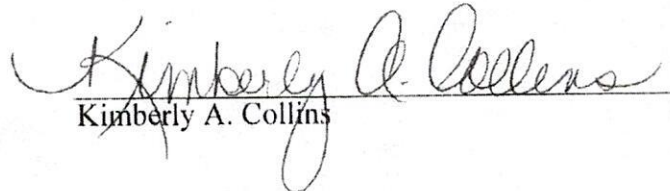
4 I am employed in the County of Orange, State of California. I am over the age of  
5 18 and not a party to the within action; my business address is 600 Anton Boulevard,  
6 Suite 1400, Costa Mesa, CA 92626-7689.

7 On December 19, 2019, I served, in the manner indicated below, the foregoing  
8 document described as **RESPONDENT AND REAL PARTY IN INTEREST'S**  
9 **[PROPOSED] PEREMPTORY WRIT OF MANDATE** on the interested parties in this  
10 action as follows:

- 11  BY REGULAR MAIL: I caused such envelopes to be deposited in the  
12 United States mail at Costa Mesa, California, with postage thereon fully  
13 prepaid. I am readily familiar with the firm's practice of collection and  
14 processing correspondence for mailing. It is deposited with the United  
15 States Postal Service each day and that practice was followed in the  
16 ordinary course of business for the service herein attested to (C.C.P. §  
17 1013(a)).
- 18  BY OVERNIGHT DELIVERY: I caused such envelopes to be delivered  
19 by air courier, with next day service, to the offices of the addressees.  
20 (C.C.P. § 1013(c)(d))
- 21  BY PERSONAL SERVICE: I caused such envelopes to be delivered by  
22 hand to the offices of the addressees. (C.C.P. § 1011(a)(b)).
- 23  BY ELECTRONIC MAIL: I caused courtesy copies of such document(s)  
24 to be delivered by e-mail. [abby@socalceqa.com](mailto:abby@socalceqa.com);  
25 [michelle.ouellette@bbklaw.com](mailto:michelle.ouellette@bbklaw.com); [mcushman@co.riverside.ca.us](mailto:mcushman@co.riverside.ca.us)

26 I declare under penalty of perjury under the laws of the State of California that the  
27 above is true and correct.

28 Executed on December 19, 2019, at Costa Mesa, California.

  
Kimberly A. Collins

PROOF OF SERVICE

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**Service List**

*Rural Association of Mead Valley v. County of Riverside  
RCSC Case No. RIC 1815176*

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Law Offices of Abigail Smith  
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