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MORENO VALLEY CLERK
'24 MAY 20 AM 9:55

8 Attorneys for Petitioner and Plaintiff- Intervenor
THE PEOPLE OF THE STATE OF CALIFORNIA
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF RIVERSIDE**
12 **RIVERSIDE HISTORIC COURTHOUSE**
13

14 SIERRA CLUB,
15 Petitioner and Plaintiff,
16 v.
17 THE CITY OF MORENO VALLEY; the
CITY COUNCIL OF THE CITY OF
18 MORENO VALLEY; and DOES 1
through 10,
19 Respondents and Defendants,
20 THE PEOPLE OF THE STATE OF
21 CALIFORNIA,
22 Petitioner and Plaintiff-
Intervenor.
23

Case No. CVRI2103300
~~PROPOSED~~ PEREMPTORY WRIT OF
MANDATE
ASSIGNED FOR ALL PURPOSES TO:
HON. CHAD FIRETAG, DEPT. 3
Action Filed: July 15, 2021

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1 TO RESPONDENTS CITY OF MORENO VALLEY AND CITY COUNCIL OF THE
2 CITY OF MORENO VALLEY:

3 The Court having entered Judgment ordering that a peremptory writ of mandate (“Writ”)
4 issue under seal of this Court in this action challenging Respondents’ decision to approve and
5 adopt the MoVal 2040 Comprehensive General Plan Update (“GPU”), the City of Moreno
6 Valley Climate Action Plan (“CAP”), and associated zoning amendment (collectively,
7 “Project”), and to certify the associated Environmental Impact Report (“EIR”),

8 YOU ARE HEREBY COMMANDED, on receipt of this Writ, to:

- 9 1. Within forty-five (45) days of service of this Writ,
10 a. set aside all Project approvals (including Resolution No. 2021-46
11 [certifying the EIR and adopting the findings, a Statement of Overriding Considerations,
12 and a Mitigation, Monitoring and Reporting Program], Resolution No. 2021-47
13 [approving the GPU and CAP, and adopting related findings], and Ordinance No. 981
14 [approving zoning ordinance amendment PEN21-0030 and adopting related findings]);
15 and
16 b. set aside the certification of the EIR for the Project.
17 2. File and serve a return to the Writ no later than ninety (90) days after service of
18 this Writ. The return shall specify the actions taken to comply with the terms of Writ.
19 3. In accordance with Public Resources Code section 21168.9(c), this Court does not
20 direct Respondents to exercise their lawful discretion in any particular way.
21 4. Pursuant to Public Resources Code section 21168.9(b), this Court retains
22 jurisdiction until the Court determines that Respondent has adequately complied with CEQA.

23 **THE FOREGOING WRIT OF MANDATE IS IMMEDIATELY ISSUED.**

24
25 DATED: MAY -6 2024



26 *K. Rahlwes*

27 Clerk of the Superior Court K. Rahlwes