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10 Attorneys for Petitioners

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF LOS ANGELES**

14 CENTER FOR BIOLOGICAL DIVERSITY,) Case No. BS 131347
15 FRIENDS OF THE SANTA CLARA RIVER,))
16 SANTA CLARITA ORGANIZATION FOR)
17 PLANNING THE ENVIRONMENT,)
18 WISHTOYO FOUNDATION/VENTURA)
19 COASTKEEPER, and CALIFORNIA)
20 NATIVE PLANT SOCIETY) Department: 86

BY FAX

18 Petitioners,)

19 vs.)

20 CALIFORNIA DEPARTMENT OF FISH)
21 AND GAME and DOES 1-20,)

22 Respondents,)

23 _____)
24 NEWHALL LAND AND FARMING)
25 COMPANY and DOES 21-50,)

26 Real Parties in Interest.)
27 _____)

[Proposed] Peremptory Writ of Mandate

1 Judgment having been entered in this proceeding in favor of Petitioners CENTER FOR
2 BIOLOGICAL DIVERSITY, FRIENDS OF THE SANTA CLARA RIVER, SANTA
3 CLARITA ORGANIZATION FOR PLANNING THE ENVIRONMENT, WISHTOYO
4 FOUNDATION/VENTURA COASTKEEPER, and CALIFORNIA NATIVE PLANT
5 SOCIETY ordering that a Peremptory Writ of Mandate be issued from this Court, NOW
6 THEREFORE IT IS HEREBY ORDERED that Respondent CALIFORNIA DEPARTMENT
7 OF FISH AND GAME (the "Department"), now known as the CALIFORNIA
8 DEPARTMENT OF FISH AND WILDLIFE, shall do the following:

9 1. Set aside its approvals of the Newhall Ranch Resource Management and
10 Development Plan, Spineflower Conservation Plan, Multi-Species Incidental Take Permit No.
11 2081-2008-013-05, Spineflower Incidental Take Permit No. 2081-2008-012-05, and Master
12 Streambed Alteration Agreement No. 1600-2004-0016-R5 (the "Project").

13 2. Set aside its certification of the Final Environmental Impact Report prepared in
14 connection with the Newhall Ranch Resource Management and Development Plan and
15 Spineflower Conservation Plan, State Clearinghouse No. 2000011025 (the "EIR").

16 3. Set aside its Findings, the Statement of Overriding Considerations, and the
17 Mitigation and Monitoring Program adopted in connection with the Newhall Ranch Resource
18 Management and Development Plan, Spineflower Conservation Plan, Multi-Species Incidental
19 Take Permit No. 2081-2008-013-05, Spineflower Incidental Take Permit No. 2081-2008-012-
20 05, Master Streambed Alteration Agreement No. 1600-2004-0016-R5, and the EIR.

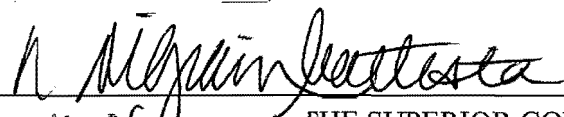
21 4. Suspend any and all specific Project activity or activities that could result in an
22 adverse change or alteration to the physical environment, unless and until the Department
23 complies with the requirements of the California Environmental Quality Act by correcting the
24 deficiencies in the EIR identified in the Court's Statement of Decision and judgment. "Project
25 activities" include all activities authorized under the Newhall Ranch Resource Management
26 and Development Plan, Spineflower Conservation Plan, Multi-Species Incidental Take Permit
27

1 No. 2081-2008-013-05, Spineflower Incidental Take Permit No. 2081-2008-012-05, and
2 Master Streambed Alteration Agreement No. 1600-2004-0016-R5.

3 The Court shall retain jurisdiction over the proceedings pursuant to Public Resources
4 Code section 21168.9(b) by way of a return to this Peremptory Writ of Mandate until the Court
5 has determined that Respondents have complied with the Writ. The Department shall file a
6 return no later than 60 days after the date of the issuance of the Writ which shall state that it
7 has complied with said Writ or that an appeal from the judgment has or will be filed. Any
8 objections to the return shall be filed no later than 30 days after service of the return.

9
10 LET THE WRIT OF MANDATE ISSUE

11
12
13 DATED: OCTOBER 15 2012

14
15 
16 Clerk of THE SUPERIOR COURT

