

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
WEDNESDAY, APRIL 8, 2015**

MINUTE ORDER NO. 9

**SUBJECT: COUNTY OF SAN DIEGO CLIMATE ACTION PLAN – RESCISSION
(DISTRICTS: ALL)**

OVERVIEW:

On June 20, 2012, the Board of Supervisors (Board) adopted the Climate Action Plan (CAP) and the associated “Addendum” to the General Plan Update Program Environmental Impact Report (EIR) (herein referred to as related environmental findings). On July 20, 2012, Sierra Club filed a petition, alleging that the County’s adoption of the CAP violated the California Environmental Quality Act. The trial court ruled in favor of Sierra Club, thus invalidating the CAP. This decision was later affirmed by the Appeals Court and ultimately the California Supreme Court denied the County’s petition for review on March 11, 2015. In a stipulated order, the Superior Court directed the County to set aside the Board’s June 12, 2012 action approving the CAP and related environmental findings within 30 days of a final adverse decision by the Supreme Court. The Supreme Court’s March 11, 2015 denial of the petition for review constitutes a final order. Therefore, the actions approving the CAP and related environmental findings must be set aside on or before April 10, 2015. Today’s action requests the Board to rescind the CAP and related environmental findings in compliance with the court order.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Rescind County of San Diego Climate Action Plan and related environmental findings previously adopted by the Board of Supervisors on June 20, 2012 (4).

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board took action as recommended.

AYES: Cox, Jacob, D. Robert, R. Roberts, Horn

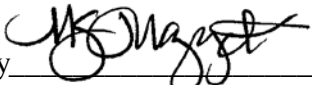
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State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the original entered in the Minutes of the Board of Supervisors.

DAVID HALL
Clerk of the Board of Supervisors



By 
Marvice E. Mazyck, Chief Deputy