



# County of El Dorado

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## Legislation Text

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**File #:** 12-1030, **Version:** 3

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Development Services and County Counsel recommending the Board consider the adoption (second reading) of Ordinance **4982** rescinding Ordinance 4771 removing Chapter 17.73 of the County Code pursuant to the July 10, 2012 Judgment in *Center for Sierra Nevada Conservation v. El Dorado County* issued by Judge Bailey. (Cont'd. 9/4/12, Item 17)

### **Background**

On July 10, 2012, Judge Bailey entered a Final Judgment in *Center for Nevada Conservation v. County of El Dorado* Case No. PC 20080336, granting the petition for writ of mandate. The writ requires the County to (1) set aside the initial study and negative declaration for the El Dorado County Oak Woodland Management Plan (OWMP), (2) set aside the OWMP, and (3) rescind Ordinance No. 4771, which added Chapter 17.73 to the County Code. The writ provides for a limited exemption from the requirements of Policy 7.4.4.4. Option A retention requirements for road safety projects and public utility safety projects.

It is the recommendation of Development Services and County Counsel that the Board of Supervisors adopt the attached Resolution and the attached Ordinance to accomplish this task.

### **Action(s) to be taken following Board approval**

The Chair will direct that Ordinance No. 4771, which added Chapter 17.73 to the County Ordinance Code, be rescinded and direct the immediate removal of Chapter 17.73 from the El Dorado County Ordinance Code.

### **Contact**

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