Message

From: Armann, Steve [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A0E0EA7A009D4D75BC7BEA58747CCF9E-SARMANN]
Sent: 9/13/2016 6:59:31 PM
To: Huetteman, Tom [Huetteman.Tom@epa.gov]
Subject: FW: Update on Ag Park CEQA Challenge Filed by CCAEJ

From: Tasnif-abbasi, Maryam@DTSC [mailto:Maryam.Tasnif-abbasi@dtsc.ca.gov]
Sent: Tuesday, September 13, 2016 11:42 AM
To: Armann, Steve <Armann.Steve@epa.gov>; ZIFF, SARA <ZIFF.SARA@EPA.GOV>; Wilson, Patrick <Wilson.Patrick@epa.gov>
Subject: FW: Update on Ag Park CEQA Challenge Filed by CCAEJ

FYI – Based on papers filed by Johnson and Sedlack on behalf of CCAEJ requesting that Ag Park activities be stopped based on inconsistencies with CEQA compliance, there was a Court hearing yesterday morning. The Court denied CCAEJ's request for a temporary restraining order, which means that DTSC's remediation work can continue for now. The Judge was not convinced that CCAEJ would prevail on the merits of its claim (i.e., that a CEQA violation occurred) because DTSC, the developer, and the City were unanimous in their positions that no CEQA violation had occurred. The Judge, however, provided CCAEJ with an opportunity to substantiate its case in advance of the hearing on the preliminary injunction.

The Court granted an order to show cause (OSC) regarding CCAEJ's request for a preliminary injunction. The hearing on the OSC is scheduled for **October 5, 2016**, at 8.30 a.m., and the following briefing schedule applies:

- If CCAEJ seeks to amend its moving papers, CCAEJ must serve its papers in support of the preliminary injunction today, September 12, 2016.
- The City's, FRA's, and DTSC's opposition papers are due September 20, 2016.
- CCAEJ's reply brief is due on September 26, 2016.

Please let me know if you have any questions, or if you would like more information. Thanks.

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