

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO**

SIERRA CLUB, et al.,
Plaintiffs,

Case No. 34-2020-80003517
(Consolidated with No. 34-2020-00283112)

vs.

JUDGMENT

**CALIFORNIA DEPARTMENT OF WATER
RESOURCES,**
Defendant.

**CALIFORNIA DEPARTMENT OF WATER
RESOURCES,**
Plaintiff,

vs.

**ALL PERSONS INTERESTED IN THE
MATTER of the Authorization of Delta Program
Revenue Bonds, the Issuance, Sale and Delivery of
Delta Program Revenue Bonds Series A, Series B,
and Subsequent Series, the Adoption of the Delta
Program Revenue Bond General Bond Resolution
and the Supplemental Resolutions Providing for
the Issuance of Delta Program Revenue Bonds,
and the Proceedings Related Thereto,**
Defendants.

On August 6, 2020, the California Department of Water Resources (“DWR”) filed a Complaint for Validation, thereby commencing Case No. 34-2020-00283112 (the “Validation Action”). On October 28, 2020, the Sierra Club and others filed a Petition for Writ of Mandate under the California Environmental Quality Act (“CEQA”), thereby commencing Case No. 34-

1 2020-80003517 (the “CEQA Writ”). On February 26, 2021, the Court (Hon. Russell Hom,
2 presiding) issued an order consolidating the two cases and designating the latter-filed case as the
3 lead case.

4 On January 4, 2022, in connection with the CEQA Writ, the Court (Hon. Laurie M. Earl,
5 presiding) issued an “Order after Hearing on Motions for Summary Judgment or Adjudication,”
6 granting summary judgment in favor of DWR and directing that judgment be entered denying the
7 Petition for Writ of Mandate. Because the two actions had been consolidated, issuance of a final
8 judgment on the CEQA Writ awaited resolution of the Validation Action.

9 On April 18, 2022, the Court (Hon. Michael G. Bowman, presiding) assigned this
10 consolidated proceeding to the undersigned for all purposes.

11 On May 15-18, 2023, in connection with the Validation Action, the Court conducted a
12 bench trial. The Court also received and considered extensive pre-trial and post-trial briefing.
13 On August 25, 2023, the Court issued a proposed Statement of Decision, following which the
14 Court received objections from DWR and responses from other parties to DWR’s objections.
15 The Court issued its Final Statement of Decision on January 16, 2024, finding DWR exceeded its
16 statutorily delegated authority when it adopted the Bond Resolutions, which purported to
17 authorize the issuance of the Delta Program Revenue Bonds.

18 Having received and considered the parties’ evidence and argument, IT IS ORDERED,
19 ADJUDGED, and DECREED THAT:

- 20 1. The Petition for Writ of Mandate filed by the Sierra Club and others is denied and
21 dismissed;
- 22 2. The Complaint for Validation filed by DWR is denied and dismissed; and
- 23 3. This consolidated proceeding, including both the CEQA Writ and the Validation Action,
24 is concluded and therefore dismissed.

25
26 Dated: 1/16/2024



27 Kenneth C. Mennemeier, Jr.
Kenneth C. Mennemeier, Jr., Judge
Sacramento County Superior Court