

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

GLENN-COLUSA IRRIGATION
DISTRICT et. al.,
CENTRAL DELTA WATER AGENCY
et. al., ANDERSON et. al.,
SAN LUIS WATER DISTRICT,
et. al.,

Petitioners,

v.

STATE WATER RESOURCES
CONTROL BOARD,

Respondent.

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. JC4118

ORDER GRANTING PETITION FOR
COORDINATION

The Petition for Coordination having come on for hearing,
and good cause appearing that the coordination of the included
actions is appropriate under the standards specified within Code
of Civil Procedure section 404.1,

IT IS ORDERED that the Petition of Respondent State Water
Resources Control Board for the coordination of the included
actions is GRANTED. It also appearing that the coordinated
actions are in the jurisdiction of more than one reviewing court,
IT IS FURTHER ORDERED that the Court of Appeal for the Third
Appellate District be designated the reviewing court having

1 appellate jurisdiction and the Court in which any petition for a
2 writ relating to any subsequent order in this proceeding shall be
3 filed.

4 After entertaining argument at the time of the coordination
5 hearing both with respect to the appropriate appellate court and
6 assignment of the coordination trial judge, this Court further
7 recommends to the Judicial Council that the coordinated
8 proceedings be assigned to the Superior Court of California,
9 County of Sacramento.

10 In making the above order designating the Third Appellate
11 District was the court to which this case shall be referred, the
12 Court has considered the arguments advanced by various parties at
13 the time of hearing, including suggestions that another location
14 would be more neutral and/or offer greater convenience. Those
15 notwithstanding, the Court makes this order for the following
16 reasons:

17 1. In light of the fact that the City and County of San
18 Francisco is a party to this case, The First Appellate District
19 offers no "neutrality" advantage.

20 2. While Sacramento is the seat of state government,
21 nonetheless, the members of the Sacramento County Superior Court
22 have a long history of addressing issues pertaining to state
23 government dispassionately and objectively. It is also true that
24 quite a few judges of the Sacramento bench have held various
25 positions in one or the other of the branches of state
26 government. Contrary to concerns expressed by counsel, however,
27 it is this writer's observation that such experience has given
28 such bench officers reason to view the actions of the other two

1 branches with a healthy skepticism, rather than with any undue
2 deference or affinity.

3 3. The State Water Resources Control Board is headquartered
4 in Sacramento, and a great deal of the voluminous administrative
5 record is lodged at the Board's offices in Sacramento.

6 4. Sacramento is fairly accessible from all corners of the
7 state by plane, train and auto, and further, offers relatively
8 less expensive lodging and meals than may generally be found in
9 San Francisco, the other venue mainly considered for this case.
10 As many of the parties in this case are public agencies, and in
11 light of the extended nature of a trial which may likely ensue,
12 such considerations should not weigh lightly.

13

14 DATED:

15

16

HON. BRIAN R. VAN CAMP
Coordination Motion Judge

17

18

19

20

21

22

23

24

25

26

27

28