FILED
Superior Court of California,
County of Imperial
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By: Alexandra Esparza, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF IMPERIAL

CITY OF IMPERIAL, Petitioner, vs. COUNTY OF IMPERIAL, ET. AL., Respondents.	Case No.: ECU004457 **FINAL JUDGMENT ON PETITION FOR WRIT OF MANDATE, WRIT OF ADMINISTRATIVE MANDAMUS, AND INJUNCTIVE RELIEF**

The petitions of Petitioner and Plaintiff CITY OF IMPERIAL ("City") and Intervening Petitioner SIERRA CLUB for writ of mandate, administrative mandate, and injunctive relief came on for trial on July 29, 2026, at 8:30 a.m. in Department 9 of this Court, the Honorable L. Brooks Anderholt presiding.

Alene M. Taber appeared for the City. Josh Chatten-Brown and Kathryn Pettit appeared for Sierra Club. Nathan George appeared for Respondents County of Imperial and Imperial County Board of Supervisors (collectively, "County"). Sebastian Rucci appeared for Real Parties in Interest.

The petitions challenge County determinations and approvals concerning a proposed artificial-intelligence data center and supporting facilities (the "Project"), including

determinations that challenged Project activities and approvals were ministerial or otherwise exempt from the California Environmental Quality Act ("CEQA").

Having considered the parties' papers, the administrative and supplemental administrative records, the stipulated facts, requests for judicial notice, evidentiary objections, and oral argument, the Court issued its Tentative Decision on August 31, 2026.

On September 9, 2026, the Court adopted the Tentative Decision as its Final Decision.

For the reasons stated in the Final Decision, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**:

1. FICTITIOUS PARTIES.

DOES 1 through 20 and ROES 1 through 20 are dismissed without prejudice.

2. PETITIONS GRANTED IN PART.

The petitions are **GRANTED IN PART** as set forth below. All remaining requests for writ relief are denied to the extent unnecessary to the CEQA disposition, without prejudice to issues that may arise in future County proceedings.

3. GRADING DETERMINATION.

The County shall set aside and vacate its November 3, 2025, determination that the grading activity associated with Grading Permit BP No. 63316 is ministerial and exempt from CEQA.

4. NOVEMBER 2025 NOTICE OF EXEMPTION.

The County shall set aside and vacate the Notice of Exemption for Grading Permit BP No. 63316 filed November 6, 2025.

5. GRADING APPLICATION APPROVAL.

To the extent the County's November 3, 2025, grading-application approval authorizes or commits the County to permit physical grading or development of the Project before CEQA compliance, that approval shall be set aside and vacated. Nothing in this Judgment determines whether a grading permit was formally issued as of the date of the challenged action.

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6. LOT MERGER, ROAD VACATION, AND APRIL 2026 CEQA DETERMINATION.

The County shall set aside and vacate the April 2026 CEQA exemption determination associated with Lot Merger No. 00191 and the vacation of Leimgruber Road, including the Notice of Exemption filed April 8, 2026.

7. RESOLUTION NO. 2026-057 AND LOT MERGER.

Resolution No. 2026-057, the approval of Lot Merger No. 00191, and the related appeal determinations shall be set aside and vacated to the extent necessary to remedy the CEQA violation identified in the Final Decision.

8. RESOLUTION NO. 2026-056 AND ROAD VACATION.

Resolution No. 2026-056 concerning the vacation of Leimgruber Road shall be set aside and vacated to the extent it constitutes an approval of the integrated Project entered before CEQA compliance.

9. REMAINING NON-CEQA ISSUES.

Nothing in this Judgment adjudicates the remaining non-CEQA issues identified in the Final Decision, including common ownership, easement removal, Board jurisdiction over the merger appeals, road-vacation requirements, plot-plan timing, or zoning of Project components. Relief concerning those issues is denied to the extent unnecessary to the CEQA disposition, without prejudice to issues that may arise in future County proceedings.

10. 2017 ZONING AMENDMENT AND NEGATIVE DECLARATION.

The County shall not rely on the 2017 Title 9 negative declaration as having completed project-specific CEQA review for the current Project. This Judgment does not invalidate the 2017 zoning amendment or adjudicate a time-barred challenge to that amendment.

11. FURTHER CEQA REVIEW.

Before reapproving the Project or allowing grading, construction, or other physical development that would further commit the County to the Project, the County shall identify the whole Project and conduct the environmental review required by CEQA. Based on the fair-argument analysis in the Final Decision, the present record requires preparation and

consideration of an environmental impact report ("EIR") addressing the Project's reasonably foreseeable direct, indirect, and cumulative environmental effects.

12. PROJECT REVISIONS AND PRIOR ENVIRONMENTAL MATERIALS.

The County remains free to consider lawful project revisions and may consider and incorporate relevant information from prior environmental documents to the extent permitted by CEQA. The County shall evaluate the Project's actual scale, components, operating demands, infrastructure, and site-specific effects and shall not presume that the 2017 zoning amendment or negative declaration resolved those effects.

13. INJUNCTIVE RELIEF.

As to the Tenth Cause of Action for injunctive relief, the County is **ENJOINED** from processing any permits for the Project unless done as directed in the Final Decision.

Nothing in paragraph 13 prohibits the County from receiving or evaluating applications, preparing or circulating environmental documents, or taking other actions necessary to conduct the CEQA review required by the Final Decision, this Judgment, and the Writ.

14. SCOPE OF RELIEF.

Nothing in this Judgment directs the County to approve or deny the Project or predetermines any alternative, mitigation measure, or ultimate environmental conclusion. Those matters remain for the County after it proceeds as required by CEQA.

15. PEREMPTORY WRIT OF MANDATE.

Upon entry of this Judgment, the Clerk shall issue a peremptory writ of mandate under the seal of this Court directing the County to comply with this Judgment and the Final Decision.

16. RETURN AND CONTINUING JURISDICTION.

The Writ shall require the County, within **60 days** after service of the Writ, to file an initial return describing the actions taken to comply with the set-aside provisions of this Judgment and identifying the further CEQA review undertaken or initiated.

The 60-day period does not require completion or certification of the EIR or completion of the CEQA process within 60 days. The Court retains jurisdiction by way of the return of the Writ until it determines that the County has complied with CEQA, this Judgment, and the Writ.

17. COSTS AND ATTORNEY FEES.

The Court makes no present determination concerning prevailing-party status, entitlement to costs or attorney fees, the amount or allocation of any such award, joint-and-several liability, or payment timing. Those matters are reserved for determination under the applicable postjudgment procedures upon a timely memorandum of costs, noticed motion, stipulation, or other appropriate application.

18. FINALITY.

This Judgment finally disposes of all claims and parties in this action. The without-prejudice language above concerns only issues that may arise in future County proceedings and does not leave any claim in this action pending.

The Clerk shall enter this Judgment forthwith and thereafter issue the peremptory writ of mandate in the form approved by the Court.

IT IS SO ORDERED.

DATED: 5-30-26

L. BROOKS ANDERHOLT
Judge of the Superior Court