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**UNITED STATES DISTRICT COURT**
**FOR THE CENTRAL DISTRICT OF CALIFORNIA**
**WESTERN DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY, *et al.*,

Plaintiffs,

v.

U.S. BUREAU OF LAND MANAGEMENT, *et. al.*,

Defendants,

and

CADIZ, INC., *et al.*,

Defendant-Intervenors

Case No. 2:21-cv-02507-GW-AS

**DEFENDANTS' NOTICE OF MOTION FOR VOLUNTARY REMAND AND MEMORANDUM IN SUPPORT**

Hearing Date: March 24, 2021
Time: 8:30 am
Courtroom: 9D
Judge: Honorable George H. Wu



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**NOTICE OF MOTION AND MOTION FOR VOLUNTARY REMAND**

PLEASE TAKE NOTICE that, on March 24, 2022, or as soon thereafter as it may be taken under submission or heard, Defendants the U.S. Bureau of Land Management ("BLM") *et al.* will, and hereby do, move this Court for a voluntary remand of the actions challenged in this case. Specifically, Defendants request that the Court grant a remand of BLM's decision to issue a right-of-way to Cadiz Real Estate, LLC ("Cadiz") allowing it to operate a pipeline to transport water between Cadiz and Barstow, California. In making that decision, BLM did not adequately analyze the potential environmental impacts of granting the right-of-way under the National Environmental Policy Act ("NEPA") and did not sufficiently evaluate potential impacts to historic properties under the National Historic Preservation Act ("NHPA"). Therefore, and for the reasons set forth in the accompanying memorandum in support, Defendants request that the Court remand BLM's decision to the agency and vacate it.

Pursuant to Local Rule 7-3, Defendants' counsel has conferred with counsel for the parties. Defendant-Intervenors Cadiz *et al.* oppose this motion. Plaintiffs Center for Biological Diversity *et al.* and Plaintiffs Native American Land Conservancy *et al.*, subject to review of the filed brief, do not oppose this motion.

DATED: December 3, 2021 Respectfully submitted,

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*/s/ Luther L. Hajek*
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**MEMORANDUM OF POINTS AND AUTHORITIES**

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