

May 21, 2008

Ground Water Litigation Passes Major Hurdle

Willows, CA – Judge Donald Cole Byrd of Glenn County Superior Court ruled today that Butte Environmental Council’s documents to augment the record are all admissible in a California Environmental Quality Act lawsuit against Glenn Colusa Irrigation District. BEC feels the documents are necessary to fully describe the GCID project and the potential harm to the ground water basin, agriculture, residential and municipal wells, fisheries, and terrestrial habitat. GCID, on the other hand, saw this as an isolated “research” activity despite proposing to install seven production wells and pumping them vigorously for two years. Lynn Barris, BEC Board member, was impressed with the decision and stated, “We are very pleased that the judge believed that having this additional information before him would allow for a more informed decision.”

Judge Byrd also concurred with California court precedent that BEC had sufficiently attempted to participate in GCID’s consideration of their ground water projects, but was precluded from the process by a lack of notification. He also noted that there were apparently no members of the public at the meeting where the project was approved by the GCID Board of Directors and that the agenda didn’t even demonstrate a time when the public could address the project. In his closing remarks, Judge Byrd stressed that this case was dealing with an “important issue,” an “important public issue.”

BEC’s Executive Director, Barbara Vlamis, was jubilant stating that, “The public’s voice was heard today. The court views this case, with the potential to exploit local ground water, as a grave matter that deserves a complete record, including the numerous plans and funding agreements that GCID and its partners have been party to for many years.”

The hearing on the merits of the case will be heard on August 6, 2008 at 10 a.m. in the Glenn County Superior Court, 526 West Sycamore Street in Willows.

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