

'I just robbed a grocery store.'  
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## Public records lawsuit: AquAlliance in quick victory over GCID

By Doug Ross  
Contributing editor

GLENN COUNTY — David met Goliath, and won a round.

David in this scenario is the feisty Chico-based environmental protection group, AquAlliance. Goliath is the Glenn-Colusa Irrigation District.

At issue in AquAlliance's civil lawsuit against the 1920-organized GCID filed in Glenn County Superior Court on July 27 this year, was to gain access to the sign-in sheets for public meetings that contain names and other information of attendees such as phone number, email address, professional affiliation.

"GCID provided them, but with addresses removed," said Davis-based attorney Paul Boylan, who represented AquAlliance. "They cited protection of privacy."

The dispute had been headed for the bench of Glenn County Superior Court Judge Peter Twede, the next step a case management conference that was calendared for Feb. 5, 2016.

However, "it just settled," Mr. Boylan told us yesterday, adding, "in record time."

That happened thanks to a conference between attorneys,

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Mr. Boylan for AquAlliance and Andrew Hitchings of the law firm of Somach Simmons and Dunn, of Sacramento.

"The theory under state disclosure laws is that coming into a public meeting, all can look at the sign-in sheets," Mr. Boylan analyzed. "In signing them, you dedicate that information to the public domain.

"Privacy is something you protect. You do so, or lose it."

He added that the negotiations were "extremely short and to the point and the case was dismissed. Since the case was filed, GCID has been more open."

The irrigation district's attorney had contacted him.

"My impression was that the irrigation agency was trying to protect peoples' privacy, not hold back information," Mr. Boylan commented.

"Two attorneys talked to each other and came up with, a mistake had been made as to what the state Public Records Act requires.

"Nothing was removed, and there were no redactions. The two attorneys (referring to himself as one of them) were both very well-informed.

"This is not to say that every future case will be easily enforceable. It's a constant battle because agencies are always trying to hide things, and have a great ability to do that."

AquAlliance was formed to challenge threats to the hydrologic health of the northern Sacramento River watershed, with a special emphasis on water supply watchdog activities in Glenn, Colusa, Tehama and Butte Counties.

AquAlliance is self-missioned to protect the ground-water and wetlands in northern California to sustain family

farms, communities, creeks and rivers, native flora and fauna, vernal pools, and recreation, according to its website:

"Achieving these objectives is essential to restoring North America's largest inland estuary: the San Francisco Bay Sacramento/San Joaquin Delta. There is no other entity that is both prepared and willing to confront the escalating attempts to divert more water from the northern Sacramento River hydrologic region as demand south of the Delta has far outstripped supply."

In a separate effort, AquAlliance this year submitted technical comments with historical background on GCID's environmental impact report for its Proposed Groundwater Supplemental Supply Project purposed to install five more production wells to add to the district's existing portfolio of five production wells.

The 10-wells, according to the Draft Environmental Impact Report, "would be operated as needed during dry and critically dry water years to achieve a maximum cumulative total annual pumping volume of 28,500 acre feet" in an 8.5-month period.

Said AquAlliance, "This amount of water is more than what the entire City of Chico uses in 12 months with California Water Service Company wells."

GCID, for project go-ahead, must secure approval from the state Central Valley Regional Water Control Board, a general permit for discharges of storm water associated with construction; and a well drilling permit from the Glenn County Environmental Health Department.

GCID boundaries cover approximately 175,000 acres in Glenn and Colusa Counties, of which 153,000 acres are deeded property, 138,800 irrigable; has 1,076 landowners and an additional 300 tenant water users.

Also, in-district there are an additional 5,000 acres of private habitat land; winter water supplied by GCID to thousands of acres of rice land provides valuable habitat for migrating waterfowl during the winter months.