

Our Region - Environment

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Former judge goes to work for Westlands Water

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Gosia Wozniacka / AP

Former federal judge Oliver Wanger, who ruled in several cases involving water agencies, now is representing one as its attorney.

A retired federal judge who recently ruled in favor of California's largest agricultural water agency is now representing that same agency as an attorney in a different lawsuit.

Judge Oliver Wanger, who retired Sept. 30 from the federal district court in Fresno, recently was named in a court filing as an attorney representing Westlands Water District. The district provides farm irrigation water across a vast swatch of the San Joaquin Valley, most of it diverted from the Sacramento-San Joaquin Delta.

Just weeks before his retirement, Wanger ruled in favor of Westlands in a case the district brought against federal wildlife officials over regulations on water diversions from the Sacramento-San Joaquin Delta. Those diversions are considered a contributing factor in the Delta smelt's decline toward extinction.

In an outburst from the bench in that case on Sept. 19, he accused two federal scientists of bias, calling one a "zealot" and suggesting the other distorted the truth. It was a rare emotional moment for Wanger, who for two decades has ruled for both water users and environmental groups in numerous complex water cases.

After his retirement, Wanger became the headline partner in a Fresno law firm that previously did relatively little work in the water arena.

"I would not undertake any representation where there is a conflict," Wanger told The Bee. "Candidly, if the environmentalists had sought to hire me or the government had sought to hire me and I had no conflicts, I would have been happy to consider representing them."

The new case was filed in Fresno County Superior Court in August by North Coast Rivers Alliance, Friends of the River, Save the American River Association, and the Winnemem Wintu Tribe.

They allege that Westlands and the U.S. Bureau of Reclamation are harming water quality and

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wildlife by irrigating Westlands land, a practice that transports naturally occurring selenium from the soil into waterways. Selenium can deform wildlife, and the plaintiffs are asking the court to require a state waste discharge permit for that irrigation activity.

A Nov. 22 court filing announced that Wanger would represent Westlands in the case.

"I guess I'm not surprised that he's now basically retained by Westlands," said Steve Evans, a program consultant at Friends of the River. "But I trust the system to work, and I think we have a really good case."

Legal ethics rules forbid a former judge to serve as a lawyer for a party in a case over which he recently presided. That prohibition does not necessarily apply in a different case, however, even if the issues are similar. It may depend on the circumstances, and the details can become a subject of dispute in the new case.

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Salmon Water Now!

Wanger working for Westlands just doesn't look good at all, does it?

If he had waited two years you might want to give him the benefit of the doubt, but two months?

With this latest news, the stink coming off Westlands has become almost as toxic as the selenium they send into our rivers, fisheries and drinking water by irrigating their tainted desert soils.

The big question now is, will Senator Feinstein finally say enough is enough, and end her special relationship with Westlands?

It would be nice if our senior Senator would start representing the interests of the entire state - not just a select, distasteful few like Westlands - when it comes to Delta water issues.

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mrsgoo

Knock me over with a feather !

I'm just surprised it took two whole months. ;)

You really can't blame Westlands for buying the best justice (pun intended) it can afford.

MONEY GOES WHERE WATER FLOWS.....sound familiar ?

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