

## Westlands Water District says it's studying whether to support Shasta Dam raise

Damon Arthur, Redding Record Searchlight

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Two days after being sued over its involvement in a proposal to raise the height of Shasta Dam, a San Joaquin Valley irrigation district said it is merely studying whether it wants to support the project.

Citing violations of the state's Wild and Scenic Rivers Act, the California attorney general and several environmental groups sued this week to stop the Fresno-based Westlands Water District from participating in plans to raise the height of the dam.

The two lawsuits against the district were filed in Shasta County Superior Court on Monday.

State officials have for years maintained that raising the height of the dam would violate the state's Wild and Scenic Rivers Act because a higher dam would further inundate the McCloud River, a protected river under state law.

“This project is unlawful. It would create significant environmental and cultural impacts for the communities and habitats surrounding the Shasta Dam,” state Attorney General Xavier Becerra said in a statement.

“Today we ask the court to block this illegal attempt by the Westlands Water District to circumvent state law,” Becerra said.

The Bureau of Reclamation for many years has been interested in raising the height of the dam 18½ feet to increase the amount of water in Lake Shasta by about 14 percent.

But environmental groups and state officials have contended that raising the height of the dam would also raise the lake level, impeding a portion of the protected McCloud River.

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The law protecting the river says that no state agency can assist in the planning or funding of any project that would affect the McCloud River, state officials have said.

In a statement issued Wednesday morning, Westlands said it was conducting an environmental review of the project to determine whether it can legally participate in supporting the project.



Nathan Morgan hangs over the side of Shasta Dam on Thursday. Morgan and others were drilling holes in the dam to test the strength of the concrete in preparation for raising the height of the dam.  
(Photo: Damon Arthur/Record Searchlight)

"The district has not yet made any determination regarding the Shasta Dam raise project," the Westlands statement says. "Rather, the district is conducting the environmental review that Attorney General Becerra complains of to adequately evaluate the question before it: whether Public Resources Code section 5093.543 precludes the district from becoming a local cost share partner."

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While the district said Wednesday it is not yet committed to the dam raising project, the agency last year hired a consultant to conduct a prepare an environmental impact report.

During a public presentation in December 2018 on the environmental report, the district's consultant said Westlands was the only agency that had come forward as a local partner with the bureau to help pay for the dam raise.

In January, Westlands General Manager Thomas W. Birmingham said: "State law does not prohibit enlarging Shasta Dam."

He went on to explain that the purpose of the environmental review was to determine, among other things, whether raising the height of the dam would have an adverse effect on the "free-flowing condition of the McCloud River."

Referring to an environmental review conducted by the bureau, the attorney general's lawsuit says raising the dam would further inundate another 60 acres of the river and reduce the wild and scenic portions of the river by 3,550 feet.

The Winnemem Wintu Tribe of Shasta County also has maintained that raising the height of the dam would inundate sites that are sacred to the tribe.

"This case challenges Westlands Water District's unlawful assistance and cooperation with the U.S. Bureau of Reclamation's plan to raise Shasta Dam and enlarge Shasta Reservoir — a project that would flood the protected and imperiled species, in the interest of delivering more water from Shasta County to California's Central Valley," the lawsuit filed by the environmental groups says.

Raising the dam 18½ feet would actually raise the maximum lake level 20 feet, according to the bureau.

Ron Stork with the Friends of the River said the environmental group joined the suit because of the need to protect the McCloud River.

"Westlands is violating the law by cooperating with the Trump Administration's aggressive plan to raise Shasta Dam," said Stork.

"The largest agricultural water district in the country is trying to use taxpayer dollars to gain more water to sell to corporate agriculture in the San Joaquin Valley."

The bureau went through an environmental review and feasibility study of raising the height of the dam, but in 2015 decided not to go forward until local or state partners joined in helping to pay for the \$1.4 billion project.

While the state can't support projects to raise the dam, the federal government does not face the same restrictions. Congress last year voted to set aside \$20 million for design and pre-construction on the project.

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Since Democrats became the majority party in Congress last year, more money for the dam raise is unlikely, U.S. Rep. Jared Huffman, D-Arcata, said earlier this year.

He said Congress is unlikely to support spending more money on the dam raise because of the state law the attorney general is suing over.

If the dam is raised, dozens of private property owners, resort owners and others located around Lake Shasta would need to relocate to higher ground, the bureau has said.

Holding back more water in Lake Shasta would also harm wildlife downstream in the Sacramento River, including endangered winter-run chinook salmon, said Drev Hunt, a lawyer for the Natural Resources Defense Council.

Two lawsuits were filed Monday in Shasta County Superior Court. One by the state Attorney General's Office and a second by the Friends of the River, the Golden Gate Salmon Association, Pacific Coast Federation of Fishermen's Associations, the Institute for Fisheries Resources, the Sierra Club, Defenders of Wildlife and the Natural Resources Defense Council.

Hunt said there are other ways to make more water available for farmers in the Central Valley. He suggested agricultural practices that use water more efficiently and increasing water storage that doesn't further limit the amount of water available for wildlife.

The bureau and local water district officials are also trying to develop a reservoir in Colusa County. That proposal would take water from the Sacramento River and store it off site, west of Maxwell.

Hunt said he doesn't endorse the Sites Reservoir proposal, but he said something similar to that could be effective in creating more water storage for farmers, as long as it doesn't reduce water for wildlife.

*Damon Arthur is the Record Searchlight's resources and environment reporter. He is among the first on the scene at breaking news incidents, reporting real time on Twitter at @damonarthur\_RS. Damon is part of a dedicated team of journalists who investigate wrongdoing and find the unheard voices to tell the stories of the North State. He welcomes story tips at 530-225-8226 and damon.arthur@redding.com. Help local journalism thrive by subscribing today!*

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