

## Judge rejects effort to move Shasta Dam lawsuit to Fresno

*Damon Arthur, Redding Record Searchlight*

*Published 11:36 a.m. PT July 22, 2019 | Updated 1:33 p.m. PT July 22, 2019*

A judge has rejected a San Joaquin Valley irrigation district's request to move a lawsuit against raising the height of Shasta Dam to Fresno County.

Westlands Water District, based in Fresno, wanted to [move the lawsuit against it](#) to its home county, but a judge has ruled the case will remain in Shasta County.

Colin O'Brien, a lawyer for Earthjustice, said after a brief court hearing Monday that he and others who sued Westlands argued that the case should stay in Redding because the effects of raising the height of Shasta Dam would be felt in Shasta County.

"The case will have powerful consequences in Shasta County," O'Brien said.

Numerous environmental and fishing groups and the California Attorney General sued Westlands in May, claiming the district is violating a state law that prohibits state public agencies from [working on or planning projects](#) that would have an adverse effect on the McCloud River.

Westlands is doing an environmental review of the effects of raising the height of Shasta Dam 18½ feet. But a previous environmental report by the U.S. Bureau of Reclamation said the dam raising would raise the lake level about 20 feet and further inundate about a third of a mile of the McCloud River. It also would increase the capacity of the lake by about 14 percent.

Westlands lawyer Daniel J. O'Hanlon said the irrigation district is merely evaluating whether to work with the bureau to raise the height of the dam and hasn't made a decision to become a financial partner on the project.



Westlands Water District of Fresno held a meeting in Redding last year on an environmental impact report on the proposal to raise the height of Shasta Dam. (Photo: Damon Arthur Record Searchlight)

Westlands Water District of Fresno held a meeting in Redding last year on an environmental impact report on the proposal to raise the height of Shasta Dam.

Bureau officials have said they are working to get state and local partners to help pay 50 percent of the project's \$1.4 billion cost.

Because most of the environmental review is being conducted in Fresno County, the lawsuit should be heard there, O'Hanlon said.

But the judge's decision to keep the lawsuit in Shasta County wasn't a major blow to Westlands, he said.

"It's not a huge deal, really," O'Hanlon said.

A potentially big deal, however, is pending before Shasta County Superior Court Judge Bradley L. Boeckman, who also ruled on the change of venue request.

The Attorney General's Office and environmental and fishing groups have asked Boeckman to issue a preliminary injunction ordering Westlands to stop work on the environmental impact report.

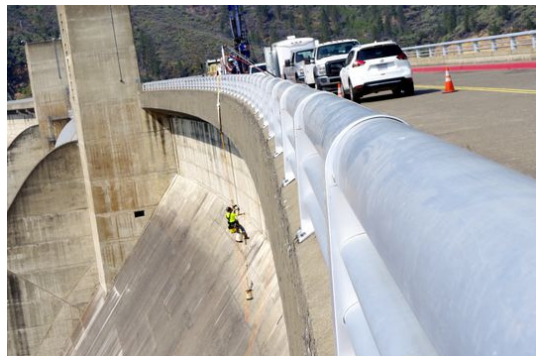
The district says it hasn't decided whether to support the project, but the bureau did some work on the dam in 2018.

In spring 2018 Congress [approved \\$20 million for preconstruction and design work](#) on raising the dam. The bureau had preliminary plans drawn up and crews drilled core samples into the dam to determine whether it could withstand the extra weight of another 18½ feet in height.

Bureau officials hope to award the first construction contract on raising the dam by the end of 2019, with work beginning in 2020. Raising the height of the dam would require moving numerous roads, bridges, campgrounds, homes and other facilities around Lake Shasta to higher ground.



Federal officials want to raise the height of Shasta Dam to store more water in Lake Shasta. (Photo: Damon Arthur/Record Searchlight)



Workers did testing on Shasta Dam in 2018 to determine whether it could withstand having an additional 18 1/2 feet of concrete placed on the crest of the dam. (Photo: Damon Arthur/Record Searchlight)

*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.*

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