

Three-Way Wrangle Over Plan to Expand Shasta Dam

July 29, 2019
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Shasta Dam in Northern California

REDDING, Calif. (CN) – A cornerstone project of the New Deal and the dam-building boom of the 20th century, Shasta Dam is not just the linchpin of California’s water delivery and flood control systems but one of the country’s tallest and most iconic dams.

After nearly 75 years of operation, the federal government has decided it’s time to raise the dam and increase storage at what is already the state’s largest reservoir. While the Trump administration is in favor, current law requires the U.S. Bureau of Reclamation – which manages Shasta Dam – to split new water project costs with other participating agencies.

In order to comply with the 2016 law, the bureau is courting an influential water district located hundreds of miles downstream to share the estimated \$1.3 billion price tag. If it ultimately decides to join the expansion, Fresno-based Westlands Water District would in theory increase its capacity to sell water to farmers in California’s agricultural heartland.

But as is the case in the majority of California’s water disputes, the project carries environmental baggage: Previous federal studies conducted before President Donald

Trump took office found that raising the dam would have negative effects on a protected stretch of river that flows into Lake Shasta.

On Monday, the state of California and a coalition of fishing groups and environmentalists asked a judge to bar Westlands from completing a crucial environmental report in hopes of stalling the project

“Everything we see looks to be illegal,” said deputy attorney general Russell Hildreth.

At issue is a stretch of the McCloud River that [both sides](#) agree would be inundated by the project.

Hildreth argued during a hearing at Shasta County Superior Court that by spending money and resources on environmental reviews, Westlands violates the state’s Wild and Scenic Rivers Act. The Legislature designated the river as protected in 1989 and the opponents say Westlands’ planning clearly violates state law since the project will muddle the currently free-flowing stretch of river.

“The continued management of river resources in their existing natural condition represents the best way to protect the unique fishery of the McCloud River,” the designation states. “No department or agency of the state shall assist or cooperate with...the planning or construction of any dam, reservoir, diversion or other water impoundment facility that could have an adverse effect on the free-flowing condition of the McCloud River, or on its wild trout fishery.”

Though Westlands hasn’t formally decided to fund the project, the state says Westlands has violated the act by budgeting \$1 million toward the environmental review.

Hours before the hearing, Judge Dennis Buckley issued a tentative ruling in favor of the state that would require Westlands to drop environmental reviews ahead of a scheduled April 2020 trial date. But his back-and-forth with the parties moved him off the tentative order, and he told the courtroom to expect an order within 48 hours.

Proponents have been trying to raise Shasta Dam for decades, but the idea has gained steam under Trump.

On the campaign trail, Trump often promised California farmers he would increase federal water deliveries, and in March 2018 Congress approved \$20 million toward the design phase of the project. David Bernhardt also lobbied on behalf of Westlands before Trump tapped him as Interior secretary.

Raising the Northern California dam by 18.5 feet would increase the reservoir’s storage capacity by 14% and create more supplies for farmers during wet years.

Westlands’ lawyer Daniel O’Hanlon painted the lawsuit as an attack on the water supplier’s decision-making process and a stall tactic. He said there’s a chance the bureau’s old study was flawed and that the project could move forward in an environmentally sound manner.

“Westlands hasn’t made a decision, it’s trying to figure out whether the project will have adverse effects,” O’Hanlon said. “We could drop the plan.”

The state responded that if Westlands is able to complete its California Environmental Quality Act (CEQA) review, state and local agencies would be forced to spend money and time on a project that the feds have already said is doomed.

“Nobody should be forced to become party to an illegal process,” Hildreth said.

Judge Buckley hinted that it will be tough for Westlands to overcome a damning 2015 bureau study that concluded raising the dam would “adversely affect” both the river’s free-flowing condition and its wild trout fishery.

“But thus far, it doesn’t look good for Westlands, does it?” Buckley asked.

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