

Trump Plan for Taller Shasta Dam Halted Over Risk Of Harming Protected River

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McCloud River, Siskiyou County, California. (Michael Kahn / MK Library via Wikipedia)

REDDING, Calif. (CN) — Dealing a short-term setback to the Trump administration’s plan to raise the height of one of California’s tallest dams — and inundate a scenic and protected river — a state judge barred the project’s main investor from completing a crucial environmental report.

In a win for the state’s lawyers, the order prevents Fresno-based Westlands Water District from finishing the reporting it will need if it decides to help the feds with the \$1.3 billion cost of raising Shasta Dam in Northern California.

Under Shasta County Court Judge Dennis Buckley’s [order](#) in Shasta County Court, Westlands won’t be able to complete the complicated process of timely filing the state-mandated environmental reviews until the conclusion of a trial set for April 2020.

In May this year the [state accused](#) Westlands, the nation's largest agricultural water supplier, of breaking a California conservation law by helping the Trump administration plan a project that would inundate a stretch of protected river in Shasta County. Environmentalists and fishing groups have joined the state in its attempt to stall a project they say will muddle the McCloud River and harm its trout fishery.

Though Westlands hasn't formally committed to funding the project, the state says Westlands violated the Wild and Scenic Rivers Act by budgeting \$1 million for the environmental review.

Attorney General Xavier Becerra applauded Buckley's ruling on Wednesday. "The court has stopped Westlands Water District from moving forward with a project that would hurt the people and environment in our state," Becerra said in a statement. "Maybe others believe they're above the law and can get away with it. But in California we're prepared to prove otherwise."

During a hearing Monday, [Westland's lawyers argued](#) that the reviews were needed to guide its decision-making process. They asked Buckley to deny the state's request for a preliminary injunction and allow Westlands to finish the California Environmental Quality Act reviews.

The lawsuit's sticking point is a 2015 report by the U.S. Bureau of Reclamation that found raising the dam would have harmful effects on the river.

Becerra said that if Westlands is able to turn in completed CEQA documents, state and local agencies would be required to waste taxpayer money responding to a project that the feds already have said is doomed.

To move ahead with the expansion, the Trump administration needs Westlands or other interested agencies to share at least half of the project's cost. Raising the Northern California dam by 18½ feet would increase the reservoir's storage capacity by 14% and create more supplies for farmers during wet years.

Westland attorney Daniel O'Hanlon said the bureau gave the water supplier until August to decide whether it's interested in the project. He called the lawsuit a stall tactic and said Monday there's still a chance Westlands could decide to back out of the plan.

O'Hanlon did not immediately return a voicemail left after office hours Wednesday night. But a Bureau of Reclamation spokesperson said the project will move forward despite the ruling.

"We have not reviewed the ruling, however such a ruling would not prevent Reclamation from moving forward with the Shasta Dam and Reservoir Enlargement Project," said bureau spokesperson Jeffrey Hawk in an email.

The stretch of river that would be inundated by the project includes some of the remaining land occupied by the Winnemem Wintu tribe, which lost most of its territory during the dam's construction in the 1930s. The tribe and other project opponents have accused the feds and Westlands of pursuing "ethnocide" at the behest of wealthy farmers hundreds of miles downstream.

Last year the secretary of the California Natural Resources Agency sent Congress a letter asking lawmakers not to fund the project. John Laird said state law prevents taxpayer dollars from going toward the project and encouraged Congress to look at other water storage alternatives that don't involve protected rivers.

<https://www.courthousenews.com/court-order-stalls-plan-to-raise-height-of-shasta-dam/>

FOR Addendum: Some state agencies would not just have to respond to completed CEQA documents, but would also have to assume responsible agency status behind CEQA lead, the Westlands Water District, in the pre-release preparation of the now enjoined environmental impact report.