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Westlands backs off Shasta Dam environmental permitting work

By Debra Kahn

09/30/2019 07:30 PM EDT

The Central Valley water agency that has been working to expand Shasta Dam in defiance of state officials today announced it would stop its work under the California Environmental Quality Act.

Westlands Water District, the largest agricultural water district in the country, said it would instead perform a separate analysis of whether raising the Northern California dam would harm the McCloud River upstream, which could eventually lead to resuming environmental permitting work.

A Shasta Superior Court judge ruled in August that Westlands had to stop its CEQA work after Attorney General Xavier Becerra accused the water district of violating the state's Wild and Scenic Rivers Act by planning to interfere with the McCloud, which is upstream of the dam and would be inundated under a plan by Westlands and the Bureau of Reclamation to raise the dam by 18.5 feet.

Westlands General Manager Tom Birmingham said that the new analysis would comply with Becerra's argument in court that the water district could properly "carry out such a study in the abstract, unconnected to any specific project planning efforts."

"We recognize the reality that because of his action, our ongoing CEQA process is not going to be completed, and we are stepping back to do the analysis that the attorney general has suggested that we should have done before we initiated the CEQA process," he said.

Birmingham also pointed out that the Wild and Scenic Rivers Act doesn't explicitly prohibit state agencies from raising Shasta. It says that they can't participate in activities that have "an adverse effect on the free-flowing condition of the McCloud River, or on its wild trout fishery."

"It's just been said for such a long time by so many people that it's been accepted as fact," he said.

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