



RAISING THE SHASTA DAM – COMPLETELY ERASING THE WINNEMEM WINTU

Trump Administration expedited environmental and cultural assessment

By [Brian Bahouth](#) - November 24, 2020



Mt. Shasta Dam - photo: mbtrama, licensed under CC BY 2.0

In a press release dated November 19, 2020, the US Bureau of Reclamation announced that the Trump Administration had released the [Shasta Lake Water Resources Investigation Final](#)

[Supplemental Environmental Impact Statement](#) to increase water storage capacity in the Shasta Lake reservoir.

“President Trump has again delivered on his promise to secure more water for Central Valley families and farmers,” said Congressman Devin Nunes (CA-22). “Increasing water storage is vital to making our communities drought resistant. By cutting red tape and raising the Shasta Dam, the Trump administration has taken crucial steps toward undoing the government-made drought conditions plaguing Valley communities. I want to thank President Trump and Secretary Bernhardt for their unwavering commitment to solving the California water crisis.”

Shasta Lake is located at the north end of California’s fertile Central Valley and is the centerpiece water storage facility of the US Bureau of Reclamation’s Central Valley Project.

Started in the 1930s, the Central Valley Project is a vast, federally funded, water distribution system of canals, pipes, dams and reservoirs south of Shasta Lake that spans more than 400 miles of California’s Central Valley.

The water enables one of the richest agricultural regions in the nation and also serves many growing municipalities. According to the Bureau of Reclamation, the Central Valley Water Project provides water for more than three million acres of farmland, nearly six million people, and critical fish and wildlife species.

The Bureau of Reclamation, through the Central Valley Project delivers water to several system operators, the largest being the Westlands Water District. Trump appointee and current Secretary of the Interior David Bernhardt is a former lawyer and lobbyist for the District.

In February of this year, the Interior Department awarded the Westlands Water District a permanent entitlement to Central Valley Project water.

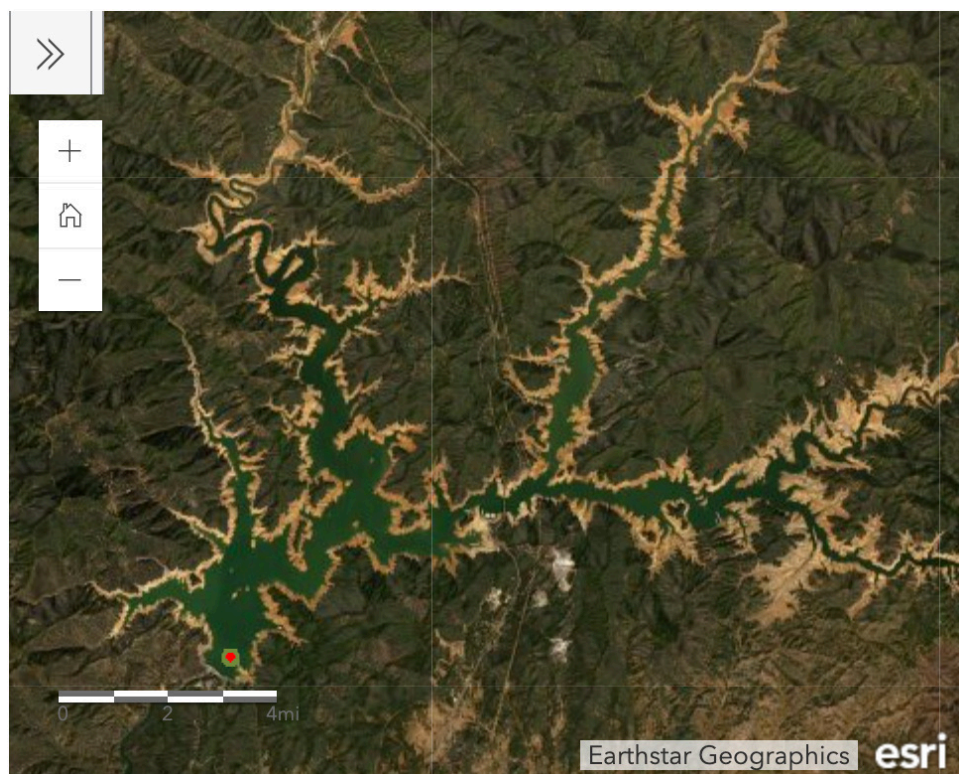
The US Department of Agriculture estimates some 40 percent of the nation’s fruits and nuts are grown in California’s Central Valley. The crops associated with Central Valley Water Project water have an annual value in excess of \$40 billion dollars.

Genocide and the Taking of Water

The Sacramento, McCloud and Pit rivers become Lake Shasta, California’s largest reservoir. The outflow from the Shasta Dam is the Sacramento River.

Just before contact with non-Indians, according to the Winnemem Wintu tribe, there were more than 14,000 Winnemem living around the McCloud River. Smallpox, government-sponsored mercenary killings, and the Gold Rush devastated the tribe’s population. By the early 20th Century, the tribe reports, fewer than 500 Winnemem Wintu remained.

Explore Shasta Lake with the interactive map below. The red dot marks the location of Shasta Dam.



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When artist and writer Stephen Powers toured California Indian country in the summers of 1871 and 1872, he visited the Winnemem Wintu and described a people organically connected to the McCloud River.

Powers recalled a Winnemum man balanced at the end of a tethered log floating in the river.

“Silent and motionless as a statue, with spear poised in the air, he sometimes looks down upon so great a multitude of black-backed salmon slowly warping to and fro in the gentle current, that he could scarcely thrust his spear down without transfixing one or more,” Powers wrote.

“They are as remarkable as all Californians for their fondness for being in, and their daily lavatory use of, cold water,” Powers added. “They are almost amphibious, or were before they were pestered with clothing. Merely to get a drink they would wade in and dip or toss the water up with their hands. They would dive many feet for clams, remain down twice as long as an American could, and rise to the surface with one or more in each hand and one in the mouth.”

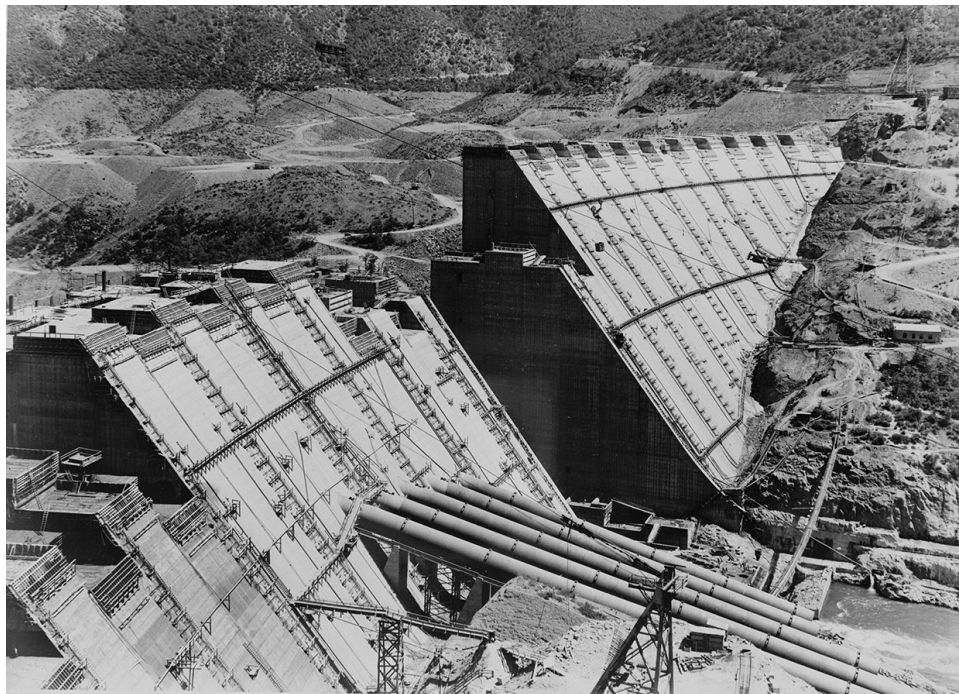
The federal government systematically separated the Winnemem Wintu and many other tribes from their native lands with a pair of treaties.

The 1851 Cottonwood Treaty handed over the lands of five regional tribes, to include the Winnemem Wintu, in exchange for a 25-mile square reservation adjacent to the Pit, McCloud, and Sacramento Rivers. But Congress never ratified the treaty, and according to the Winnemem Wintu tribe, the federal government appropriated their lands and have yet to compensate them.

The River Became a Lake during World War II.

The 1941 Central Valley Indians Lands Acquisition Act allowed for the construction of the Shasta Dam and formation of Lake Shasta. Nearly 30 miles of the McCloud River, Winnemem Wintu land, was submerged in service to the Central Valley Project, water to be used hundreds of miles away.

The Act gave, “all the right, title, and interest of the Indians in and to the tribal and allotted lands within the area embraced by the Central Valley project, including sites of agency and school buildings and related structures, as may be designated therefor by the Secretary of the Interior from time to time.”



Shasta Dam under construction in 1946 – photo: Library of Congress

The Act also grants open-ended access to native lands for the occasional construction of “reservoirs, canals, ditches, pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.”

The Act granted broad authority to move burial sites.

Caleen Sisk is chief of the Winnemem Wintu Tribe. She offered public comment at a Westlands scoping meeting regarding the raising of Shasta Dam in December of 2018.

“In 1941, the government passed an Act that took away our land and gave everybody a lake, gave everybody a dam, gave Westlands Water District water from that dam, all the way down there in Fresno, and made them billionaires, made them rich.

“But my tribe was displaced,” Sisk said. “We were homeless, we lost our land. We lost our salmon. We lost so many things under that 26 miles that lays under Shasta Lake.

“There’s a little bit that is still accessible. The sacred sites that we use right now. They come out of the water as Westlands draws down water for their crops, for whatever they’re using it for. And then we can access those sacred sites again.”

The Bureau of Reclamation first studied the feasibility of raising Shasta Dam in the 1980s and again in the early 2000s.

Reclamation prepared the Shasta Lake Water Resources Investigation Feasibility Report in July 2015 as a companion document to the project’s Final Environmental Impact Statement.

Both the Shasta Lakes Water Resources Investigation Feasibility Report and Shasta Lakes Water Resources Investigation Final EIS were submitted to Congress. In March of 2018, Congress appropriated \$20 million for preconstruction and design phase for SLWRI pursuant to the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016.

In May of 2019, California Attorney General Xavier Becerra filed a lawsuit to block Westlands Water District from assisting in the planning and construction of a project to raise the height of Shasta Dam.

“The project poses significant adverse effects on the free-flowing condition of the McCloud River and on its wild trout fishery, both of which have special statutory protections under the California Wild and Scenic Rivers Act,” Becerra wrote.

The California Wild and Scenic Rivers Act prohibits any agency of the State of California, such as Westlands, from assisting or cooperating with actions to raise the Shasta Dam.

In addition to the lawsuit filed by Attorney General Becerra, a coalition represented by Earthjustice has filed a separate lawsuit. The coalition includes Friends of the River, Pacific Coast Federation of Fishermen’s Associations, Institute for Fisheries Resources, Natural Resources Defense Council, Defenders of Wildlife, Sierra Club, and Golden Gate Salmon Association.

In October of 2019 Westlands Water District formally halted an environmental review of the project. The announcement came days after a California Supreme Court ruling that refused to hear a Westlands appeal of an earlier decision that blocked Westlands from conducting an environmental study in preparation to raise the dam.

In the Supplementary EIS, the Winnemem Wintu submitted nearly 60 individual comments.

“The Winnemem again urge Reclamation to more fully consider the cultural and environmental impacts of the Project, which threatens to inundate the Tribe’s remaining sacred lands and sites by raising Shasta Dam and expanding Shasta Reservoir,” the tribe wrote in response to the Supplemental EIS. “If approved, the Project would complete the federal government’s systematic destruction of the Winnemem ancestral homeland and traditional way of life.”

The tribe argues that the scoping process for raising the dam has not been fully considered under the National Environmental Policy Act or the National Historic Preservation Act.

“Reclamation’s efforts to raise Shasta Dam cannot proceed until Reclamation satisfies these fundamental legal requirements,” the tribe wrote in comment to the Supplemental EIS.

“Reclamation must analyze the cumulative impacts of its long history with the Winnemem, beginning with the wanton unlawful demolition of their homes and villages, the disinterment of their ancestors and reburial in a cemetery that should have been held in trust for them, the destruction of the salmon runs on the McCloud River, and the failure to comply with the dam’s original authorizing legislation.

“Since these actions, and during the entire history of Reclamation’s contentious relationship with the Winnemem, Reclamation has never rectified its blatant disregard for the dam’s impacts on the Winnemem. Raising Shasta Dam now will be the final destruction of the Winnemem’s sacred places, their ancestral homelands, their interconnected traditional cultural properties, and even the Tribe’s existence, which is inextricably bound to those sacred places.”

The Bureau of Reclamation’s response was to refer the tribe to the National Historic Preservation Act.

What the publication of the final environmental assessment for the project means for its construction is unknown. So far, Congress has not authorized construction or appropriated funds for construction of the dam extension.

Brian Bahouth is editor of the Sierra Nevada Ally. He writes about the environment, politics, business, science, culture and arts. [Support his work.](#)

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