

Conservation groups file lawsuit against the environmentally destructive Sites Reservoir

by Dan Bacher

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WOODLAND, Calif.— Five conservation groups filed a law suit on Dec. 20 against the controversial Sites Reservoir, the largest reservoir project approved in California in decades. This reservoir would harm the Sacramento River ecosystem and threaten already imperiled salmon and other fish species, the lawsuit contends.

Represented by the Law Offices of Don Mooney, the litigation was filed in Yolo County Superior Court by Friends of the River, the Center for Biological Diversity, the California Sportfishing Protection Alliance, the California Water Impact Network and Save California Salmon.

Sites would require the construction of several enormous dams and two 3,000-foot-long and 23-foot-wide tunnels. It will cost an estimated \$4.4 billion, according to the groups in a press statement.

On November 17, members of the Sites Project Authority Board, filled with representatives of the water agencies that will benefit from the project, voted unanimously to certify Sites' Environmental Impact Report just two weeks after giving the public access to the documents.

“Over the last six years, we conducted one of the most comprehensive environmental analyses ever done for a water supply project to design a project that can meet the needs of California’s communities, farms, and environment,” gushed Fritz Durst, Chair of the Sites Project Authority Board of Directors. “Sites Reservoir is a new way of managing water designed to provide resiliency and reliability amid our changing climate.”

Governor Gavin Newsom used Senate Bill (SB) 149 to fast-track Sites despite the [project's failure to meet statutory criteria](#) of the SB 149 Infrastructure Streamlining Program.

The reservoir would be located in Glenn and Colusa counties on the west side of the Sacramento Valley, about 80 miles northwest of Sacramento. The project would store about 1.5 million acre-feet of water, or nearly 490 billion gallons.

But to achieve this capacity, the reservoir would divert large quantities of water from the Sacramento River system, home to federally protected salmon and steelhead, the groups noted.

For conservationists, Tribes and fishing groups, the approval of the Sites Project couldn't come at a worse time. Two Endangered Species Act-listed runs of Sacramento River salmon —the

spring-run and winter-run Chinook salmon—are moving closer and closer to extinction, while the fall-run Chinook and the late fall-run Chinook are in alarming decline.

Due to the collapse of fall-run Chinook salmon on both the Sacramento and Klamath/Trinity rivers, recreational and commercial ocean salmon fishing was closed in California and most of Oregon and recreational salmon fishing was closed in all California rivers this year.

Sites would reduce flows in the Sacramento River when salmon are migrating, making the dire situation Central Valley salmon and steelhead are in now even worse, according to the groups.

“The Sites Reservoir project will cause much environmental harm, which falls on the public, and a small amount of good, which primarily benefits the project investors,” said Ron Stork, senior policy advocate at Friends of the River. “Among other harms, the reservoir will be a major greenhouse gas emitter. A recent [analysis](#) estimated that Sites would emit the equivalent of 80,000 gasoline-powered cars each year.”

The suit challenges the Sites Project Authority, a state joint powers authority, for violating the California Environmental Quality Act (CEQA) in approving the reservoir.

“Diverting too much water will never solve the problem of giving away too much water,” said Chris Shutes, executive director of the California Sportfishing Protection Alliance. “But the only alternatives the Sites environmental report looked at were different ways to divert more water. To make a bad idea worse, the Sites report low-balled the required flow in the Sacramento River because a flow that protects fish would make the reservoir too expensive to build.”

The Sites Reservoir project aims to capture large volumes of floodwaters from major storms and store them as a buffer against drought. “But despite its expense and environmental harms, it will provide only a small water-supply benefit, increasing the state’s storage capacity by about 3%,” the groups noted.

“It’s very difficult to justify the expense and environmental costs of big surface storage infrastructure projects, and the Sites Reservoir will cause far more harm than good,” said John Buse, an attorney at the Center for Biological Diversity. “Water storage undoubtedly provides some benefit, but we should be looking at cheaper alternatives that do more for people, rivers and fish.”

The groups said water evaporation from surface reservoirs can result in significant water loss, an effect that will only worsen with California’s warming climate. Surface storage projects can also contribute to climate change by releasing methane, a potent greenhouse gas. Surface reservoirs can also impair water quality because the warmer water they impound can contribute to toxic algal blooms, which will also worsen with climate change.

“Sites is a very expensive boondoggle that is likely to produce toxic water,” said Carolee Krieger, executive director of the California Water Impact Network. “Do we really want another Kesterson? It’s not cost effective to throw money at a problem for such questionable and minimal actual water benefit.”

“Sites will perpetuate California’s antiquated and inequitable water distribution system to the detriment of Northern California Tribes, salmon and water quality,” said Regina Chichizola,

executive director of Save California Salmon. “It will promote the concentration of water and power in the hands of the few, and we have no choice but to challenge it in court.”

Not only are salmon moving closer to extinction under the current water and fishery management by the state and federal government agencies, but the entire San Francisco Bay-Delta ecosystem is in a state of collapse. For the past five years, no Delta smelt, once the most abundant fish in the entire estuary, have been caught in the California Department of Fish and Wildlife’s fall Midwater Trawl Survey on the Delta.

Between 1967 and 2020, the state’s Fall Midwater Trawl abundance indices for striped bass, Delta smelt, longfin smelt, American shad, splittail and threadfin shad have declined by 99.7, 100, 99.96, 67.9, 100, and 95%, respectively, according to the California Sportfishing Protection Alliance.

Taken as five-year averages (1967-71 vs. 2016-20), the declines for striped bass, Delta smelt, longfin smelt, American shad, splittail and threadfin shad are 98.1, 99.8, 99.8, 26.2, 99.3 and 94.3 percent, respectively.

The Sites Authority Board of Directors, Associate Members and Reservoir Committee Representatives represent a who’s who of water agencies in California — and a classic example of regulatory capture by Big Ag and Big Water. They include the following representatives of water contractors that would benefit from the project:

Sites Authority Board Directors

Fritz Durst, Chair, Reclamation District 108

Grey Allen, Placer County Water Agency/City of Roseville

Logan Dennis, Glenn-Colusa Irrigation District

Gary Evans, Colusa County

Kerry Schmitz, City of Sacramento/Sacramento County Water Agency

Joe Marsh, Colusa County Water District

Thomas Arnold, Glenn County

Doug Parker, Westside Water District

Jeff Sutton, Vice-Chair, Tehama-Colusa Canal Authority

Don Bader – U.S. Bureau of Reclamation (Cost-Share Partner, Non-Voting)

Rob Cooke – CA Department of Water Resources (Ex-Officio, Non-Voting)

Associate Members

Greg Johnson, Western Canal Water District

Reservoir Committee Representatives

Jason Holley, City of American Canyon

Matt Knudson, Antelope Valley – East Kern Water Agency

Greg Krzys, Glenn-Colusa Irrigation District

Lance Eckhart, San Geronio Pass Water Agency

Jamie Traynham, Treasurer, Davis Water District

Mike Azevedo, Vice-Chair, Colusa County

Robert Cheng, Coachella Valley Water District

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Valerie Pryor, Chair, Zone 7 Water Agency

Cindy Kao, Santa Clara Valley Water District

Mark Krause, Desert Water Agency
Robert Kunde, Wheeler Ridge-Maricopa Water Storage District
Steve Cole, Santa Clarita Valley Water District
Shelly Murphy, Colusa County Water District
Allen Myers, Westside Water District
Randall Neudeck, Metropolitan Water District
Jim Peterson, Cortina Water District
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Bill Vanderwaal, Reclamation District 108 and Dunnigan Water District
Trent Taylor, Rosedale-Rio Bravo Water Storage District
Paul Weghorst, Irvine Ranch Water District

For more information on the Sites Reservoir boondoggle,
visit:<https://www.friendsoftheriver.org/our-work/rivers-under-threat/sacramento-threat-sites/>

<https://www.dailykos.com/stories/2023/12/20/2212969/-Conservation-groups-file-lawsuit-against-the-environmental-destructive-Sites-Reservoir>