



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

California Wild and Scenic Rivers Act: Environmental Organizations Challenge Water District's Involvement with Dam Expansion and Reservoir Enlargement

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The Sierra Club and other organizations (collectively "Sierra club") filed in California Superior Court a May 13th "Complaint for Declaratory and Injunctive Relief and Verified Petition for Writ of Mandate" ("Complaint") against Westlands Water District ("Water District") alleging violation of the California Wild and Scenic Rivers Act ("Act").

The Complaint alleges that the Water District is violating the Act by providing assistance and cooperation to the United States Bureau of Reclamation to raise Shasta Dam and enlarge Shasta Reservoir.

The Complaint alleges that the referenced activities would:

... flood the protected, free-flowing McCloud River, destroy Native American cultural sights, and harm protected and imperiled species, in the interest of delivering more water from Shasta County to California's Central Valley.

In support of the Complaint Sierra Club alleges in part:

- The Act prohibits the State of California from assisting or cooperating with the planning or construction of any dam or reservoir that could have an adverse effect on the McCloud River's free-flowing condition or its wild trout fishery.
- The United States Bureau of Reclamation has determined that the proposed raising of the dam by 18.5 feet could have an adverse effect on the free-flowing condition of the McCloud River and its wild trout fishery, in contravention of the Act.
- The United States Bureau of Reclamation is prohibited from proceeding with the project (which will cost over \$1.4 billion) unless pursuant to applicable federal law it secures one or more local cost-share partners.
- Westlands is taking actions to become a cost-share partner.
- As an agency of the State of California Westlands is illegally assisting and cooperating in the planning and construction of the dam in violation of the Act.

Sierra Club seeks a declaration from the California Superior Court that Westlands is in violation of the Act and an injunction and writ of mandate directing Westlands to halt such actions.

A copy of the Complaint can be downloaded [here](#).