

Hoopa Valley Tribal Council

Hoopa Valley Tribe

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Trinity County Calls on Interior Secretary to Terminate Trump-Era Water Contract Cites Fishery Destruction and Financial Misconduct

Hoopa Valley Tribe Hails County's Action

Emerging victorious from a California Appeals Court ruling after a four-year battle against an attempted water grab by the massive Westlands Water District (Westlands), northern California's Trinity County asked Interior Secretary Deb Haaland to end the matter, once and for all.

In a November 8 letter to Secretary Haaland, the Trinity County Administrator did not mince words—a million acre-feet federal water contract between the Trump Administration and Westlands, he wrote, “is materially incomplete, has not been validated and is not binding on Interior. Therefore, Trinity County asks for a rescission of the subject contract.”

Trinity County and its allies, including San Joaquin County and numerous non-governmental organizations, proved to the court that the Trump Administration's contract with Westlands left out terms required by federal and state law to restore fisheries and recoup the costs from Westlands and other federal water contractors.

In the 1992 Central Valley Project Improvement Act, Congress concluded that while the federal Central Valley Project had produced enormous wealth for industrial farms, among others, it also caused widespread environmental damage, including decimation of fish

and wildlife resources vital to Trinity County's economy and tribal property rights in the Trinity River basin that the United States holds in trust.

"We applaud Trinity County's unwavering support for the rule of law and the Trinity Basin's environment," said Hoopa Valley Tribal Chairman Joe Davis.

The CVPIA required the Secretary to restore fish and wildlife both in the Trinity River and throughout the Central Valley. Significantly, the law required federal CVP contractors--not the public--to pay for restoration as a cost of their doing business.

"Nonetheless, the Trump Administration's contract deliberately omitted restoration requirements and zeroed out more than \$340 million in restoration costs owed by Westlands and other contractors," said Vice Chairman Everett Colegrove.

"Not only that, but we have also found federal public records that identify an additional \$147 million in uncollected restoration costs," said Hoopa Fisheries Director, Michael Orcutt.

"Trinity County's victory belongs to all who care about environmental justice, tribal rights, and fiscal responsibility," said Council Member Daniel Jordan.

-End-

Attachments: Trinity County letter
Area Map



TRINITY COUNTY

Office of the County Administrator

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November 8th, 2023

Deb Haaland, Secretary
 Department of the Interior
 1849 C Street, N.W.
 Washington DC 20240

Dear Secretary Haaland,

Trinity County is a defendant and respondent in California Supreme Court Case No. S282198 (*WESTLANDS WATER DISTRICT v. ALL PERSONS INTERESTED*). The case concerns the matter of validating the contract between the United States and Westlands Water District providing for project water service, San Luis Unit and Delta Division and facilities repayment.

Per the attached ruling, the contract is materially incomplete, has not been validated and is not binding on Interior. Therefore, Trinity County formally asks for a rescission of the subject contract by the Bureau of Reclamation/Department of Interior.

The Trinity River was dammed specifically to provide water to Westlands Water District and the larger San Luis Unit of the CVP. Damming the Trinity River has decimated its salmon and steelhead resources and continues to harm our local economy. Westlands' water contracts should not be made permanent or renewed without a full Environmental Impact Statement (EIS), compliance with the Endangered Species Act, the CVPIA and other laws. There should be full consideration of an alternative that would significantly reduce contract delivery amounts. The EIS should also disclose the financial obligations that Westlands and other CVP contractors must repay restoration costs for the Trinity River, which are required as operation and maintenance costs per the Central Valley Project Improvement Act.

We look forward to your response to this letter.

Sincerely,

Trent Tuthill
 Trinity County Administrative Officer

cc: Chairman Joe Davis, Hoopa Valley Tribe
 Mike Orcutt, Hoopa Fisheries Department

