

California Sues Trump Administration Over New Federal Water Rules

JON PARTON / February 20, 2020

(CN) — Taking aim at new Trump administration rules that allow farmers to use more water from the state's largest rivers, California claimed in a federal lawsuit Thursday that the rules fail to protect endangered fish species.

The lawsuit, filed in the Northern District of California by state Attorney General Xavier Becerra and state environmental agencies, comes a day after President Trump signed new rules that change how much water can be used from the Sacramento and San Joaquin rivers. The rivers are used for much of the state's agriculture industry.

Becerra said the new rules will harm endangered wildlife with their lack of protections.

“As we face the unprecedented threat of a climate emergency, now is the time to strengthen our planet’s biodiversity, not destroy it,” Becerra said in a statement. “California won’t silently spectate as the Trump Administration adopts scientifically-challenged biological opinions that push species to extinction and harm our natural resources and waterways.”

The state's rivers are controlled by two networks of canals and dams that limit the amount of water pumped out. The federal government controls one while the state controls the other.

The federal government has normally set the rules for both networks, but California officials say the Trump administration's new rules don't provide enough protection for endangered fish, including chinook salmon and steelhead trout.

Governor Gavin Newsom delayed the lawsuit in hopes of negotiating an agreement with the federal government.

“We are challenging the federal biological opinions, which do not currently govern water project operation in the Delta, to protect highly imperiled fish species close to extinction,” Newsom said in a statement. “Our goal continues to be to realize enforceable voluntary agreements that provide the best immediate protection for species, reliable and safe drinking water, and dependable water sources for our farmers for economic prosperity.”

The lawsuit names the Bureau of Reclamation as responsible for issuing an incorrect opinion that opening up more water for agricultural usage would not endanger the local wildlife.

Interior Secretary David Bernhardt, said in a statement Thursday evening that the lawsuit could have dire consequences for Californians.

“The governor and attorney general just launched a ship into a sea of unpredictable administrative and legal challenges regarding the most complex water operations in the country, something they have not chartered before,” Bernhardt said. “Litigation can lead to unpredictable twists and turns that can create significant challenges for the people of California who depend on the sound operation of these two important water projects.”

Gov. Newsom's administration has been reluctant to file the lawsuit, threatening to do so back in November, but said Thursday that it was necessary.

“This is the best path forward to sustain our communities, our environment and our economy,” the governor said.