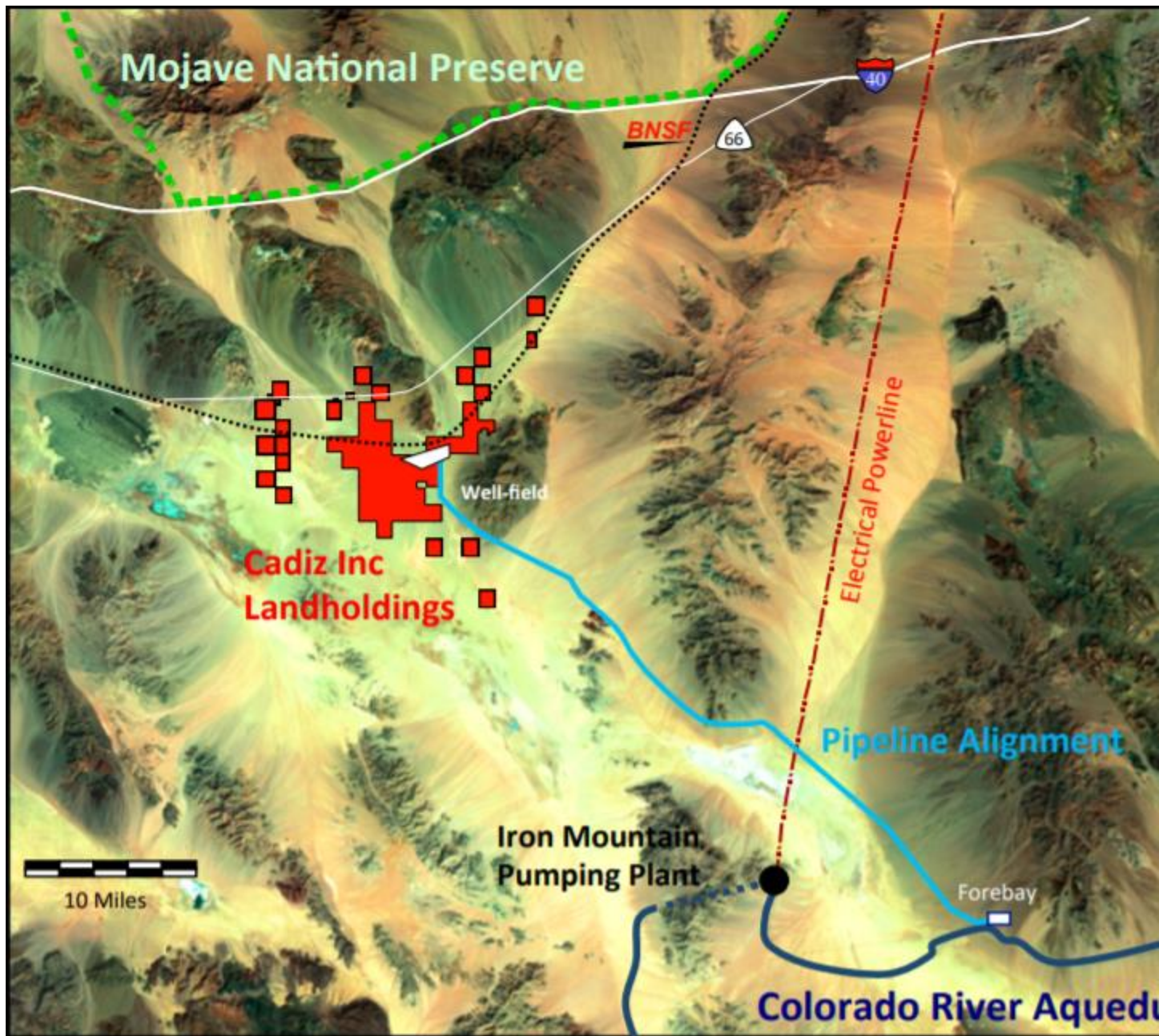


<https://www.courthousenews.com/pipe-dream-feds-sued-over-desert-water-pipeline-okd-by-trump/>

Pipe Dream: Feds Sued Over Desert Water Pipeline OK'd by Trump

[March 23, 2021](#) [NATHAN SOLIS](#)

The project would repurpose an existing gas and oil pipeline to pump water to municipalities across Southern California.



One iteration of Cadiz Inc.'s plan to pump groundwater from the Mojave Desert and send it to thirsty cities in Southern California.

(CN) — Just before the Trump administration headed out the door, a federal agency this past December cleared the way for a private company to begin pumping groundwater from under the Mojave Trails National Monument in Southern California.

The Cadiz water project would extract roughly 16.3 billion gallons of groundwater every year for 50 years from aquifers north of Joshua Tree National Park. The project would overtax the surrounding environment, according to environmentalists who [filed a lawsuit](#) to halt the project Tuesday. The latest iteration of this project involves repurposing an existing oil and gas pipeline.

The Center for Biological Diversity, Defenders of Wildlife and the Sierra Club accuse the U.S. Bureau of Land Management of leapfrogging over the necessary environmental analysis when it approved a right-of-way that will allow a 43-mile pipeline to pass over federal land. This is not the first time the pipeline has been the center of a legal fight.

Cadiz Inc. proposed the project in 2012. Over the years, the company has realigned sections of the proposed pipeline route, but in 2015 a legal evaluation from the BLM under then-President Barack Obama said a railroad right-of-way could not be used for purposes apart from the operation of a railroad. This effectively stopped the project in its tracks.

In 2017, [the Trump administration's BLM](#) said it had removed the legal hurdles keeping the company from launching its project. In 2019, [a federal judge ruled](#) found the Trump BLM's interpretation of the law was "incredibly broad" and said the agency could not adequately explain why it reversed its 2015 legal opinion.

This past summer, Cadiz sought to repurpose an oil and gas pipeline operated by El Paso Natural Gas, which has the right-of-way over federal land. BLM approved this application on Dec. 21, 2020, in the last days of the Trump administration.

But the BLM's approval means the project would move forward without any environmental review, according to the lawsuit filed in the Central District of California, in violation of the National Environmental Policy Act (NEPA) requirement of some form of environmental review for projects of this scope.

In its approval of the latest right-of-way, BLM said the project would have no significant environmental impacts because existing infrastructure would not include any new construction.

The environmental groups claim the Trump administration pushed the approval at the last second. Cadiz and its CEO Scott Slater — who is also part of the high-powered Denver-based law firm Brownstein Hyatt Farber Schreck — fostered connections with Trump administration and often lobbied the U.S. Department of Interior, the groups say.

In their 24-page complaint, the groups claim BLM violated federal law including NEPA, the Federal Land Policy and Management Act and a proclamation that only allows approval of modifications to pipelines within the Mojave Trails National Monument if they are in line with the care and management of the area.

A vast network of underground aquifers sustain life in the and near the national monument, the groups say, and the Cadiz project would drain it to the breaking point.

"Overall, the Cadiz Water Project would lower groundwater levels by 80 feet in the aquifer system through unsustainable pumping, and it could take 390 years after the cessation of pumping for the aquifers to return to their current equilibrium," the groups say in the complaint.

"The Trump administration did one last favor to Cadiz by granting this right-of-way without any public review," said Center for Biological Diversity scientist Ileene Anderson in a statement.

“This massive water-privatization scheme would dry up life-giving desert springs and seeps that some of California’s rarest desert species rely on. It’s reckless and illegal, and it needs to be stopped.”

The nonprofit environmental group Earthjustice represents the plaintiffs, who seek a court order canceling the right-of-way approval. A BLM spokesperson declined to comment.