

**Congress of the United States**  
**Washington, DC 20515**

March 10, 2017

The Honorable Donald J. Trump  
President of the United States  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

President Trump,

We are writing to request that you take immediate action to facilitate work required to address an emergency situation impacting Oroville Dam, one of the most important components of California's water supply infrastructure. As you are aware, as a result of unprecedented precipitation and runoff in the Feather River watershed, the emergency spillway at the Oroville Dam was used on February 11, 2017, for the first time since the Dam's construction in 1968. An uncontrolled spill occurred directly onto the earthen hillside below the crest of the emergency spillway, resulting in significant erosion that threatened to undermine and collapse the spillway structure itself. Had this failure occurred, a 30-foot wall of water would have inundated the Feather River below the Dam, flooding communities downstream. Fearing this exact scenario, on February 12, 2017, emergency response officials ordered the mandatory evacuation of more than 180,000 people from low-lying areas along the Feather River in Butte, Yuba and Sutter Counties. Your emergency declaration in response to this situation ensured that federal resources were available to aid in the evacuation and shelter those forced to flee their homes, and you have our sincere gratitude and appreciation for this swift response.

As of February 12, California suspended the application of the California Environmental Quality Act (CEQA) in order to expedite emergency response work and recovery at the Dam. Ensuring that the dam is operational and safe by next winter is essential to protecting residents and the state's drinking water supply in the coming year.

Emergency work has been ongoing at the Dam and while the mandatory evacuation order was rescinded, residents are still under an evacuation warning. Families were able to return to their homes and businesses were reopened. However, the emergency is not over. The threat looms with every pending storm and the eventual runoff of record levels of snow in the watershed above the Dam. Those who were evacuated have been told to remain prepared for another evacuation.

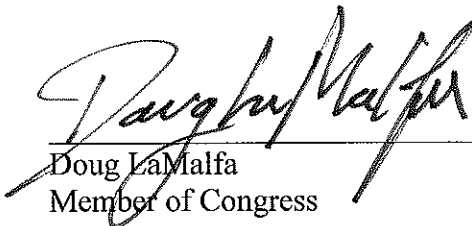
Despite the ongoing emergency, on February 24, the National Marine Fisheries Service (NMFS), an agency within the Department of Commerce, sent to the Federal Energy Regulatory Commission a letter recommending emergency consultation under the Endangered Species Act, as well as numerous recommended restrictions on repair work already underway. Those

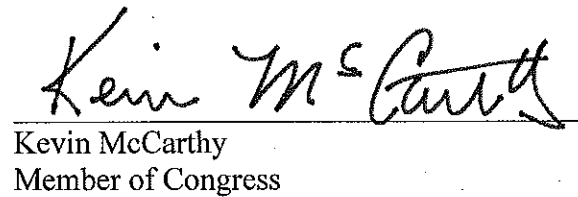
restrictions would threaten and impede efforts to repair the Oroville Dam emergency spillway and related infrastructure. For example, NMFS urged that spillway closures to conduct inspections and repairs be conducted only at night, a proposal which would delay repairs immeasurably and place workers at risk, and recommended that debris removal work necessary to restore hydroelectric generation be done with an emphasis on fishery health, not alacrity.

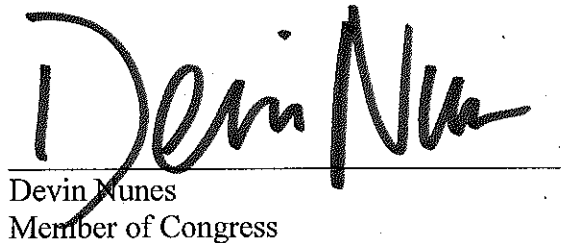
This letter is a striking display of how the Endangered Species Act and its implementation by unelected bureaucrats places listed species ahead of human life, property, businesses, schools, and churches, which remain at significant risk of catastrophic loss. Should NMFS be allowed to dictate the repair process, critical work needed to protect hundreds of thousands of people will be delayed significantly, perhaps for years, and experience major cost increases. Furthermore, such delays would negatively impact operations of the largest state-owned reservoir in California, which supplies 20 million people with drinking water.

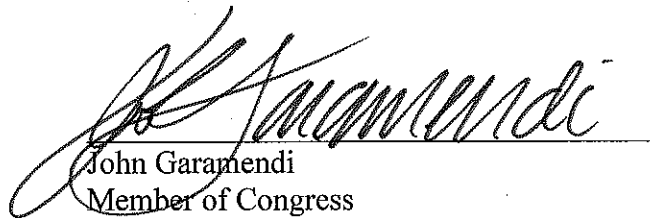
It is our hope that you will continue your work to aid the region by exempting from the Endangered Species Act and the National Environmental Policy Act for all repair work at the Dam, the spillways, and other facilities damaged during the February 2017 storm events, for the duration of this work. In this emergency situation, these exemptions are absolutely vital to prevent the recurrence of the disaster and to reduce the potential harm to the populations of those counties affected by the disaster. We thank you for your continued personal attention to this situation.

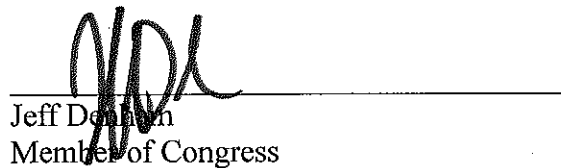
Respectfully,

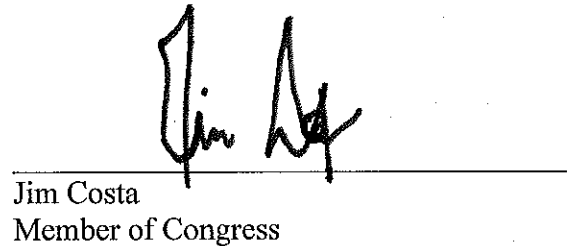
  
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Doug LaMalfa  
Member of Congress

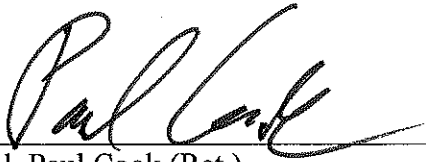
  
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Kevin McCarthy  
Member of Congress

  
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Devin Nunes  
Member of Congress

  
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John Garamendi  
Member of Congress

  
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Jeff Denham  
Member of Congress

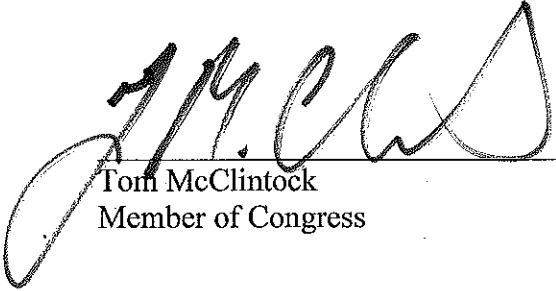
  
\_\_\_\_\_  
Jim Costa  
Member of Congress



Col. Paul Cook (Ret.)  
Member of Congress



Ken Calvert  
Member of Congress



Tom McClintock  
Member of Congress



David G. Valadao  
Member of Congress