

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

March 16, 2006

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, DC 20500

Dear Mr. President:

We are writing to respectfully request your assistance with expediting emergency levee repairs in California's Sacramento Valley and San Joaquin Delta. As you know, Governor Arnold Schwarzenegger recently declared a state of emergency after twenty-four "critically eroded" levee sites were identified by the Corps of Engineers as those that may trigger a catastrophic flood in the greater Sacramento region of Northern California. We know you are well aware that a major levee failure in this area could bring untold human and economic devastation, on par with what occurred in Biloxi and New Orleans last summer.

Under normal circumstances, repair work on the Corps' twenty-four critically eroded sites is estimated to take approximately *four years* to complete - a schedule that, in our view, is unacceptable for this very serious emergency situation. This prolonged timeline is intimately tied to the lengthy bureaucratic review process that is required before such work may proceed. The sheer magnitude of the potential devastation justifies beginning the needed repair work first, and following up with appropriate mitigation *after* we are assured that the public is safe.

Governor Schwarzenegger's declaration enables the state to immediately invest emergency funds in levee repair. In addition, the Governor now has the legal authority to streamline the application of the state's environmental regulations on these twenty-four critically eroded sites. This flexibility is extremely helpful, considering the very real flood threat that the state faces, but we stress that the Governor's action by itself cannot be fully effective unless the federal government streamlines its regulatory process as well.

The delay of levee repair projects associated with a prolonged federal regulatory process has a rather dubious history in our home state. In 1991, the Corps of Engineers issued a report identifying levee sections that protect the community of Arboga, just north of Sacramento, as needing immediate repair. Their analysis included a sober assessment that without repair this levee section could fail, and that such a failure would likely result in, "*a loss of human life.*" Unfortunately, their analysis proved all too prophetic. Local efforts to repair the levee were encumbered by federal "red tape" for the better part of seven years. The catastrophic flood of January 1997 broke through the weakened levee - just as the Corps had predicted - and tragically, three lives and hundreds of millions of dollars in property and infrastructure were lost in the ensuing flood.

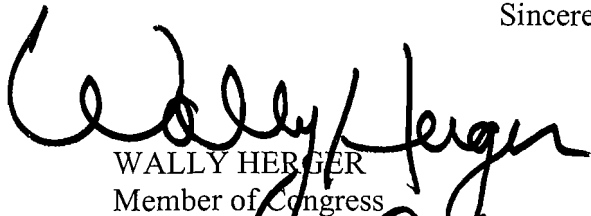
Compliance with the exhaustive permitting and mitigation requirements also adds a considerable financial burden to levee repair and maintenance. In a January 2005 report entitled, "*Flood Warnings: Responding to California's Flood Crisis*," California's Department of Water Resources summed up the skyrocketing cost that government regulations add to levee repair projects, by saying, "the State...repaired levee erosion sites on a regular basis through the early 1980s...at a cost of about \$300 per linear foot with no significant backlog of [erosion] sites. *By contrast, today there is a backlog of nearly 200 erosion sites totaling 120,000 linear feet...[R]epair costs [are] now as high as \$5,000 per linear foot.*" [Emphasis added] While an environmental review process may be appropriate under certain circumstances, we believe that a state of emergency is clearly not one of them.

The alarming conclusions depicted in the Corps of Engineers critical sites report lead us to believe that unless common sense is applied to situation at hand, a day of reckoning in California is more matter of *when*, rather than *if*. We believe that a measured and targeted federal response to compress the review and permitting process is warranted in this instance. Reliance on the status quo will simply not satisfy the timely government action that is needed. We recognize and applaud the work you've done in other policy areas to make the federal review process more responsive when public health and safety is at risk, while still requiring public input and environmental review. The Healthy Forests Initiative is one such example. We believe California's levee crisis deserves similar attention, and as such, we respectfully request your assistance with helping our state expedite this urgent flood protection work.

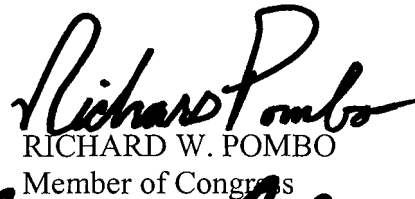
In addition, the Corps is conducting a 180-day reconnaissance-level study of the Sacramento/San Joaquin Delta as required under the CALFED reauthorization (P.L. 108-361). This study will help the Corps determine and prioritize where the most critical levee repair work is needed. Since it is imperative that Delta levee repair work commences as soon as possible, this Corps study must be completed no later than May. We ask that you direct the Corps to redouble its efforts to finish this report on schedule.


We thank you for your consideration of this request and look forward to working with you and your administration to address this serious situation.

Sincerely,

  
WALLY HERGER  
Member of Congress

  
JOHN T. DOOLITTLE  
Member of Congress

  
RICHARD W. POMBO  
Member of Congress

  
GEORGE H. RADANOVICH  
Member of Congress



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