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UNITED STATES CONGRESS

January 19, 2018

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Kevin McIntyre
Chairman, Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Chairman McIntyre,

I write to request that the Federal Energy Regulatory Commission (FERC) delay the relicensing of the Oroville Facilities Project (Project) – FERC No. 2100.

Earlier this year, operators at the Project lost operational control of the dam's auxiliary spillway causing uncontrolled releases from the dam. Total control was nearly lost when water spilled over the top of the emergency spillway for the first time ever, and began eroding away at the spillway curtain. Coupled together, these two events put the dam at risk of catastrophic failure.

Nearly 200,000 residents were evacuated from their homes and President Trump had to issue a Major Disaster Declaration for the area. Thankfully, a catastrophe was avoided this time — but even so, the lives of the evacuees were upended as they missed work and school, spent money on hotels and supplies, and lost sleep under the weight of the stress they endured.

As required by FERC, the Independent Forensic Team recently published its final report on the Oroville Dam spillway incident. The Executive Summary states:

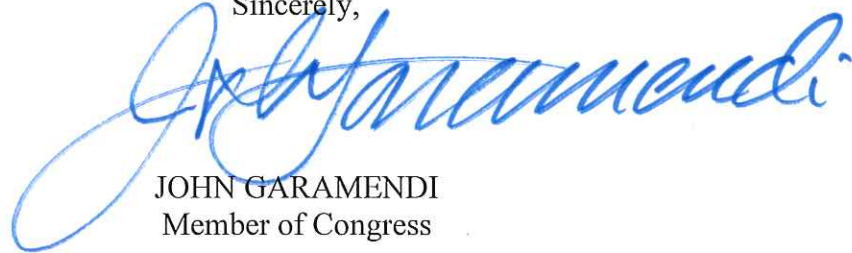
“The Oroville Dam spillway incident was caused by a long-term systematic failure of the California Department of Water Resources (DWR), regulatory, and general industry practices to recognize and address inherent spillway design and construction weaknesses, poor bedrock quality, and deteriorated service spillway chute conditions.”

This opening statement clearly articulates numerous problems that cannot be solved overnight and will require DWR to develop a comprehensive plan with specific objectives and timelines to address every issue raised in the report. Furthermore, DWR must develop a management and financial program to assure that proper maintenance and safe operations will continue through the life of the dam and related facilities. Therefore, FERC must delay the license for Oroville until DWR has completed this program in order to prevent the 2017 failure, or a similar one, from occurring in the future.

I find it particularly troubling that in light of all this, DWR continues to press forward with the relicensing process and has recently requested that FERC award a new operating license for Oroville Dam before it addresses the issues that were raised in the Independent Forensic Team's final report.

A failure by FERC to delay relicensing of the Oroville Dam would be a serious abdication of its regulatory responsibility. I appreciate your attention to this critical matter and look forward to your response.

Sincerely,

A handwritten signature in blue ink, reading "John Garamendi". The signature is fluid and cursive, with a large initial "J" and "G".

JOHN GARAMENDI
Member of Congress