

Testimony of Honorable Wally Herger (R-Chico)
House Resources Subcommittee on Water and Power
October 20, 2005
*Oversight Hearing on "Water Supply Vulnerabilities
in the Sacramento/San Joaquin River System"*

I applaud Chairman Pombo and Chairman Radanovich for holding today's hearing, and also for the ongoing leadership they have demonstrated on the water supply and flood control issues important to California and the greater western United States.

These two issues - water supply and flood control - are inextricably linked. This is especially true in my home state of California. Upstream reservoirs, such as Lake Shasta and Lake Oroville in California's second congressional district, the area which I represent, are the centerpieces of the state's two major water supply projects, but they also, working in tandem with the Central Valley's system of levees, weirs, and bypasses, provide critical flood protection for millions of Californians who live downstream.

When contemplating or addressing its water supply vulnerability, the state cannot, nor should not, simply choose to maintain or invest in small local or regional levee projects, without strongly pursuing further development of water detention facilities in upstream areas. Indeed, the multi-million dollar public investment that is required to bring California's levee system up to contemporary standards would be for naught without such a commitment to upstream storage and flood control projects. Impoundment facilities on the major river tributaries north of the Delta, such as the North Fork of the American River, would allow winter and springtime runoff to be held back and then metered out over a period of months, keeping the levee system intact and providing the state with a new source of high quality water and affordable hydroelectricity. Though levees are an important part of keeping people, property, and vital infrastructure safe and functional, they do not, by themselves, provide the answer to shoring up California's water supply vulnerabilities.

In addition, any public investment in levees must be made in tandem with a responsible review and modification of the lengthy and costly environmental review process that accompanies much of the maintenance of this infrastructure. Recently, under the leadership of Chairmen Pombo and Radanovich, the House passed the Threatened and Endangered Species Recovery Act in order to improve the 1973 Endangered Species Act (ESA). This legislation contains a common sense and long overdue provision that will require new regulations to cut some of the environmental red tape that flood protection districts face when trying to make urgent and targeted levee repairs.

My district suffered a terrible tragedy when a levee repair project was delayed for nearly seven years because of the endangered Elderberry beetle, despite an Army Corps of Engineers prediction that a "loss of human life" would occur unless repairs were made. Yet, repairs were not made because of the inflexibility of the ESA, and three of my constituents lost their lives in the January 1997 flood. One victim was a decorated

veteran of World War II; a second victim was the wife of the manager of the levee district that had been prevented from doing the timely repair work.

It's my hope that the provision in Chairman Pombo's ESA reform legislation, as well as today's timely hearing on the relationship between natural disaster and water supply vulnerability, will prevent future tragedies like the one that occurred in my district, or recently in Louisiana and Mississippi, from befalling California's Central Valley, and will play an important role in ensuring that the state is able to maintain its levee and water supply system.