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H.R. 2301, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONSTRUCT A BRIDGE ON FEDERAL LAND WEST OF AND ADJACENT TO FOLSOM DAM IN CALIFORNIA

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON WATER AND POWER

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

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H.R. 2301, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONSTRUCT A BRIDGE ON FEDERAL LAND WEST OF AND ADJACENT TO FOLSOM DAM IN CALIFORNIA, AND FOR OTHER PURPOSES.

Wednesday, April 10, 2002
U.S. House of Representatives
Subcommittee on Water and Power
Committee on Resources
Washington, DC

The Subcommittee met, pursuant to notice, at 2:05 p.m., in room 1334, Longworth House Office Building, Hon. Ken Calvert, [Chairman of the Subcommittee] presiding.

STATEMENT OF HON. KEN CALVERT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. CALVERT. Good afternoon. The Subcommittee on Water and Power will come to order.

If there is no objection, Mr. Doolittle will join us for this hearing.

[No response.]

Mr. CALVERT. Hearing none, welcome.

The Committee is meeting today to hear testimony on H.R. 2301 to authorize the Secretary of Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California, and for other purposes. Under Rule 4(b) of the Committee Rules, any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. But in this case—Mr. Doolittle's bill—I am sure we will allow him for his opening statement. If other members have statements, they can be included in the hearing record, under unanimous consent. I will start my statement.

Since the events of September 11th, 2001, we have all had to take a careful look at the way we conduct our business. This hearing provides an opportunity to look at a new American River crossing downstream of Folsom Dam to remove public traffic from the existing roadway which crosses the top of Folsom Dam.

This is not the first situation where a roadway on the crest of a dam has to be moved to an alternate crossing. A public roadway on top of a dam makes it difficult for the operating agency to perform regular operation and maintenance activities on the facility

while having to manage traffic. A roadway on top of a dam also raises concern for the security of that facility. However, we must consider these situations carefully, and use fiscal responsibility in providing authority for construction of alternative roadway facilities to remove public traffic from the dam crest.

What is proposed by this legislation is the authorization of a new crossing below Folsom Dam, with major improvements to be paid for using Federal funds appropriated for the Bureau of Reclamation. Then, upon completion of construction, the entire new crossing and appropriate access easements are to be turned over to the city of Folsom.

[The prepared statement of Mr. Calvert follows:]

Statement of The Honorable Ken Calvert, Chairman, Subcommittee on Water and Power

Since the events of September 11, 2001, we have all had to take a careful look at the way we conduct our business. This hearing provides an opportunity to look at a new American River crossing downstream of Folsom Dam to remove public traffic from the existing roadway which crosses the top of Folsom Dam.

This is not the first situation where a roadway on the crest of a dam has to be moved to an alternate crossing. A public roadway on top of a dam makes it difficult for the operating agency to perform regular operation and maintenance activities on the facility while having to manage traffic. A roadway on top of a dam also raises concern for facility security. However, we must consider these situations carefully and use fiscal responsibility in providing authority for construction of alternative roadway facilities to remove public traffic from the dam crest.

What is proposed by this legislation is the authorization of a new crossing below Folsom Dam, with major improvements to be paid using Federal funds appropriated for the Bureau of Reclamation. Then, upon completion of construction, the entire new crossing and appropriate access easements are to be turned over to the City of Folsom.

Mr. CALVERT. So with that, I would like to introduce Congressman Doolittle, who is the former Chairman of the Subcommittee on Water and Power, and who introduced this legislation. And as I indicated before, we ask unanimous consent that the Congressman be permitted to sit on the dais, and that is allowed. And with that, I will recognize Mr. Doolittle for his opening statement.

STATEMENT OF THE HON. JOHN T. DOOLITTLE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. DOOLITTLE. Mr. Chairman, thank you very much. I must say it is always a pleasure to come back to my old turf here. And I thank you for the courtesy you have extended to me to present this bill in this hearing; and furthermore, to join you up here on the dais.

In this particular situation over this dam, as you know, Folsom Dam is one of the major dams in the state of California, and it is located in pretty much what you would have to describe as a suburban area now. And at the time it was built, that would have been somewhat true then; but dramatically more so now, as our area, which is said to be the fastest growing region in the state, continues.

We have a number of cars moving each day—thousands of cars—across that bridge. And beginning in 1995, with the Oklahoma City bombing, that triggered a review of Federal facilities by the

Government. And that review resulted in the recommendation that the traffic be taken off the bridge, just for the safety of the dam, since this dam is a major power generator for the region. It is the major flood control on the American River, protecting the downstream residents of Sacramento, hundreds of thousands of people. And it was just felt by the Government that it was too sensitive a facility to allow the traffic to remain.

Then, of course, we had September 11th, when the significance of potential terrorist threats was dramatically hammered home to us again. The Director of Homeland Security as recently as last October, speaking to the National Conference of Cities here in Washington, listed this as one of their top dams that needed to be looked at and needed to have a separate bridge created so that the traffic could be taken off of it.

This bill, as you pointed out, authorizes the construction of such a bridge. I feel very strongly that it should be the Federal Government. After all, it is a Federal dam. It is the protection of the dam that is of concern here. It is a facility that is nearly 50 years old, I believe.

And prior to the construction of this dam, why, there were four river crossings, two-lane river crossings—four of them, over the river. Those are all under water now. So it would seem perfectly appropriate for me that if we are not going to be able to continue to move traffic across the dam, that the Federal Government owes us then the responsibility to provide a new bridge which could accommodate that traffic, relieve the security concerns on the dam, and generally enhance the region.

I can't help but note that in addition to providing, of course, the flood control and the power, this dam and the 900,000-acre-foot reservoir behind it is a vital component of the vast Central Valley Project authorized by Congress back in the 1930's. And therefore, there is a great deal of water at risk to provide the needs of the contractors throughout the Central Valley; to meet the environmental concerns downstream and through the Sacramento-San Joachim Delta; and, in general, to be available for the perpetuation of various species, endangered and otherwise.

So I thank you, Mr. Chairman, for this opportunity. And I see you have assembled before you several of my constituents as witnesses. And I appreciate your giving them the opportunity to come here and share their views.

[The prepared statement of Mr. Doolittle follows:]

Statement of The Honorable John T. Doolittle, a Representative in Congress from the State of California

Mr. Chairman and members of the committee, today I ask for your support of H.R. 2301. This bill would authorize the Bureau of Reclamation (Bureau) to construct a new bridge and related connecting structures on federal land west of and adjacent to the Folsom Dam, which is located in my district.

The project is essential to the people of Northern California for two main reasons: 1) Most importantly; it would greatly improve the safety and security of the entire region. 2) It would enhance the efficiency and convenience of the regional transportation system.

Following its completion in 1956, the Folsom Dam included a two-lane maintenance road on its top intended for the use of the Bureau. As a service to local drivers, over the years, the Bureau has allowed restricted use of the Folsom Dam Road to the public. In the decades since its construction, however, the growing communities both north and south of the crossing have come to depend on the dam road

as an important transportation route. This has created numerous problems for both the Bureau and the public.

THREAT TO SECURITY

In the aftermath of the 1995 Oklahoma City bombing, the federal government expressed increased concern for the security of important structures such as dams, bridges, and power plants. Since that time, the Bureau has been particularly wary of the Folsom Dam's appeal as a potential terrorist target. As you know, the dam is the Sacramento area's primary defense against the intense flooding that the American River has generated historically. Furthermore, the Folsom Dam and Reservoir serve as a vital part of the Central Valley Project. They control the flow of water that is critical to farmers, families, and fish not only in the Sacramento Region, but also in the Bay–Delta and Southern California. Finally, Folsom's hydroelectric plant provides a significant amount of the energy consumed in the area. Given how crucial this facility is to the safety and vitality of California's capital, we must ensure that it remains secure from the efforts of those who seek to harm our well-being. Allowing public access to the dam is a dangerous situation that we must remedy as soon as possible.

IMPACTS ON THE COMMUNITY

Beyond the public safety factor, the current arrangement also causes numerous other problems. The eastern portion of the Sacramento region, which I represent, is the fastest growing area in California. Traffic congestion is a growing concern for the City of Folsom and its neighboring communities. The demands placed on the Folsom Dam Road by the thriving commercial centers and neighborhoods that have developed nearby have exceeded the structure's capacity. A small road designed to accommodate maintenance crews now handles 17,000 cars per day, despite local efforts to relieve congestion. Just a few years ago, the City of Folsom self-funded a $75 million bridge downstream from the dam to improve the flow of traffic. Nevertheless, the dam road remains one of the area's most important traffic arteries and is the most convenient link between South Placer County, Folsom, and Western El Dorado County. It is a key route for workers commuting to and from the major job centers in the vicinity. Besides commuters, it also serves local shoppers, students, and visitors enjoying Folsom Lake's popular recreational opportunities.

Because the Bureau must occasionally do maintenance work on the dam, the road is closed from time to time. The Bureau, as well as the Army Corps of Engineers (Corps), has effectively worked with city officials to minimize the inconvenience for local drivers, often by performing repairs at night or other off-peak hours. However, in cases of emergency, such as when the dam gates failed in 1997, and following the attacks of September 11th, the road may close completely for undetermined periods of time. This unpredictability has snarled traffic, impeded local commerce, and generally caused great frustration. At the same time, the Bureau's ability to manage the facility is constrained or compromised by accommodating the community's needs.

THE SOLUTION

The solution to these traffic problems, as well as the severe security concerns, is the same—to replace reliance on the Folsom Dam Road by building a new bridge. This is the only way to protect against terrorism without unfairly harming the community. H.R. 2301 would authorize the construction of a four lane structure just downstream of the dam. It also calls for the construction of necessary linkages from the bridge to existing roadways and provides for reestablishment of administrative facilities located at the dam that will be affected by the construction work. Upon completion, the Bureau would transfer ownership of the facilities to the City of Folsom.

You may ask, "Why should the federal government be responsible for building this bridge?" The first reason is that Folsom Dam, the reservoir, and surrounding land are owned and operated by the Bureau. Second, the federal government has primary responsibility for the security of federal facilities. Additionally, when the dam was first created, the reservoir inundated four existing two-lane river crossings. This is just partial compensation for that loss. Finally, the City of Folsom has acted in good faith to address both the security and transportation problems. Since September 11th, its police department has cooperated with the Bureau to improve security measures. In terms of addressing the traffic issues, as I stated earlier, the city recently built a $75 million bridge further downstream without any federal assistance.

H.R. 2301 has the endorsement and support of the Bureau, local governments, the business community, and local transportation advocates. In fact, today you will hear favorable testimony from the City of Folsom, the County of Sacramento, and

the Sacramento Area Council of Governments. They will explain in greater detail the precariousness of the current situation and the great need for this bill.

While the people of Folsom and neighboring locales will see the most tangible benefit from the passage of this legislation, clearly, every person in the surrounding region would owe you a debt of gratitude for protecting them from serious danger.

Mr. CALVERT. I thank the gentleman. As you noticed, lights and buzzers went off. We have one vote. So Mr. Doolittle and I will run down and vote very quickly, and then we will introduce our guests so they can start their testimony, where we will not have to leave in the middle of your testimony. So if you will excuse us here for about 5 minutes, we will be right back.

[Recess.]

Mr. CALVERT. The hearing will please come to order.

Our first panel is Mark A. Limbaugh, Director of External and Intergovernmental Affairs, Bureau of Reclamation, U.S. Department of the Interior. And our second witness is the Honorable Jeffrey M. Starsky, Mayor of the city of Folsom in the State of California.

Mr. Limbaugh, you may begin. We are under a 5-minute rule here. If you more or less can stay within that 5 minutes, that would be appreciated. You have those little lights there; yellow meaning 1 minute is left, and the red meaning that the time has expired. And with that, you may begin.

STATEMENT OF MARK A. LIMBAUGH, DIRECTOR, EXTERNAL AND INTERGOVERNMENTAL AFFAIRS, BUREAU OF RECLAMATION, U.S. DEPARTMENT OF THE INTERIOR

Mr. LIMBAUGH. Thank you, Mr. Chairman. Good afternoon, Mr. Chairman, Mr. Doolittle. My name is Mark Limbaugh, and I am the Director of External and Intergovernmental Affairs for the Bureau of Reclamation here in Washington. I will be making some general remarks, and would like to ask that my written testimony be entered into the record in its entirety.

Mr. CALVERT. Without objection.

Mr. LIMBAUGH. I would like to start off by reading a brief statement from John Keys, Commissioner of Reclamation. In his statement, Mr. Keys apologizes for not being here today to comment on H.R. 2301, but recognizes the importance of the construct of a new bridge at Folsom Dam, as well as closure of the roadway on the dam.

Mr. Keys wanted me to take a moment to commend Congressman Doolittle for his foresight and leadership in addressing these concerns. And he looks forward to working with the Congressman, the Subcommittee, the city of Folsom, and other agencies, to find innovative solutions for the construction of the new bridge.

When construction of Folsom Dam was completed in 1956, the narrow two-lane road built on the top of the dam was intended to serve as an access road for maintenance and incidental access to the other side of the lake. In the ensuing years, as the population of Placer and El Dorado Counties has grown, and since the area adjacent to the dam is within the city limits of Folsom, California, this road has become a major transportation artery between these two counties. Currently, over 18,000 cars cross the dam daily.

More recently, three events have highlighted the need for a new bridge to bypass Folsom Dam:

In 1995, a spillway gate at Folsom Dam failed, making it necessary to close the road for an extended period of time to repair this gate. This road closure resulted in severe traffic congestion, adversely impacting the city of Folsom and severely impacting emergency traffic from reaching one side to the other.

Also, the Oklahoma City bombing resulted in the Federal Government closely examining the vulnerability of all of its structures. Reclamation completed several security assessments of Folsom Dam documenting the risks associated with public crossing of the dam.

And finally, after the events of September 11th, Reclamation closed the road to traffic. That again resulted in severe traffic congestion, impacting the community. Subsequently, the road was reopened during daylight hours only for cars and pickups, but remains closed to large vehicles. Further, the road is closed nightly, and patrolled by armed guards during this time.

Reclamation continues to have concerns over security and safety at the dam and supports construction of the new bridge at Folsom Dam, as well as the closure of the road to public traffic across the dam. Although we have budgetary concerns with the funding levels sought for construction of this bridge and cannot support the bill as written, Reclamation in no way intends that this statement diminishes the importance of traffic and security issues surrounding Folsom Dam roadway.

Reclamation is committed to step up our efforts to work with this Subcommittee, with Congressman Doolittle, with the city of Folsom, the Sacramento area Council of Governments, the State of California, and any other appropriate Federal and state agencies, to search for a solution that will allow this project to move forward.

Mr. Chairman, this concludes my oral testimony, and I would certainly stand for questions.

[The prepared statement of Mr. Limbaugh follows:]

Statement of Mark A. Limbaugh, Director, External and Intergovernmental Affairs, U.S. Bureau of Reclamation, U.S. Department of the Interior

My name is Mark A. Limbaugh, I am Director External & Intergovernmental Affairs for the U.S. Bureau of Reclamation. I am pleased to provide the Administration's views on H.R.2301, to authorize the Secretary of the Interior to construct a bridge adjacent to the Folsom Dam in California.

H.R. 2301 would authorize the Secretary of the Interior to design and construct a bridge on Federal land west and adjacent to Folsom Dam in California which would, upon completion, be transferred to the City of Folsom. H.R. 2301 authorizes that $85,000,000 be appropriated for this purpose.

While the Department of the Interior strongly supports closure of the current roadway across the top of Folsom Dam and construction of a new bridge to ease traffic problems, this is not a Federal responsibility and therefore the Administration cannot support H.R. 2301.

Background

When construction of Folsom Dam was completed in the mid–1950's, the narrow two lane road built on the top of the dam was intended to serve as an access road for maintenance and for incidental recreational access to the lake. In the ensuing years, as the population of Placer and El Dorado counties has grown (Placer County has been listed as the fastest growing county in the nation), and since the area adjacent to the dam is within the city limits of Folsom, California—which is one of the fastest growing cities in the state—the road over Folsom Dam has become a major transportation artery between these two counties. Over the last 20 years, traffic on

this road has grown exponentially to the point that up to 18,000 cars cross the dam each day.

However, two events in 1995 and more recent events on September 11, 2001 have highlighted the need for a bridge to bypass Folsom Dam.

Spillway Failure. In 1995, a spillway gate at Folsom Dam failed which necessitated closing the road for an extended period for both immediate safety reasons and then to accommodate repairs to the spillway. As a result, traffic congestion adversely impacted the city of Folsom and severely restricted emergency traffic (police, fire and ambulance) from reaching one side from the other.

Oklahoma City Bombing: After the Murrah Building in Oklahoma City, Oklahoma was bombed, the Government closely examined the vulnerability of all its structures. Reclamation completed security assessments at Folsom Dam in 1996, 1997, 1998 and 2001 and clearly documented the risks associated with open public access across this dam. Further, Folsom Dam will undergo an in-depth security review in the upcoming months.

9/11/01: After the events of September, 11, 2001, Reclamation closed the road across Folsom Dam which again resulted in serious traffic congestion in the community. Subsequently, the road was reopened during daylight hours to cars and pickups, but is closed to large vehicles at all hours. Further, between the hours of 8:00 pm and 6:00 am, the road is closed altogether and patrolled by armed guards. We continue to have security concerns about this road and will keep these restrictions in place until a full security assessment is complete.

Reclamation's Recent Activities

Over the last several years, Reclamation, who manages Folsom Dam, and the City of Folsom, have been working together to look for a solution.

Recently, Reclamation completed an appraisal level report, dated March 1, 2000 (and updated in November, 2001) which estimated that a replacement road (two lanes) and bridge would cost approximately $49.6 million. A four lane bridge and road was estimated to cost $66.5 million and would include the relocation of Reclamation buildings within the road alignments. In addition to Reclamation's work, the U.S. Army Corps of Engineers (Corps), which originally built Folsom Dam, included this appraisal level information in its American River Watershed Long Term Study on flood control options for Sacramento, which includes the option of raising the height of Folsom Dam—requiring a temporary (or permanent) bridge during construction.

Concerns With H.R. 2301

Funding Sources and Priority: While the Administration recognizes and appreciates the safety and security concerns associated with the current situation at Folsom Dam and the importance of this road as a major transportation artery, this is a transportation issue. Reclamation operates and maintains Folsom Dam and is primarily involved in only water management and operational issues at Folsom.

H.R. 2301 is not consistent with current budget priorities. Further, the addition of this extremely large obligation would severely strain Reclamation's budgetary capacity, and limit our ability to help meet other project and water management obligations and needs in California and throughout the west.

Overall Cost and Adjustments for Inflation: H.R. 2301 proposes to authorize $85,000,000 in appropriations for the design and construction of this bridge. This far exceeds Reclamation's appraisal-level estimates of $49.6 and $66.5 million for a two and a four lane road and bridge respectively. Further, H.R. 2301 has no provisions for adjusting the ceiling due to inflation, which is standard practice for a Reclamation construction project. To more accurately budget for this project and provide greater accountability, we recommend that the amount authorized in HR 2301 reflect current estimates and that it authorize adjustments based on existing engineering and construction cost indexes applicable to this type of construction.

Cost Share: An additional concern with H.R. 2301 is the lack of any cost sharing; any Federal involvement in construction of this bridge should have state and local cost sharing arrangements consistent with Reclamation policy. It is my understanding that the City of Folsom and the Sacramento Area Flood Control Agency (SAFCA) have expressed a willingness to cost share such a project. The legislation should require an appropriate, up-front, non–Federal cost share for the entire project, including the cost of replacing the buildings that will have to be relocated.

Conclusion: Mr. Chairman, let me reiterate that the Administration shares the concern of the sponsors of H.R. 2301 about the safety in this community. However, we believe that this bridge, while important is a non–Federal responsibility more appropriate for the state of California, which, if it deems appropriate, may use its own Federal highway funds for the construction.

That concludes my prepared remarks. I would be pleased to answer any questions.

Mr. CALVERT. I thank the gentleman.

Mr. Starsky, you may begin your testimony. I should say, Mayor Starsky.

STATEMENT OF JEFFREY M. STARSKY, MAYOR, CITY OF FOLSOM, STATE OF CALIFORNIA

Mr. STARSKY. Thank you, Mr. Chairman and Mr. Doolittle. Good afternoon. My name is Jeff Starsky. I am the Mayor of the city of Folsom, California. And let me begin by thanking you both for holding this hearing. And I do wish to express the appreciation of the 56,000 residents of the city of Folsom for the opportunity to be here to present our case.

The very proud Americans who reside in Folsom, California, share the very legitimate concerns of our nation with security, and specifically with regard to the Bureau of Reclamation's facilities at Folsom Dam. The threat to the security of the dam is real. We agree with Director of Homeland Security Tom Ridge's assessment that Folsom Dam ranks as one of the five highest security issues in the State of California. We appreciate the comments of Mr. Limbaugh, and we appreciate the recognition of the security concerns at that dam.

And I do need to add, Mr. Chairman, that the city of Folsom has enjoyed a nearly 50-year relationship with the Bureau of Reclamation. It has been a very good relationship. We, as a city, value that relationship, and we look forward to working with the Bureau in the future.

But what brings me here today, and some of my colleagues who will speak on the next panel, are the concerns we have about mitigation in the event that the road that currently traverses Folsom Dam is closed. The impacts to the city of Folsom will be substantial. And I will briefly discuss those in a moment.

We believe that H.R. 2301 addresses those concerns and responds to the issues that we have in the city. As Mr. Limbaugh indicated, approximately 18,000 vehicles per day travel across the Folsom Dam. If you needed a little bit of an understanding of where this dam sits in relationship to the region, to the immediate north and west is Placer County; to the immediate north and east is El Dorado County; and the city of Folsom sits in the county that is immediately adjacent to the south.

The dam serves as a major regional traffic connection which provides access between those three counties for jobs and housing. Employees of Hewlett-Packard in Placer County, Blue Cross in El Dorado County, and a large share of the 6,000 employees of the Intel Corporation, which is within our own city, use Folsom Dam on a daily basis. In addition, nearly one and a half million people annually visit the adjacent Folsom Lake recreation area, many of whom use the dam road for access. I think it is without question that the closing of this dam without a replacement would force this traffic through the center of our city, and the impacts would be clearly substantial.

Unfortunately, we have a miniature case study of what will occur if this road is closed without a replacement. And it happened in

1995, as Congressman Doolittle alluded to, when the gate broke at Folsom Dam. It resulted in a closure of the dam road for approximately a 6-week period. The cost to commerce in our region for that 6-week period is still being determined, but I can give you some information regarding impacts on the city of Folsom. Thirty percent of the businesses in our historic district, which is the downtown "Old Folsom" area, closed as a result of that 6-week closure. Now, I know that is somewhat unusual, but you have to remember the types of small businesses that are down there. These are antique and tourism-related businesses that rely heavily upon this transportation method. Probably more of a concern is that 50 percent of the businesses immediately adjacent to the dam access roads suffered failures. As you can see, 1995 was a dark time for commerce in the city of Folsom.

Mr. Doolittle commented on the recognition by Congress of that 1995 closure. And in fact, Congress appropriated $100,000 in funding to assist the city of Folsom to meet some of the fire and police protection costs that were incurred as a result of that 6-week closure. We certainly appreciate that, to this day. But I think it points to an important issue, and that is that the Congress recognized that this facility was in fact a Federal facility, and felt it had some obligations. And we do appreciate that.

I think Mr. Doolittle's point was also with regard to when this facility was built, nearly 50 years ago, there was an intent to replace existing river crossings. Four crossings, two lanes each—so basically, eight lanes of traffic—have been eliminated by this facility. So we believe that there is some obligation on the part of the Federal Government to assist us in providing those connections.

The city of Folsom urges the Subcommittee on Water and Power to report favorably on H.R. 2301 as quickly as possible. As Mr. Limbaugh indicated, the dam road is currently under some restrictions. Truck traffic has been diverted, and it is traveling through our city. It is causing increased wear and tear on our roadways, and we are feeling some of the effects immediately.

And Mr. Chairman, if you will indulge me another 20 seconds, I will complete my remarks. I just needed to make one brief comment with regard to Congressman John Doolittle. I wanted to come here, again, on behalf of the city of Folsom to thank Congressman John Doolittle. Congressman Doolittle has served in Congress with distinction and honor for six terms. The residents of Folsom deeply appreciate his hard work, dedication, and commitment to all of us, as well as all of the constituents in his Fourth Congressional District. And although we will fall in a different congressional district beginning next year, the residents of Folsom will continue to value his friendship and his counsel, and we will always consider him a great friend and a citizen of Folsom. Thank you, Mr. Chairman.

[The prepared statement of Mr. Starsky follows:]

Statement of The Honorable Jeffrey Starsky, Mayor, City of Folsom, State of California

Mr. Chairman and distinguished members of the Committee, my name is Jeffrey Starsky and I am the Mayor of the City of Folsom, California. I appreciate the opportunity to speak today regarding H.R. 2301, a bill to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California.

I wish to begin by thanking you and the members of the Subcommittee on Water and Power for holding this hearing this afternoon. The citizens of the City of Folsom, Sacramento County, El Dorado County, and Placer County need your assistance in helping us adjust to new risks made clear by the terrorist acts of September 11th. This hearing today is a critical step in the life of H.R. 2301, and demonstrates your concern and commitment to ensuring the physical safety and economic security of our city, our region, and the State of California.

Also, on behalf of the City of Folsom, I wish to thank Congressman John Doolittle. Congressman Doolittle has served in Congress with distinction and honor for six terms. We value deeply his hard work, dedication, and commitment to his constituents in Folsom and throughout the entire Fourth Congressional District. Although Folsom falls within a different congressional district beginning next year, our City will continue to value his friendship and his counsel, and we will always consider him a great friend and citizen of Folsom.

At issue is the security of one of the most important Bureau of Reclamation facilities in the nation. The purpose of H.R. 2301 is to ensure the security of the dam.

The Flood Control Act of 1944 authorized the U.S. Army Corps of Engineers to build a dam on the lower American River. The U.S. Army Corps of Engineers completed construction on Folsom Dam in 1956. The U.S. Bureau of Reclamation now owns and operates the dam. The reservoir holds just under one million acre feet of water when filled to operational capacity. The dam's power plant has three penstocks delivering 6900 cubic feet per second to turbines producing approximately 10% of the power used in Sacramento each year.

The passage of H.R. 2301 is urgently needed to ensure the security of Folsom Dam and Folsom Reservoir. The new bridge is essential for the physical safety and economic stability of our City and the entire Sacramento metropolitan region. By removing automobile traffic from Folsom Dam, we will prevent the possibility of a catastrophic failure and flood caused by a terrorist act. Mr. Chairman, the City of Folsom strongly supports this legislation and urges you and your colleagues to act expeditiously on H.R. 2301 to make certain the bill is passed and signed into law as soon as possible.

As the Committee is aware, Folsom Dam is a key subject in the ongoing debate regarding Northern California flood control, water storage, and power production. For many years the subject of the debate focused on averting a disaster resulting from events in nature—rain and snow. The focus was on anticipating and controlling large flows of water through the American River and Sacramento River watersheds. And the debate revolved around the type and location of physical barriers—dams and levees—and how best to operate the existing and new systems to manage waterflow safely. The debate also focused on the environmental impacts of decisions regarding those dams, levees, and waterflows.

The physical security of the dam from terrorist attack lurked around the edges of the debate. We should point out that the federal government and others recognized the security risks posed by traffic on Folsom Dam Road, but the matter never seemed urgent until September 11th changed America's way of thinking about security within the United States. In one morning, the issue of traffic atop the dam was transformed into a distinct and critical issue of national significance.

The new bridge at Folsom probably would never have been the subject of its own congressional hearing without the tragedy of September 11th. It is likely the project would have continued to play a minor role in the flood control debate. I believe this is an important point to remember—the need for the new bridge transcends flood control now. And I believe the introduction of H.R. 2301 confirms this point.

While it is certain that Sacramento's flood control debate will continue, I believe it is important to clarify that H.R. 2301 is not a part of that debate even if it implicates flood control. For example, we recognize there are plans and ongoing work to make the dam function better and more reliably as a flood control facility. Congress recently passed legislation providing for modifications to the existing facility to allow earlier water evacuation to provide a more even waterflow downstream and more storage capacity at the reservoir when it is most needed. H.R. 2301 will undoubtedly make it easier for these dam modifications to occur. And if Congress decides to raise the Folsom Dam, having a new bridge will facilitate new construction.

But H.R. 2301 cannot be viewed as part of the flood control debate. H.R. 2301 addresses a grave national security risk. The bill should be passed now—it cannot wait for flood control actions. A major breech caused by a terrorist act would result in a titanic flood—hundreds of thousands of lives would be at immediate risk, as would the capitol of the fifth largest economy in the world. But we are not talking about controlling acts of nature anymore. We are talking about terrorism, about people who have demonstrated the capability and the mindset to cause devastation previously unimagined.

We also recognize that the new bridge would provide other extremely important and direct benefits to our region. For years our City and our region have attempted to address traffic congestion and air pollution. In fact, Folsom recently completed a new bridge across the American River at a total project cost of $75 million. This new bridge, which was built without federal funds, dramatically improved automobile circulation in our city and regionally. It would be disingenuous for me to downplay our interest in securing construction of the new bridge to help improve our regional traffic and air quality problems. There are other positive outcomes of going forward with the new bridge that are unrelated to security and are also critically important to our City and our region. A new four-lane bridge at Folsom Dam is an indispensable component of the six-county Sacramento Region's Metropolitan Transportation Plan, the area's federally-mandated regional transportation plan for the next twenty years. The new bridge authorized by H.R. 2301 will provide great benefits beyond security. However, just as with flood control, H.R. 2301 cannot be viewed as a congestion mitigation bill.

It is vitally important to get traffic off the dam as quickly as possible. That is the reason we are all here today. National security requires this action. However, we must also ensure that our goal is achieved in a responsible manner. We must work together to ensure that local and regional economic stability is maintained and traffic flow is managed as best as possible while the new bridge is under construction. Specifically, we cannot remove traffic from the dam until the new bridge is in place.

Prior to September 11th, approximately 17,000 vehicles a day crossed the dam. Following events in New York City, recognition of the security risks associated with unlimited access to the dam has resulted in overnight closures of the road and restrictions on use of the road by trucks and larger vehicles. The City supports these controls, but we also have to accept the fact that this road serves as a major regional traffic connector providing access between jobs and housing in three different counties. Some of the larger industrial and commercial enterprises that benefit from this connection include Intel, Hewlett–Packard, Blue Cross and a number of other major employment centers.

The people using the dam road are traveling to and from work and school. They are conducting business and going shopping. They are enjoying the Folsom Lake Recreation Area, one of the most popular state recreational facilities in the nation with over one and a half million visitors annually. While the overriding concern is one of security, it is also clear that closing Folsom Dam Road without a replacement would be devastating to the local and regional economy.

We learned the impact of closure several years ago when repair work required lengthy Folsom Dam Road closures. Several businesses were forced to close and others were deeply hurt economically. Traffic was horrible, police, fire, and medical response times increased, and the situation aggravated an already dire air quality situation locally and regionally. In fact, Congress recognized the cost of limited closures and authorized up to $100,000 in reimbursement to the City of Folsom for its costs.

I cannot emphasize enough the importance of having the new bridge in place prior to the closure of Folsom Dam Road. We must move forward to get traffic off the bridge as expeditiously as possible, but we must also recognize the economic, traffic circulation, and air quality needs and realities in our region. It is important to note that these three matters are also points of national significance and federal involvement. We can put controls in place to minimize risks to dam security while maintaining access in the interim. I should point out again that overnight closures and restrictions on larger vehicles using the dam road are already in place. It is a difficult balance to strike and one that carries risks, but we must recognize that our economic security and our national security are absolutely intertwined.

The Committee should be aware of the remarkable growth of communities adjacent to Folsom Lake over the past decade. The City of Folsom's population grew from 15,000 to our current 56,000 in a few short years. Eastern Sacramento County, the City of Roseville and southern portions of Placer County, and El Dorado County can also report exponential growth levels.

Earlier in my testimony I outlined flood control related modifications authorized by Congress. There is another point related to government efficiency to be made in favor of going forward with the new bridge as presented in H.R. 2301. The U.S. Army Corps of Engineers previously recommended the construction of a temporary bridge to handle redirected traffic while the dam is modified. While the Corps' interest in minimizing the impact of closure is well-placed, it does not make fiscal sense to put $20 million into a temporary structure when that amount covers almost one third the cost of a permanent, full-service structure. Congressman Doolittle's legislation recognizes the importance of spending our limited federal resources prudently

as well as the value of doing something right the first time around. Simple math demonstrates the fiscally responsible approach of foregoing the temporary fix and applying those funds to a permanent, four-lane replacement bridge.

We would like the Subcommittee to know that we have endeavored to meet with other local interests regarding H.R. 2301. Through those efforts, we feel we have covered enough bases to feel comfortable in fully supporting Congressman Doolittle's legislation. We met with the Bureau of Reclamation, our other regional congressional representatives, and our representatives in the Senate. We have talked with other local and regional governments as well as state officials. While we believe there is consensus that H.R. 2301 is the best approach to achieve our goals, several questions were raised fairly consistently during our review. I believe those questions have been addressed in my earlier remarks, but I believe it is worthwhile to call them out separately to ensure the Subcommittee is aware of those questions.

First, some have asked whether the Bureau of Reclamation is the appropriate federal agency to build the bridge. We direct the Subcommittee to a recent letter to the Sacramento Bee from Bureau Commissioner John Keys, wherein he wrote, in part:

> ...the reference to the Bureau of Reclamation not having bridge building capabilities is simply not correct. Reclamation has designed and built many large bridges throughout the West. The beautiful arch bridge that spans the depths of Glen Canyon in Arizona is one example...Reclamation designed and built the Foresthill Bridge that spans the American River at Auburn...The property where the new bridge would be located is Reclamation land, and Reclamation is quite capable of building the bridge we'll design. Rep. John Doolittle is quite right in authorizing Reclamation to build this much-needed bridge.

This project replaces a federal facility owned and operated by the Bureau of Reclamation. The Bureau has the capability to design and build the new bridge. The Commissioner is in support of the new bridge. We believe this question has been addressed.

Second, we looked at whether the new bridge should be designed and constructed with two or four lanes. Applying the same government efficiency logic to this question, it is clear that the bridge should be a full-service, four-lane bridge. It would be extraordinarily wasteful to build a two-lane bridge when we know that two-lanes were wholly inadequate years ago. Congressman Doolittle's legislation properly requires that the bridge be designed and constructed with appropriate sizing and linkages to support present and future traffic flow requirements for the City of Folsom. We believe this is the correct tack. I should also note that the City of Folsom and its regional partners have undertaken significant infrastructure investment, often without federal participation as in the case of the recently opened bridge I mentioned some moments ago. We believe this question has also been addressed.

Finally, we looked at whether this legislation would have any prejudicial effect on the flood control debate. We believe not. In fact, the new bridge would assist in already authorized flood control efforts without unduly aiding or damaging the positions of major players in the flood control debate. The legislation accomplishes as efficiently as possible the primary goal of securing the facility, provides additional benefits, and does so without biasing the flood control debate or outcome. We believe this question has been answered.

Mr. Chairman, in closing I would once again like to thank you and your colleagues for holding this hearing today. We understand that your committee is extraordinarily busy, and the fact that this hearing has occurred underscores both your commitment to ensuring the safety and security of Americans as well as the clearly established need for the passage of H.R. 2301. We also again wish to thank Congressman Doolittle for all his work on this legislation and on behalf of the City of Folsom over the past decade.

The City of Folsom urges the Subcommittee on Water and Power to report favorably on H.R. 2301 as soon as possible. I appreciate the opportunity to appear before you today, and this concludes my formal statement. I would be happy to answer any questions you may have.

Again, thank you.

Mr. CALVERT. I thank the Mayor. And we certainly share that high opinion of our colleague, Mr. Doolittle.

Mayor Starsky, one of your comments I thought was somewhat compelling. You mentioned that eight lanes of road were there prior to the construction of the Folsom Dam, which I assume was

paid for with local funds, and removed by the direction of then the Federal Government in order to put the new dam facility in. Is that correct?

Mr. STARSKY. I can only testify as to my understanding of that, Mr. Chairman, since I had not yet been born when this facility was constructed. But from what I read in the congressional discussion that was held in the 1995 hearings, that is my understanding, that eight lanes of crossings were eliminated when the facility was constructed.

Mr. CALVERT. Well, it is certainly part of the record of today's conversation, anyway.

Mr. STARSKY. Yes. Thank you.

Mr. CALVERT. So we can certainly go back and look at that time. So today when you ask for a four-lane facility to replace the two lanes that would be closed on the dam, you think that that is certainly necessary, not only to replace the two lanes that are presently there, but to help offset what was lost in past years?

Mr. STARSKY. That is absolutely correct, Mr. Chairman.

Mr. CALVERT. And then, obviously, the security issue. I am on the Taskforce on Terrorism, and let me ask a question. Do you still have people posted nearby the dam, just observing traffic and people or suspicious behavior?

Mr. STARSKY. Well, certainly, my police department will respond to that. We patrol the area periodically. There is some confusion between the California Highway Patrol and our department, as to who has the primary responsibility, but we continue to respond to every call, every event. And we certainly consider it a threat.

Mr. CALVERT. Is the Federal Government helping you offset any of those costs? Or are you having to bear those costs on your own, to have the additional security in that region?

Mr. STARSKY. We are bearing those costs ourselves.

Mr. CALVERT. As a matter of fact, I should say, as a matter of representation here, that the police chief of Folsom is one of my best friends. We went to kindergarten together. So he's passed that along to me.

[Laughter.]

Mr. STARSKY. He supports this bill, Mr. Chairman.

Mr. CALVERT. He has indicated to me the traffic problems along that stretch of road, also.

Mr. Limbaugh, I am trying to ask a question from a positive light. How can you help coordinate efforts amongst the Federal, state, and local interests, in providing assistance in building this bridge? In your testimony, you don't deny the fact that the bridge should be built. But it seems to me that you just don't believe that the Federal Government should have to pay for it.

Mr. LIMBAUGH. Well, Mr. Chairman, we can certainly step up our efforts, as I said in my oral testimony, through more involvement from our regional office perspective, and also from our Washington office perspective. I think some of the lines of communication have been opened up with the advent of this bill being introduced. And we certainly look to providing additional resources to try to find some solution.

Mr. CALVERT. Well, based upon the Mayor's testimony, if in fact that roadway was closed, if there was an alert, an unfortunate cir-

cumstance where we had to close that road permanently, and that road was put in replacement of other roads that you heard by previous testimony, to replace existing roads that were there, don't you believe the Federal Government has a responsibility not only to help facilitate this, but to help pay for it?

Mr. LIMBAUGH. We certainly want to look into that with this effort. That is certainly something that I think our agency can assist in looking at, in terms of what the Federal responsibility is. We are currently going through site security reviews on some of our dams, and we certainly hope that those bring to light some additional facts that we may have to fold into the equation here, in terms of what is going to resolve this issue.

Mr. CALVERT. Because based upon the Mayor's testimony, just the economic hardship that was felt in 1995 would just be a small amount of the hardship that would be felt if it was closed permanently. And as you well know, building a road today is not an immediate thing. We have to design it; do environmental documentation; build it. And so even if we made a determination today, it would probably be at least 5 years before that road would be fully operable. So we would need to get to work on this as soon as possible.

Mr. LIMBAUGH. Yes, sir, Mr. Chairman. One thing, just to reiterate my testimony, is that the road was never denied for this kind of traffic, either. And so we need to take that into consideration, as well.

Mr. CALVERT. The gentleman from California.

Mr. DOOLITTLE. Thank you. Mr. Limbaugh, I appreciate your appearance here today. And I just wondered, some have asserted that it is not the function of the Bureau of Reclamation to build bridges. That plainly flies in what is obvious, in terms of the fact. And I wonder if you could just offer your opinion as to the role of the Bureau in building bridges, and maybe cite a few examples.

Mr. LIMBAUGH. Well, Mr. Chairman and Mr. Doolittle, we have built bridges in the past. As far as our capabilities are concerned, we do have the capability to design and build bridges. For the most part, the bridges that I am aware of—obviously, I wasn't around either when many of them were built—but there was a bridge at Davis Dam; obviously, the Forest Hills Bridge at Auburn; and the Glen Canyon Bridge; and then several bridges on the Salt River project, some of which, or most of which, were built in conjunction with the construction—but some were not—of water related facilities.

But as far as our capabilities go, that is one thing. Obviously, our concerns basically lie in the budgetary impacts. And we certainly are willing to discuss those with the other folks that depend on this traffic artery for their livelihoods in their communities. And that is something that we want to move forward with and open the lines of communication on.

Mr. DOOLITTLE. So would it be safe to say we could count upon a proactive stance on the part of the Department, to aggressively work with us to provide a solution here?

Mr. LIMBAUGH. Mr. Chairman and Mr. Doolittle, that is what we are offering up. We are as an agency concerned, obviously, about the security and safety issues. We do not doubt the very important

need for this facility. And we want to work with your staff and you and the other folks in this room to try to find a solution to move this project forward.

Mr. DOOLITTLE. Could I just ask, too, just for the record, since I am sure you won't have that list with you today, but could you provide for the record the list of bridges that have been built by the Bureau of Reclamation? Designed and/or constructed by them.

Mr. LIMBAUGH. Mr. Chairman, Mr. Doolittle, I will do that for the Committee.

Mr. DOOLITTLE. Thank you.

Mr. CALVERT. I would request one other thing, too. I would look into—and maybe you can get back to the Committee on this—what legal obligation, if any. And I believe I ran into this before. If in fact roadways are removed in order to accommodate construction of this dam, what legal responsibilities does the Federal Government have in order to replace that roadway? If the Department can get back to me on that, I would appreciate it.

Mr. LIMBAUGH. Mr. Chairman, we will do that.

Mr. CALVERT. OK. Any other questions for this panel?

[No response.]

Mr. CALVERT. If none, I would ask the panel to stay here, in case we have some additional questions after this next panel.

And the next panel I will introduce: The Honorable Roger Niello, the Supervisor of the County of Sacramento, State of California; Ms. Aileen Roder, the California Water Project Coordinator, Taxpayers for Common Sense; and the Honorable Steve Miklos, a board member of the Sacramento Area Council of Governments, State of California.

With that, again, I would explain the 5-minute rule. Please try to keep your testimony within 5 minutes. The yellow light will come on when you have 1 minute remaining. The red light will come on when the time has expired. And with that, I will recognize the supervisor from Sacramento, Roger Niello. You are recognized.

STATEMENT OF ROGER NIELLO, SUPERVISOR, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

Mr. NIELLO. Thank you very much, Mr. Chairman, Mr. Doolittle, members of the Committee. I will give remarks to summarize my written testimony. I would like to request that it be submitted into the record.

I am Roger Niello, member of the Sacramento County Board of Supervisors. And I am here in support of H.R. 2301. I join everyone here in thanking you very much for holding this hearing and allowing us this opportunity. Also, on behalf of Sacramento County, I too want to recognize the hard work and dedication exhibited by Congressman John Doolittle on this issue. And we very much appreciate, John, your taking the leadership on this project.

We urgently need the bridge authorized by H.R. 2301, to ensure the security of Folsom Dam. The Chair already spoke to the necessity, as did the gentleman from the Bureau, of getting automobile traffic off the dam. I would like to provide you with a county and regional perspective, if I could.

As a long-time local businessman, I know a lot about our regional economy. As a county supervisor and as a member of the

Sacramento Area Flood Control Agency, I am painfully familiar with the vulnerability to flooding and the devastating impact that a major flood would have on the businesses and neighborhoods of our region. As members of this Subcommittee are aware, flood control is certainly something of a contentious issue in our region. And by the way, I want to stress that this legislation has absolutely no prejudicial effect on that flood control debate. And while we may disagree on means, we nonetheless all agree about the risks of a major flood.

For perspective, Folsom Reservoir holds almost a million acre-feet of water, which is enough to cover the entire State of Rhode Island to a depth of 1-1/2 feet. With a failure of Folsom Dam, this much water would put at risk 300,000 residents, about 5,000 businesses, and about $25 billion in property. Simply put, the impact of a catastrophic failure of Folsom Dam would be beyond devastation.

In addition to flood control, of course, the reservoir provides drinking water to several communities in our region. The dam and the reservoir are key components of the Central Valley Project, and they help to ensure water supplies are available to agriculture and municipalities throughout the state. The loss of this crucial reservoir would dry up the residential and business faucets of much of the Sacramento area overnight, and it could rock the entire north state's domestic and agriculture water supply to its very core.

Now, with our major metropolitan area submerged under several feet of water and its primary water reservoir empty, the added impact of a loss of a critical energy source would seem perhaps unimaginable, but it would be all too real. The generators at Folsom Dam generate enough power for nearly 70 [sic] homes each day. So we are under dirty water; we are out of clean water; we have no air conditioning, heat, or lights. That truly is beyond devastation.

Now, obviously, my primary message to you today is security. Additionally, I want to highlight two points that are being made by my community colleagues. This transportation corridor is absolutely crucial to the mobility of this rapidly growing northeast sector of our region. And the proposed four-lane configuration is owed, if you will, as has been explained by others; but it is the only option that makes good transportation planning sense. Further, the essential nature of this transportation link requires that it remain open, with whatever prudent security measures are necessary, while an alternative facility is in the making.

Mr. Chairman, in closing, once more, I want to thank you for holding this hearing. And once more, I want to emphasize, as a local elected official, but frankly, more importantly, on a personal basis, because John Doolittle has been a friend of mine since before I was elected, I wish to thank him very much for all of his good work, not just on this legislation, but in so aptly representing our communities for these many years.

H.R. 2301 is the right legislation at the right time. And I would urge this Subcommittee to report favorably on this legislation as very soon as possible. That concludes my testimony.

[The prepared statement of Mr. Niello follows:]

Statement of The Honorable Roger Niello, Sacramento County Board of Supervisors

Mr. Chairman and distinguished members of the Committee, my name is Roger Niello, and I am a member of the Sacramento County Board of Supervisors. I am here in support of H.R. 2301, a bill to authorize the Secretary of the Interior to construct a bridge on Federal land west of, and adjacent to, Folsom Dam in California.

I join my friends and colleagues invited to testify today in thanking you and the members of the Subcommittee on Water and Power for holding this hearing this afternoon. This is truly a critical project, and we cannot do what needs to be done without federal involvement. Sacramento County also recognizes the hard work and dedication exhibited by Congressman John Doolittle on this issue. We truly appreciate Congressman Doolittle's commitment to securing the new bridge and doing so in a fiscally responsible manner. His legislation recognizes the realities of dam security as well as regional transportation and air quality issues, and we appreciate his leadership in taking on this necessary project.

We urgently need the bridge authorized by H.R. 2301 to ensure security at Folsom Dam and Folsom Reservoir. This new bridge is essential for the physical safety and economic stability of our region and the State of California. By removing automobile traffic from Folsom Dam, we will prevent the possibility of a catastrophic failure and flood that could be caused by a terrorist act. Mr. Chairman, I strongly support this legislation and I urge you and your colleagues to act speedily on H.R. 2301 to make certain the bill is passed and signed into law as soon as possible.

I am here to provide a regional perspective on the importance of securing Folsom Dam from a terrorist attack. As a local businessman, I know quite a bit about the power of our regional economy. As a public official I have learned the importance to our public safety and economy of a viable water supply, a reliable energy grid, and a functioning transportation system. I also serve on the Sacramento Area Flood Control Agency, so I am painfully familiar with our vulnerability to flooding and the devastating impact a major flood would have on Sacramento and on California. I do not believe it is hyperbole to suggest that a major flood in Sacramento coupled with the immediate loss of a major water and power supply, would have a damaging impact on our national economy. Simply put, the impact of a catastrophic failure of Folsom Dam would be beyond devastation.

As members of this subcommittee are aware, flood control is a contentious issue in our region. Nonetheless, we all agree about the risks of a major flood. For perspective, Folsom Reservoir holds 976,955 acre feet of water. According to the Bureau of Reclamation—the owner / operator of the dam "this is enough to cover the state of Rhode Island to a depth of one-and-one-half feet. According to the Sacramento Area Flood Control Agency, the failure of the Folsom Dam would put at risk approximately 300,000 residents, 5,000 businesses and $25 billion in property, including major highways, schools, our State Capitol and a multitude of other public institutions. I know our region has rebounded from flooding before, and I know we are capable of overcoming significant obstacles of many types. But I wonder whether we could ever fully recover from such an event.

In addition to flood control, Folsom Reservoir provides drinking water to the City of Folsom, portions of Sacramento County, the City of Roseville, and other local and regional water authorities. Folsom Dam and Reservoir are key components of the Central Valley Project and help ensure water supplies are available to agriculture and municipalities throughout the state. I need not remind this subcommittee of the paramount importance of ensuring a reliable supply of clean water in our state. Our water supply and delivery system would be severely rocked by the sudden loss of Folsom Dam and Reservoir.

With the core of a major metropolitan area submerged under several feet of water and its primary water supply reservoir empty, the added impact of a loss of a critical electricity source would seem unimaginable. It would, in this case, be all too real. The three generators at Folsom Dam's power plant produce up to 210 megawatts of electrical power and provide power for nearly 70,000 homes each day. As you all know, our state's energy challenges are all too serious as it is. Given the magnitude of these challenges, the citizens of our state and our region have demonstrated an admirable capacity to conserve our recently much more precious supply of electricity. We are left, however, with virtually no margin for error. A loss of the power supplied by Folsom Dam would eliminate that empty margin and surely could result in the dreaded black-outs that we have so far largely avoided.

We all understand that H.R. 2301 will provide benefits to our citizens beyond the security needs I previously outlined. We have major traffic congestion and air pollution problems locally and regionally that are caused or aggravated by the existing, obsolete crossing at Folsom Dam. The bridge and linkages provided by H.R. 2301

will provide significant congestion relief upon completion and also anticipate and address future growth in our region. The new bridge authorized by H.R. 2301 will provide great benefits beyond security.

In spite of the significant security risk, I agree with my colleagues Mayor Starsky and Councilmember Miklos that we cannot afford for Folsom Dam Road to be summarily closed. It is a national priority to remove traffic from Folsom Dam Road as speedily as possible. However, we also have a keen interest and responsibility to help ensure the vitality of our local and regional economy by providing a workable transportation system. To that end, we must keep Folsom Dam Road open—with adequate security measures in place—until the new bridge is operational.

We must recognize that closing Folsom Dam Road without a replacement would be devastating to the local and regional economy. H.R. 2301 is the necessary step in removing traffic from the dam, but we must also recognize the economic, traffic circulation, and air quality needs and realities in our region. My colleagues on this panel and I share grave concerns regarding allowing traffic atop the dam until the new bridge is in place. It is a difficult balance to strike and one that carries risks, but we must recognize that our economic security and our national security are absolutely intertwined.

I also agree with my colleagues on the panel that government efficiency requires the new bridge to be a full-service, four-lane bridge. Congressman Doolittle's legislation properly requires that the bridge be designed and constructed with appropriate sizing and linkages to support present and future traffic flow requirements for the City of Folsom and the adjacent Sacramento County, Placer County and El Dorado County communities.

As I said before, flood control is always controversial in our region. It is important to point out, though, that this legislation has absolutely no prejudicial effect on the flood control debate. The new bridge will secure the facility, will provide additional transportation and air quality benefits, and will do so without biasing the flood control debate or outcome.

H.R. 2301 is the right legislation at the right time. This bill is about ensuring the physical and economic security of our citizenry. It accomplishes the goal by preventing terrorists access to a federal facility identified by the Bureau of Reclamation as one of the top five security risks within its jurisdiction. H.R. 2301 will help ensure reliable water and energy supplies for our region and for the State of California, so critical to our economy and our way of life in California. H.R. 2301 also anticipates other important national and regional priorities, including transportation congestion relief and air quality improvement. In spite of achieving other important local, regional, and national goals, we cannot forget that the fundamental purpose H.R. 2301 is to ensure the security of the dam.

Mr. Chairman, thank you again for holding this hearing and giving my colleagues and me, from Northern California, the opportunity to appear before you today. We also again wish to thank Congressman Doolittle for all his work on this legislation and on behalf of our community over the past decade. I urge the Subcommittee on Water and Power to report favorably on H.R. 2301 as soon as possible. This concludes my formal statement, and I would be happy to answer any questions you may have.

Again, thank you.

Mr. CALVERT. Thank you. And I appreciate your testimony.

Ms. Roder, you are recognized.

STATEMENT OF AILEEN RODER, CALIFORNIA WATER PROJECT COORDINATOR, TAXPAYERS FOR COMMON SENSE

Ms. RODER. Thank you. I would ask that my full testimony would be submitted to the record.

Mr. CALVERT. Without objection, so ordered.

Ms. RODER. Thank you. Good afternoon, Chairman Calvert, Congressman Doolittle, Congressman Otter, and other members of the Subcommittee. I am Aileen Roder, the California Water Project Coordinator at Taxpayers for Common Sense, a national non-partisan budget watchdog group. I would like to thank you for inviting me to testify at this hearing regarding H.R. 2301, which Congressman Doolittle introduced in June of 2001.

This bill would authorize the Secretary of the Interior to construct a bridge on Federal land west and adjacent to the Folsom Dam in California. Taxpayers for Common Sense strongly opposes H.R. 2301. This bill ignores plans by the U.S. Army Corps of Engineers to build a temporary bridge near Folsom Dam; contains no local cost-sharing for an enhanced bridge; makes an end-run of the normal authorization process for bridge building; and tries to rewrite the Bureau of Reclamation's mission by making it into a highway construction agency.

In February the Corps released a final environmental impact statement calling for a 7-foot raise of Folsom Dam in order to reduce the city of Sacramento's flood risk to a one-in-213 chance in any given year. The Corps plan proposed constructing a temporary bridge to replace the existing bridge on Folsom Dam during the raise. The Corps estimates this bridge will cost $20 million to $30 million. The temporary bridge is slated for removal after the raise is completed. Alternatively, the bridge could remain in place, if a local sponsor is identified to assume the operation and maintenance responsibilities.

H.R. 2301 disregards this Corps plan in a blatant attempt to take advantage of legitimate security concerns and end-run the normal authorization process for road building improvement. Instead of involving the U.S. Department of Transportation, the Corps, or local entities such as the city of Folsom and Caltrans, H.R. 2301 brings in a completely unrelated agency into the process, the Bureau of Reclamation.

Simply put, the Bureau is in the water supply business, not the bridge-building business. Foisting responsibilities upon the Bureau that are outside its core mission reduces the agency's effectiveness. This bridge work will compete with, and potentially crowd out, legitimate Bureau of Reclamation funding in the Energy and Water Appropriations bill.

Taxpayers for Common Sense recognizes that a new bridge may be justified to reduce security concerns caused by having a bridge on the dam. However, 2301 clearly envisions much more than just replacing the bridge that currently traverses Folsom Dam. This bill will likely upgrade the bridge from two to four lanes. We recognize that a wider bridge may be needed, but the process established in this bill bypasses the very mechanisms that are in place to evaluate those needs and address those concerns.

If local interests want a substantially improved bridge, then the city of Folsom and the State of California, in concert with the Highway Trust Fund, are the proper sources for bridge enhancement design and funding. Funding should certainly not come from the General Treasury or Energy and Water Appropriations.

In his June 26, 2001 press release on H.R. 2301, Congressman Doolittle stated, "It is clear that a permanent, full-service bridge is needed to ensure transportation efficiency and commuter convenience." Building a bridge to replace the one traversing Folsom Dam may be potentially tied to security concerns; but building an enhanced, four-lane bridge cannot be attributed to those same concerns. The Federal taxpayers should not be picking up the whole $85 million tab for commuter convenience.

In closing, the Bureau of Reclamation should not be forced to deviate from its core mission by becoming a highway construction agency. Any bill authorizing construction of an improved Folsom Bridge should strictly define Federal and non-Federal cost sharing. Such a bill should go through the normal highway authorization process, taking into account that the Corps is already contemplating construction of a two-lane bridge. Congress should not raid the coffers of the agencies dependent on energy and water appropriations to pay for the traffic convenience of a few local beneficiaries.

Thank you very much again for the opportunity to testify today. I would be happy to answer any questions you might have.

[The prepared statement of Ms. Roder follows:]

Statement of Aileen Roder, California Water Project Coordinator, Taxpayers for Common Sense

Good afternoon, Chairman Calvert, Congressman Smith, and other distinguished members of the Subcommittee. I am Aileen Roder, the California Water Project Coordinator at Taxpayers for Common Sense (TCS), a national, non-partisan budget watchdog group. I would like to thank you for inviting me to testify at this hearing regarding H.R. 2301 which would authorize the Secretary of the Interior to construct a bridge on federal land west and adjacent to Folsom Dam in California.

Taxpayers for Common Sense strongly opposes H.R. 2301. This bill, introduced in June 2001 by Congressman John Doolittle (R–CA), ignores an existing U.S. Army Corps of Engineers plan to provide much needed flood control to the City of Sacramento and build a temporary bridge southeast of Folsom Dam. This bridge could be turned over to the City of Folsom and would relieve the security concerns arising from the tragic events of September 11th.

In February, the Corps of Engineers released a Final Supplemental Plan Formulation Report/Environmental Impact Statement/Environmental Impact Report (FEIS). This FEIS called for a 7-foot raise of Folsom Dam in order to reduce the City of Sacramento's flood risk to a 1-in–213 chance in any given year. Recognizing the obvious impact of the raise on the dam bridge traffic, the Corps proposed a temporary bridge southeast of the Folsom dam. The bridge would be similarly sized to the existing dam bridge and aligned to ensure that no conflicts occur with existing Folsom Dam operations during the raise. After completion of the dam, the Corps envisions routing traffic back over the dam and removing the bridge. However, the Corps stated that the bridge could be left in place if a local sponsor is identified to assume the operation and maintenance responsibilities. This project is poised for authorization in the regular process later this year. I have attached the applicable portions of the Corps FEIS to my testimony.

H.R. 2301 ignores all of this work by the Corps, and is a blatant attempt to take advantage of legitimate security concerns and end run the normal process and federal-local cost sharing for building road improvements. Instead of involving the U.S. Department of Transportation (USDOT), local entities such as the City of Folsom, California Department of Transportation (Caltrans), or the Army Corps of Engineers, which has already contemplated building a bridge in the area, H.R. 2301 brings in a completely unrelated agency into the process, the Bureau of Reclamation.

Simply put, the Bureau of Reclamation is not in the business of building bridges. The stated mission of the Bureau of Reclamation is to "manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public." The Bureau is in the water supply business not the bridge-building business. Foisting responsibilities upon the Bureau that are outside of its core mission sets a terrible precedent and reduces the agency's effectiveness in the increasingly critical work of managing the West's water supply. This bridge work will compete with and potentially crowd out legitimate Bureau of Reclamation funding in the Energy and Water Appropriations bill.

TCS recognizes that building a new bridge may be justified to reduce security concerns raised by having a bridge on the dam. We also recognize that a wider bridge may be needed, but the process established in this bill bypasses the very mechanisms that are in place to evaluate that need and address those concerns.

Members of the Committee should know that H.R. 2301 clearly envisions more than replacing the bridge that currently traverses Folsom Dam. This bill would

likely upgrade the bridge from two lanes to four lanes. USDOT has a process and formula to identify situations where the upgrade of a two-lane road to a four-lane road is justified. We believe that if local interests want more lanes or a substantially improved bridge, then the City of Folsom and the State of California in concert with the Highway Trust Fund are the proper sources for bridge enhancement design and funding. Funding should certainly not come from the General Treasury or Energy and Water Appropriations.

Unfortunately, this bill completely avoids a discussion of non-federal cost sharing or an analysis of traffic needs and instead foists the entire bill on the federal taxpayer. While security concerns may be a legitimate reason for federal funding, the bridge upgrade costs should be borne in the normal fashion by the local beneficiaries of bridge expansion.

According to Congressman Doolittle's June 26, 2001 press release on H.R. 2301, "The region's heavy reliance on the Folsom Dam Road means that even temporary closures can snarl traffic through Folsom, inconveniencing drivers and harming the local retail-based economy." Representative Doolittle added, "It is clear that a permanent, full-service bridge is needed to ensure greater transportation efficiency and commuter convenience."

Building a bridge to replace the one traversing Folsom Dam may potentially be tied to security concerns, but building an enhanced, four-lane bridge has never been attributed to security or safety. Instead, this upgrade from a two to four-lane bridge is tied to local economics and the convenience of the City of Folsom's citizens. The federal taxpayer should not be picking up the whole $85 million tab for "commuter convenience".

We cannot fathom the reasoning behind building an enhanced bridge entirely on the federal taxpayers' dime and then turning over ownership of the bridge to the City of Folsom. The City of Folsom and Caltrans must shoulder their portion of responsibility in this process. Instead, H.R. 2301 demands that the federal taxpayer shell out $85 million and then forces the government to turn the bridge over to a non-contributing, non-federal entity.

In closing, the Bureau of Reclamation should not be forced to deviate from its core mission by becoming a highway construction agency. Any bill authorizing construction of an improved Folsom bridge should strictly define federal and non-federal cost sharing. Such a bill should go through the normal highway authorization process, taking into account that the Army Corps of Engineers is already contemplating construction of a two-lane bridge. The replacement bridge planned by the Army Corps is estimated to cost $20 to $30 million compared to the $85 million price tag of H.R. 2301. The replacement bridge will alleviate the security concerns of having a bridge on Folsom Dam. Congress should not raid the coffers of agencies dependent on the energy and water appropriations to pay for the traffic convenience of a few local beneficiaries.

Thank you again for opportunity to testify today and I would be happy to answer any questions you might have.

Mr. CALVERT. Mr. Steve Miklos, board member, Sacramento Area Council of Governments, State of California, you are recognized, sir.

STATEMENT OF STEVE MIKLOS, BOARD MEMBER, SACRAMENTO AREA COUNCIL OF GOVERNMENTS, STATE OF CALIFORNIA

Mr. MIKLOS. Thank you, Mr. Chairman and members of the Committee. And again, a special thanks to Congressman Doolittle for his leadership in our region. And I would like to speak to you today as the former mayor and current city council member of the city of Folsom, and the former Chair and current board member of the Sacramento Area Council of Governments.

I would also like, for the record, to be saying today that my written testimony should be entered, as well as Mayor Starsky's.

Mr. CALVERT. Without objection.

Mr. MIKLOS. SACOG, it is affectionately known as: We are the coordinators of transportation planning issues within the

Sacramento region. Our Sacramento region covers approximately six counties and 18 cities, with a population of almost two million people.

Within our jurisdiction, we are not only responsible for planning and coordinating and funding of transportation; it also includes air quality, access to jobs, as well as a host of other things such as community design development and open space.

My fellow SACOG board members share all the concerns raised by my current colleagues on this panel today regarding the current situation of Folsom Dam. I will limit my testimony, briefly reviewing some of the issues that are specific to SACOG.

H.R. 2301 will help protect our freeways, our light rail, our local streets and regional transportation corridors, our rolling stock, and our transportation assets, from loss and damage due to massive flood. SACOG Resolution Number 42-2001, adopted while I served as Chair of SACOG board, expresses full regional support for Congressman Doolittle's legislation.

That in itself needs to be emphasized again one more time. SACOG Resolution Number 42-2001 has the full, expressed support of the region's SACOG board, representing those six counties and 18 cities. That is not done on a regular basis. When you have 19 elected members sitting on a board, to get unanimous support for a resolution is very rare. And we accomplished that because the region recognizes the importance of this legislation.

The approximately one million acre-feet of water suddenly released by a total dam failure would inundate much of Highway 50, portions of Interstate 80, and portions of Interstate 5. And I will get to more details of that in a moment. But most importantly—pardon the pun—but it has a ripple effect on the rest of the region because of the reliance on those major arterials, as well as the Sacramento core and the region surrounding the capital.

The I-5 inundation would have inestimable impacts on transportation statewide, given the depth of the flood waters, as expressed by my colleague, Mr. Niello. The likelihood of water receding is very slow, and I-5 is the main north-south transportation corridor stretching from the Mexican border to the Canadian border. It is important to note that there is no alternative route to the east, and the western alternative would be a re-route through the Bay Area. And if anyone is familiar with the San Francisco Bay Area, that is a traffic nightmare without any of these catastrophic failures.

This is even more disturbing, given the resources expended over recent years to strengthen and widen some of our bridges, such as Watt Avenue and Sunrise Boulevard. We have taken major north-south regional transportation corridors and improved those, such as HOV lanes on Highway 50; some further improvements on Highway 80; additional interchanges at Sunrise Boulevard, Folsom Boulevard, East Bidwell Street. The city of Folsom has recently opened a $75 million bridge, that we paid for by ourselves. We have also contributed almost $11 million to other local improvements; knowing that the city bears a significant amount of the share of cross-through traffic between the four major employment centers within the SACOG region, such as Rockland, Roseville, El Dorado Hills, Rancho Cordova, the city of Folsom.

And so therefore, I have to disagree with the representative from Taxpayers for Common Sense, because the city of Folsom alone has expended almost $90 million in local cost-sharing measures for regional transportation solutions.

It seems that also, from SACOG's perspective, which was very apparent with the adoption of Resolution 2301 from SACOG, was that it was felt that a $20 million temporary bridge was certainly fiscally irresponsible, to construct a bridge and then tear it back down; that better money spent was a permanent solution.

Folsom Dam Road must remain open until a new bridge is in place. I am not going to reiterate all of the things my colleagues have previously said. I think that has been well driven home. But what we do have to emphasize is the fact that we will have a million people come into our region within the next 20 years. And to put it in perspective, when the gate failed in 1995, we had 10,000 cars a day going across that dam. We now have 18,000 cars coming across that dam, 7 years later. You can imagine where the million people are going to be coming from, especially in the four employment centers.

Mr. Chairman, members of the Committee, Mr. Doolittle, the Sacramento Area Council of Governments is grateful for the opportunity to testify today in support of H.R. 2301. We believe H.R. 2301 addresses one of the most important of these new priorities, in light of the likely consequences of the catastrophic failure of the dam. We urge you and your Subcommittee to support H.R. 2301 and work toward its speedy passage. And I would be happy to answer any questions you may have today.

[The prepared statement of Mr. Miklos follows:]

Statement of The Honorable Steve Miklos, Sacramento Area Council of Governments

Mr. Chairman and distinguished members of the Committee, my name is Steve Miklos, and I am the former mayor and current councilmember for the City of Folsom, California. I also am past chair and currently serve on the Board of Directors of the Sacramento Area Council of Governments, and it is in my capacity as past chair and current on the SACOG boardmember that I appear today in support of H.R. 2301, a bill to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California. I appreciate the opportunity to speak today regarding this legislation.

I thank this Subcommittee for holding this hearing today. Briefly, the Sacramento Area Council of Governments—also known as SACOG—coordinates transportation planning and funding for the entire Sacramento region covering six counties and eighteen cities and serving a population of 1,936,006 (one million, nine hundred thirty-six thousand and six) according to the 2000 Census.

SACOG appreciates your concern and commitment to ensuring our region's safety and economic security. This is truly one of those projects where we cannot do what needs to be done without federal involvement, and we thank you for taking up H.R. 2301 so expeditiously.

We also appreciate Congressman John Doolittle's leadership on this legislation. His legislation will secure the dam, our vital regional transportation infrastructure, and will do so in an economically efficient manner. Congressman Doolittle has courageously stood by his principles—even while under heavy fire—for over a decade, and our City and our region are fortunate to have him represent our interests in Washington.

My fellow SACOG boardmembers share all of the concerns raised by my colleagues on this panel today regarding the current situation at Folsom Dam. I will limit my testimony to briefly reviewing some of the major impacts to our region's transportation infrastructure of a dam failure caused by a terrorist act. H.R. 2301 is urgently needed to ensure the security of Folsom Dam and to protect our investment in our transportation system.

H.R. 2301 will help ensure the physical and economic security of our citizenry. The bill will do so, in part, by protecting our freeways, our light rail, our local streets and regional transportation corridors, our rolling stock, and our other transportation assets from loss and damage due to a massive flood. I also wish to submit for the record today a copy of SACOG Resolution Number 42–2001, adopted while I served as chair of the SACOG board, expressing full support for Congressman Doolittle's legislation.

Modeling and contour maps give us a notion of where the flood waters are likely to rage, where they will flow, where they will sit for days, weeks, or even months before receding. What modeling and maps cannot tell us is how much the devastation will cost in terms of repair and replacement to our transportation infrastructure, and I believe it is fruitless to attempt to accurately quantify the impact. It is just too big. It is clear that virtually all of our major transportation infrastructure stands in the way of the flood waters, and it is unlikely that much will be left standing or serviceable after such a deluge. In spite of the foregoing, I will offer a few points for your consideration in an attempt to put the losses and impacts into some kind of perspective.

The 976,955 acre feet of water suddenly released by total dam failure would inundate much of Highway 50, portions of Interstate 80, portions of Interstate 5, as well as dozens of other regional transportation corridors. The Interstate 5 inundation would have inestimable impacts on transportation statewide, given the depth of the flood waters, the likelihood of water receding very slowly, and the fact that I–5 is the main north-south transportation corridor stretching from the Mexican border to the Canadian border. It is important to note that there is no alternative route to the east, and the western alternative would re-route large amounts of traffic into the Bay Area freeway system. The impact on that system, already in gridlock for much of the day, is unthinkable.

All of our bridges crossing the American River downstream from the dam are likely to be damaged or destroyed by a flood caused by a massive failure at Folsom Dam. This is even more disturbing given the resources expended over recent years to strengthen and widen several of the bridges, including ongoing work at Watt Avenue, a major north-south regional transportation corridor. In fact, the City of Folsom's recently-opened new bridge cost over $75 million alone, and that bridge, along with two others within City limits, are directly in the path of what would likely be a tidal wave of water. It is a sobering and futile exercise to attempt to add up the cost of repairing and replacing just the bridges damaged and destroyed by such an event.

Also in the way of flood waters stand our airports, our light rail system, our Regional Transit's rolling stock and maintenance facilities, and private vehicles. In the interest of time I will not go into detail regarding these facilities and assets, but the subcommittee can surely recognize that the cost to repair, replace, and reopen these facilities and assets too large to contemplate.

My comments thus far relate the general scope and cost of a flood caused by a failure at Folsom Dam. In short, the scope and cost would be enormous, and it should be a national priority to remove traffic from Folsom Dam Road. But I also believe Folsom Dam Road must remain open until the new bridge is in place. Folsom Dam Road is the easternmost river crossing downstream from the major river forks. It serves businesses and residents traveling between major employment centers in El Dorado County, eastern Sacramento County, and Placer County. Approximately 17,000 vehicles a day cross the dam—even with security limitations on the types of vehicles allowed on the road. The dam crossing is a major regional traffic connector providing access between jobs and housing in the three different counties. Some of our region's largest industrial and commercial employers use Folsom Dam Road, including Intel, Hewlett–Packard, and Blue Cross. And especially during the summer months, Folsom Dam Road is an indispensable crossing for visitors to Folsom Lake—the most visited state park in the State of California—and the region's parks and recreation facilities.

The crossing at Folsom Dam must be moved off the dam, but the impact of doing so without a replacement bridge in place would be devastating to the local and regional economy. H.R. 2301 is the necessary step in removing traffic from the dam, but we must also recognize the existing traffic patterns in our region. Folsom Dam Road is an inadequate, but essential, transportation artery between the three counties. It is extraordinarily important for local circulation. Just as there is a balance between airport security measures and moving people efficiently onto departing flights, so too there must be a reasonable security system put in place to protect the dam while allowing the public to cross the dam until the new bridge is completed.

As outlined by my colleague Mayor Starsky, government efficiency mandates that the bridge should be a full-service, four-lane bridge. As Mayor Starsky argued, it would be extraordinarily wasteful to build a two-lane bridge when we know that two-lanes was wholly inadequate years ago. H.R. 2301 requires the bridge to be designed with appropriate sizing and linkages to support present and future traffic flow requirements for the City of Folsom. Present and future traffic flows require a four-lane bridge—at a minimum.

Mr. Chairman, the Sacramento Area Council of Governments is grateful for the opportunity to testify in support of H.R. 2301. We understand that there are many new priorities in our nation now that we have been awakened to new threats to our national security. We believe H.R. 2301 addresses one of the most important of these new priorities in light of the likely consequences of the catastrophic failure of the dam. We urge you and your subcommittee to support H.R. 2301 and work towards its speedy passage. I would be happy to answer any questions you may have, and I thank you for the opportunity to testify today.

Mr. CALVERT. I thank the gentleman. Shortly after the tragedy of September 11th, several of us met, decided what needed to be done on an emergency basis throughout the United States. And one of those things that this Committee did is pass legislation—which, by the way, the Bureau of Reclamation is now authorized to reimburse communities such as the Cities of Folsom and Sacramento—for law enforcement services that are provided to protect public facilities that are owned by the Bureau of Reclamation and other facilities.

And the reason we passed that, in almost record time—and around here it is difficult to pass things at a very rapid rate; and we not only passed that, it was signed into law, I believe, within 45 days of September 11—is because, obviously, there was an emergency. And to my friend from the Taxpayers for Common Sense, I would say that there is a reason that we have a U.S. Congress, and that is to make decisions based upon special circumstances. And if the circumstances of September 11th aren't special, I don't know what is. And especially, I don't know of anyone in the local communities that are elected that are opposed to building this bridge, because it may be we may have to close traffic on that bridge, as we have already for truck traffic, and that bridge will need to be replaced. And this is a special circumstance. And there is a Federal nexus here, and we have a responsibility, in my mind, to do something.

That is my editorial comment. And I will go on and ask a couple of quick questions. In the prior testimony, it was mentioned that there were a number of roadways that were in existence prior to the construction of this dam. I know that probably none of you were around at the time in this life, so I would ask, don't you believe that the Federal Government has some responsibility to provide for alternate roads, if in fact this has to be closed permanently?

Mr. MIKLOS. Mr. Chairman, if I may answer that, back in July 1995, I was on the city council, and I was appointed as the lead, from the then-Mayor Bob Holerus, to look into the issue when the gate failed at Folsom Dam. And with the assistance of Congressman Doolittle, we went way back into the records and dug up the actual authorization appropriation bills for Folsom Dam. And in that authorization it clearly stated that they were supposed to provide crossings equal to, or greater than, the number that were flooded.

And in answer to your previous question, there are actually two crossings. When the water is real low, such as it was last year, you can actually still see two of them, when the water is that low. The other two, it is my understanding, were actually demolished at the time.

So in answer to your question, I absolutely believe, as I testified in March 1996 in this exact room—and I still believe so today—that the Federal Government is responsible for replacing that crossing. And I agreed with the Bureau, back even in March of '96 when I testified, that we fully support being off the top of that dam. It is inconvenient not only to us; it is an inconvenience for the region. We fully support the total operation and maintenance at will for the Bureau to construct the businesses they need to construct and maintain that dam, so we don't have another catastrophic failure of the gate or, worse yet, the whole entire dam.

So in response to your question, yes, we do believe they are responsible.

Mr. CALVERT. Now, let me ask, those who are elected, people who represent the city of Folsom on the city council, do you know of any of your city council members that are opposed to a bridge to replace this?

Mr. MIKLOS. During my term of 4 years as mayor did we ever have a resolution other than full support of a new replacement bridge.

Mr. CALVERT. The Board of Supervisors in Sacramento County?

Mr. NIELLO. The Board of Supervisors had no formal resolution on the matter, but in discussions that I have had I know of no one who is opposed to building this bridge.

Mr. CALVERT. Now, maybe, Ms. Roder, do you know of any elected officials that are opposed to this?

Ms. RODER. No, sir, I do not. And I would not say my organization is opposed to moving a bridge off of the dam at all. I am just saying that we need to have Federal and local cost-sharing measures put into place to do that. And the fact that there is an Army Corps of Engineers plan that is in place, that they are planning on building a bridge, then if we are going to enhance the bridge from what is currently on there, sir, then we need to have some local cost sharing with that.

Mr. CALVERT. You know, and that is certainly an appropriate position. But from my perspective—and California is the largest donor state in the Union—I have always strongly felt that we are not getting the types of infrastructure improvements within our state that we pay for. So we have a difference of opinion here.

And with that, I will recognize Mr. Doolittle for any questions he may ask, and ask Mr. Otter if he could Chair the meeting for the balance of the meeting. I have to go to an Armed Services Committee meeting that I must attend.

Mr. DOOLITTLE. Mr. Chairman, I thank you very much. And my questions will be brief. And I appreciate, really, the courtesy extended us here to discuss this issue.

Well, I just want to focus on a couple of things. There were eight lanes before the reservoir was built. It was built by the Federal Government, and the impoundment was caused by the construction of the Folsom Dam. So we lost eight lanes there. There are two

lanes on top of Folsom Dam, and when those are cutoff to public access that will be ten lanes. It does not seem unreasonable to me that the Federal Government ought to at least give us four lanes to replace the ten that were taken.

I also point out when I hear this discussion, because it sounds so reasonable when you talk about local share, but you have to remember that the city of Folsom very recently, within the last—I forget when it is—couple of years, constructed at totally non-Federal expense a new bridge across the river. So there is certainly a local effort being made here to meet the local transportation needs. It is not like this city is coming hat-in-hand and asking the Federal Government to meet the local transportation needs. But for the existence of Folsom Dam, there wouldn't be a problem in this regard. So it seems perfectly reasonable to me that the Federal Government should bear this share.

And I just wanted to make that observation, and to thank all of our witnesses who have gone to great effort to get back here to offer this testimony.

Mr. OTTER. [Presiding.] Thank you, Mr. Doolittle.

With my apologies to the panel, I would like to ask Mr. Limbaugh and Mr. Starsky to come back up to the table. So if there are any additional questions, you also have an opportunity to respond to those questions.

I have a couple of questions. Ms. Roder, you mentioned that the potential of a flood now with the increase to the size of the dam of 7 feet would be one in 213. Can I conclude from that that there is one chance in 213 years that there will be a flood?

Ms. RODER. I believe, sir, that it is in any given year there is a one in 213 chance that the city of Sacramento would flood.

Mr. OTTER. And what is the chance now?

Ms. RODER. I believe it is, according to what the Army Corps recently studied, a one-in-85 chance in any given year for the city of Sacramento to experience a flood.

Mr. OTTER. And in your written testimony, as well as your verbal testimony before the Committee, you offered other agencies that had been contacted, or other agencies that should be responsible for this. Did your group look into the obvious advantages for FEMA; inasmuch as their exposure would be reduced by three times, the potential flood damage? And couldn't FEMA then also participate in this extra 7 feet of water protection, I guess, from flood damage?

Ms. RODER. Honestly, sir, I do not know if FEMA has been at all involved in the flood control issues related to this. I know that this is envisioned to be done by the Army Corps of Engineers.

Mr. OTTER. Any other member of the panel, have you reviewed the possibility of FEMA participating in the benefits of this, and therefore the cost?

Mr. NIELLO. As a member of the flood control agency board, I am not aware of any such discussions that have taken place.

Mr. OTTER. Well, let me ask you, Mr. Niello, wouldn't that be a conclusion; that the beneficiaries ought to be engaged at least in the cost of that from which they are going to benefit?

Mr. NIELLO. Well, that is very difficult logic to argue with. But that perhaps might be modified by whatever customs are the case with Federal bureaucracy.

Mr. OTTER. Well, I have only been here a year and 3 months, or 4 months, myself, so I am not aware. The last thing you want to expect out of us, I suspect, is certainty, or any type of continuity.

But I can see the need for it. I can also address, at least in part, the Taxpayers for Common Sense, their approach to it; and I don't disagree. The interesting thing is that I haven't heard anything from anybody, or read anything from anybody, that would disagree that this is needed. Does anybody disagree that this is needed?

[No response.]

Mr. OTTER. So then wouldn't the reasonable response from us be, if not Mr. Doolittle's actual piece of legislation verbatim, but to look for an answer to this and get the participants and the stakeholders in this that will benefit the most, including those that perhaps we haven't mentioned, like potential irrigators? I don't know, my apologies to the panel. Is this only used for flood control?

Mr. DOOLITTLE. Well, maybe we have injected a note of confusion in this, Mr. Chairman, because there are two separate things. One is this bridge; but the other then is a separate flood control proposal being advanced—and not being advanced by this bill; in fact, I am totally opposed to it—to raise Folsom Dam 7 feet. Folsom Dam for this purpose is not just the concrete structure itself, but is some 21 miles of levies surrounding the dam; by raising that 7 feet, as to provide additional flood protection. But that issue is not addressed by this bill, and is really totally separate.

Mr. OTTER. All right. My apologies to you, Mr. Doolittle, and then also the panel; for I did mix the two issues up. We from Idaho have a tendency to do that once in a while.

[Laughter.]

Mr. OTTER. I would like to pursue this, Mr. Limbaugh, in your testimony. Is it a requirement when the Bureau of Reclamation engages in the activity of construction of a dam or something like that, to in fact replace all the roads? And were all the roads replaced for traffic and everything when Folsom was built?

Mr. LIMBAUGH. Mr. Chairman, I am not aware of that. And that was one of the questions that was asked that I get back to the Committee on. And I would certainly defer to that answer in this light. I think every situation is, obviously, different. And the laws basically speak for themselves in this instance, I would think. And so we are going to do some research and get back to the Committee on that.

Mr. OTTER. I would appreciate that. And I want to make as part of the permanent record that that request be fulfilled, because I think that is important.

I also would like an expression from the Bureau of Reclamation as to whether or not the Bureau of Reclamation feels it has a fiduciary responsibility if, in the modifications of either the operation or anything else having to do with the dam or the necessity for that, whether or not it feels that it has a fiduciary responsibility in light of previous agreements, in light of previous promises for the construction of that facility, as to whether or not they do enjoy an obligation to replace those transportation routes or opportunities?

Mr. LIMBAUGH. Well, I guess, Mr. Chairman, I would have to again defer to the answer that we are going to provide to the

Committee, because this facility was built by the Corps and then given to the Bureau. And we certainly want to abide by any laws of Congress that would put us in a position of having to do things, but we are just not certain about that.

One other comment is that we have basically proposed to work with all of the folks here to try to strike some kind of a position that we can all move forward and get this project done. And I think that is really the thrust of our testimony today, is to work with the bill's sponsor and with everyone concerned to find out just what those responsibilities are, where they lie.

And again, I think I would like to fall back on the answer that we provide this Committee, in terms of the responsibilities inherent in the legislation that authorized this project.

Mr. OTTER. Thank you, Mr. Limbaugh. My time has expired, but I certainly would encourage all of you sitting at that table, and any other stakeholder that you can find, to try to settle that outside this room. And I would work hard with Mr. Doolittle to help provide that solution outside this room. Because I can guarantee you, it will be much easier there than it will be here. That has been my experience.

Mr. Doolittle?

Mr. DOOLITTLE. Thank you, Mr. Chairman, I have no further questions.

Mr. OTTER. All right. Well, thank you. And I want to thank the witnesses, and also the members that were here. And the members of this Subcommittee may have some additional questions for the witnesses. And we will ask you to respond to those in writing, besides the one that we have already asked you to respond to on the record. The hearing record will be held open until April 24th.

If there is no further business, this meeting has come to an end. Thank you.

Mr. NIELLO. Thank you, Mr. Chairman.

[Whereupon, at 3:13 p.m., the Subcommittee was adjourned.]

[A statement submitted for the record by John Keys follows:]

Statement of John Keys, Commissioner, Bureau of Reclamation, U.S. Department of the Interior, on H.R. 2301

I regret that I cannot be in Washington, D.C., today to comment on H.R. 2301. The Department of the Interior and the Bureau of Reclamation recognize the importance of the construction of a new bridge at Folsom Dam to ease traffic and security problems there and strongly support closure of the current roadway across the top of the dam. While Interior and Reclamation have concerns over funding and budgetary issues related to H.R. 2301, Congressman Doolittle has done much to seek solutions and keep this issue at the forefront.

Several incidents in recent years have contributed to the importance of a new bridge—a 1995 spillway gate failure, the Oklahoma City Bombing, and the September 11 terrorist attacks. Keeping our dams safe and secure is one of Reclamation's top priorities.

I commend Congressman Doolittle's foresight and leadership in addressing the persistent traffic problems and security issues at Folsom Dam that are both a burden and a hindrance to the citizens of the area. I look forward to working with Congressman Doolittle, the Subcommittee, City of Folsom, Sacramento Area Council of Governments and other agencies to find innovative ways to resolve the funding and authority issues that surround the building of a new bridge at Folsom Dam.

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