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Statement Regarding Klamath Dam Removal Meeting March 16, 2016

Congressman LaMalfa would have liked to be here personally; however he has to be in Washington today for votes.

This entire process has been mired in secrecy and appears to have been conceived as a way to exclude the public from the decision-making process on an issue that very much affects them. Several years ago an advisory measure on the ballot passed by 79% in favor of retaining the Klamath dams. People in my district are VERY concerned about the affect your plans will have on their property and livelihood. For years there have been hotly contested rumors of secret meetings and confidentiality agreements swirling around Siskiyou, Klamath and Modoc counties. Today we know those rumors were all true.

My staff learned of your Sacramento and Portland meetings and attended uninvited a few weeks ago. It was clear to them that the process and agreement was to be conducted in secret and only then a final decision by limited stakeholders and government agencies would be announced to the public. This was not an inclusive process with opposing affected parties at the table. There were no representatives from local county governments and we have confirmed that none were invited to the meeting.

The first question put to my staff upon arrival was an insistence that they sign a confidentiality agreement. Government agencies and their contractors should not ask meeting participants to sign non-disclosure agreement in what obviously should be public a policy process. Contending that this is a privileged and confidential negotiation does not square with the taxpayers footing the bill every step of the way including untold hours of state and federal employees and government entities time crafting agendas and finding Congressional "work arounds". No government entity, much less three, should be conducting business behind closed doors to avoid pushback from the public.

It was only with pressure from my office on behalf of the public that you reluctantly held this public meeting. Yet, despite several requests, we are still meeting here in Sacramento, over 275 miles from the shadow of the nearest dam. I will continue to request that full public meetings be held in the area affected, including Klamath Falls and Yreka and not expensive long distance locations such as Portland and the discussed possibility of San Francisco.

Today's meeting is just one more in a long line of involuntary taxpayer financed efforts in this process. Every government employee in this room works for and is compensated by state or federal taxpayers. That involvement of our tax dollars should be an absolute guarantee that a full public process is followed.

As evidenced in the previously held meetings, this group plans to use California State Bond dollars and PacificCorp Ratepayer dollars to finance this effort. Both of these funds come from a government authorized source and are paid by the citizens of California and Oregon. The California Water Bond is a general obligation bond and the state general fund comprised of taxpayer dollars pays for the bond.

Transferring these government funds to a newly created 501C3 so that entity can avoid public disclosure, as taken from your slides of February 24, 2016 is highly suspicious. Federal and State authorities clearly ran the meeting, set the agenda, and were explaining to the group of stakeholders the benefits of organizing a 501c3. It was clear that using the 501c3 Dam Removal Entity would avoid Freedom of Information Act requests and the Federal Advisory Committee Reform Act (FACA). Those facts have raised serious questions about the true purpose of the 501c3 Dam Removal Entity as a shield to avoid public disclosure and further to move taxpayer funds to a non-accountable entity that circumvents congressional oversight.

It is important that everyone in the room understands the limitations of the agencies and the limits to their negotiation powers. None of the agencies of the Federal or State governments may settle a bi-state water agreement, divest federal land to tribes or others, nor can they appropriate federal dollars. All of those are functions of Congress. Any agreement made here is subject to change and cannot be relied upon as a binding deal. We have just witnessed a prime example of this. Look at what happened when the agencies promised a deal years ago only to have it languish in the Senate and never move through the process. A deal that will ultimately require congressional approval should begin with all parties and those whom they represent at the table to find a deal that benefits all parties and has a high likelihood of passage in the end.

Again, I strongly suggest the agencies to halt this process and restart it from the beginning in a full public forum. Meetings should be held in Klamath Falls and Yreka at the very least so that those affected may have input without driving 275 miles. It is imperative that this be an open process that allows the citizens an opportunity to influence the outcome. You can count on my continued fierce opposition otherwise.

Respectfully,

A handwritten signature in black ink, reading "Doug LaMalfa". The signature is stylized with a large, sweeping "D" and a cursive "LaMalfa".

Doug LaMalfa,  
US Representative, District 1