

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

November 21, 2016

The Honorable Daniel M. Ashe  
Director  
United States Fish and Wildlife Service  
1849 C Street, NW  
Washington, DC 20240

Dear Director Ashe:

As Members whose congressional districts include the East Bay Regional Park District (EBRPD), we urge the United States Fish and Wildlife Service (USFWS) to quickly finish work on the Programmatic Biological Opinion (PBO) necessary for EBRPD to conduct routine levee and trail repair.

EBRPD manages over 120,000 acres, covering 65 parks and over 1,250 miles of trails, in Alameda and Contra Costa Counties. This includes a responsibility for wetlands and levees across the shore of the eastern side of San Francisco Bay. These protect residents and property against storm surge and sea level rise, problems which will only increase as our climate warms.

According to EBRPD, shoreline trails and levees require routine maintenance and repair. One assessment needed for EBRPD to be authorized by the Army Corps of Engineers to do this type of work over a period of time is a PBO, which will look at how the proposed actions of EBRPD could affect endangered species. EBRPD has been trying to obtain such a PBO from USFWS for over three years, to no avail.

All of us are strong supporters of protecting endangered species, which the PBO is intended to do, and so we recognize its importance. However, the need for levee and trail maintenance and repair has not gone away during the more than three years EBRPD has been waiting for the PBO and will continue to be an issue. In fact, EBRPD has had to conduct emergency levee repairs multiple times in recent years, which requires waiting until the levee is about to fail.

Waiting for an emergency to do repair raises the risk that a failure will occur. It also is less efficient and more costly than conducting routine maintenance. A completed PBO is thus critical for the EBRPD to effectively maintain access to the shore and protect the East Bay.

We urge you to complete the PBO, consistent with applicable statutes and regulations, as quickly as possible, and we stand ready to assist you in any way that we can. Thank you for your time and attention.

Sincerely,

  
Eric Swalwell  
Member of Congress

  
Michael M. Honda  
Member of Congress

  
Barbara Lee  
Member of Congress

  
Mark DeSaulnier  
Member of Congress

  
Mike Thompson  
Member of Congress

  
Jerry McNerney  
Member of Congress