

FILED/ENDORSED
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By: M. Pipe
Deputy Clerk

1 JOSEPH W. COTCHETT (SBN 036324)
jcotchett@cpmlegal.com
2 NIALL P. McCARTHY (SBN 160175)
nmccarthy@cpmlegal.com
3 ERIC J. BUESCHER (SBN 271323)
ebuescher@cpmlegal.com
4 MALLORY A. BARR (SBN 317231)
mbarr@cpmlegal.com
5 **COTCHETT, PITRE & McCARTHY, LLP**
San Francisco Airport Office Center
6 840 Malcolm Road
Burlingame, CA 94010
7 Telephone: (650) 697-6000
Facsimile: (650) 697-0577

8 *Liaison Counsel for Plaintiffs*
9
10 JAMES V. NOLAN (SBN 84239)
jvnolan@yololaw.com
11 DAVID W. JANES (SBN 71334)
dwjanes@yololaw.com
12 **GARDNER, JANES, NAKKEN, HUGO & NOLAN**
429 First Street
Woodland, CA 95695
13 Telephone: (530) 662-7367
Facsimile: (530) 666-9116

BY FAX

14 *Counsel for Plaintiffs City of Oroville; Akers Ranch, et.al.;*
15 *JEM Farms LP, et al.; and Mary's Gone Crackers, Inc., et al.*

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **IN AND FOR THE COUNTY OF SACRAMENTO**

18 Coordinated Proceeding
19 Special Title (Rule 3.550)
20 **OROVILLE DAM CASES**

JCCP NO. 4974
Assigned to: James E. McFetridge, Dept. 30
**DECLARATION OF GENOA WIDENER
IN OPPOSITION TO THE
DEFENDANT'S MOTION TO STRIKE
ALLEGATIONS FROM COMPLAINTS**

Date: February 15, 2019
Time: 10:00 a.m.

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DECLARATION OF GENOA WIDENER

1 I, Genoa Widener, hereby declare as follows:

2 1. I have personal knowledge of the matters set forth below and, if called as a witness,
3 I could and would testify competently to the statements herein.

4 2. I was born and raised in Oroville, California, and have lived here all my life.

5 3. In early February 2017, I saw a Facebook post of a video showing cement flowing
6 down the Oroville Dam spillway. It concerned me and I immediately began speaking to DWR
7 employees, the City of Oroville, and members of the community. I had numerous friends who
8 worked for DWR at the Oroville Dam, as well as the city of Oroville. I discussed the issues with
9 them, and was told by DWR employees that everything was fine at the dam. I spoke with one ex-
10 employee of DWR who told me that everything was NOT fine. At that point, I began monitoring
11 the inflow and outflow numbers of water coming into and flowing out of Lake Oroville, available
12 at a state-run website. I evacuated my home and the factory where I work in Oroville two days
13 before the official evacuation order. It was clear that danger was approaching and I evacuated to
14 Palermo, California. During this time in February 2017, I was very active on Facebook, trying to
15 inform the public and encouraging the community of Oroville to evacuate.

16 4. I work closely a local group known as **Oroville Strong!**, and I manage a Facebook
17 page called “Not Just a Spillway,” which was formed after the Oroville Dam crisis of February
18 2017. The purpose of Oroville Strong! and Not Just a Spillway is to educate the public, promote
19 the truth about the Oroville Dam, and to hold DWR accountable for their maintenance and control
20 of the Oroville Dam. Our goal is to strengthen the city of Oroville, as it was damaged severely by
21 the February 2017 Oroville Dam spillway incident.

22 5. In the last year or so, I helped to obtain 8,000 signatures on a **Petition to “Hold**
23 **DWR Accountable”** to be submitted to the Federal Energy Regulatory Commission (FERC). The
24 main purpose of the Petition, which asks for an independent, comprehensive assessment of the
25 Oroville Dam and fair treatment for the downstream communities, was to stop FERC from re-
26 licensing the Oroville Dam to DWR until proper safety measures, the inappropriate work
27 environment, and compensation to the communities who host the Oroville Dam is properly
28 addressed. The majority of the petition paperwork is lodged at the office of Supervisor Bill

1 Connolly to be submitted to FERC. During my efforts to obtain signatures on the Petition to Hold
2 DWR Accountable outside of Walmart, I was closely watched by DWR employees who identified
3 themselves as such, and attempted to intimidate me with looks and inappropriate gestures. They
4 were clearly not happy with my efforts. A true and correct copy of the Petition to “Hold DWR
5 Accountable” is attached hereto as **Exhibit A**.

6 6. As part of my efforts supporting Oroville Strong! to obtain signatures on the
7 Petition to “Hold DWR Accountable”, I reached out to several former and current DWR
8 employees regarding their experience working for DWR at the Oroville Dam. I received
9 consistent feedback from DWR employees that the inappropriate workplace culture at DWR
10 resulted in an inability of DWR to perform basic safety and maintenance operations at the dam.

11 7. Some examples of the statements made to me by former employees of DWR at the
12 Oroville Dam are as follows:

- 13 a. One of the ex-DWR employees I spoke with extensively, Chris Thomas, told
14 me of the serious problems he had working at the Oroville Dam, which included
15 racial harassment, being called racial slurs, a noose hanging in a meeting room
16 for months, a doll hung from his locker, and supervisors refusing to do anything
17 about it. He told me the noose remained until he took it down himself. Chris
18 Thomas brought a lawsuit against DWR for the harassment he suffered;
- 19 b. Several DWR employees told me that the workplace culture was hostile and
20 difficult because supervisors were constantly changing the maintenance plan;
- 21 c. DWR employees had difficulty getting necessary supplies, tools and materials
22 required for maintenance because supervisors controlled the distribution of the
23 materials;
- 24 d. DWR employees told me that they would recommend solutions to maintenance
25 problems, and those recommendations were ignored by their DWR supervisors,
26 and they were told to keep quiet about those issues;

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- e. Several individuals who were contracted to work at the Oroville Dam also told me they would make recommendations for safety and maintenance work at the Dam and they were ignored by DWR supervisors;
- f. Several DWR employees informed me that female DWR employees were constantly harassed and referred to by derogatory terms;
- g. DWR did not have many female employees because of the atmosphere created by the DWR supervisors who were very hostile towards women. Female DWR employees were referred to as “dykes” as a joke because they worked at the Dam;
- h. It is well known in Oroville that a warehouse located along Highway 70 was a place where DWR equipment was sold and/or auctioned off to local contractors. A few former DWR employees admitted to me that equipment and materials required for maintenance at the Dam were purchased by the state but stored and sold from the warehouse.

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 31st day of January 2019 at Oroville, California.



GENOA WIDENER

EXHIBIT A

"HOLD DWR ACCOUNTABLE"

FERC PETITION ANNOUNCEMENT

Shortly before the Christmas Holidays, the DWR applied to FERC for an immediate decision to relicense their operation of the Oroville Dam for 50 years. On January 4th 2018, the Independent Forensic Team released [their final report](#) of what caused the February 2017 Oroville Dam spillway failure. It underscores what many of us have been saying for months, which is, there needs to be a monumental culture change at DWR. There were clearly systemic and organizational failures within the Department that led to this disaster.

The 'Hold DWR Accountable' petition allows the public to support the petitions of our elected officials and the many local organizations from the three downstream counties which were sent to FERC two months ago. These asked FERC not to approve a new license until the causes of the spillway failure are fully understood and the many issues relating to the Dam raised since February are recognized and dealt with.

The 'Hold DWR Accountable' petition also asks for a review of the basis on which it is proposed that the DWR will be licensed to manage the Dam. The final report of the Independent Forensic Team fully justifies this request.

After the flood in 1997, the community trusted the DWR to look after our safety. The February debacle destroyed that trust. The way the DWR has treated the concerns we have raised since then has done nothing to restore trust and there is widespread exasperation.

Since the construction of the dam, the local communities have been short changed. We are bearing the risks while others are getting the rewards. The benefits that were originally promised to the community were not delivered. The costs to the community caused by the dam have not been reimbursed. The 10 – 15 year cycle of flood events largely caused by the way the dam has been managed have stigmatized our communities. We have received little or no compensation, unlike the communities that host other dams.

The Sponsors are asking the citizens of California to indicate their support for holding DWR accountable by signing the attached petition.

Volunteers will be collecting signatures at local centers

The petition may be signed online at: www.change.org/p/federal-energy-regulatory-commission-ferc-hold-dwr-accountable

Please visit our Facebook at: www.facebook.com/NotjustaSpillway

Or you may print the following and mail to: **HOLD DWR ACCOUNTABLE P.O. Box 2702 OROVILLE, CA 95965**

“HOLD DWR ACCOUNTABLE”

PETITION

“We, the undersigned, with respect to the Oroville Dam-Project 2100, located in Butte County, CA urge the Federal Energy Commission, to:

- 1) Order for the safety of the public a comprehensive and totally independent, free from Licensee influence, forensic study of the Project and all its appurtenances, including all auxiliary levies, impounds, power houses as well as CA Department of Water Resources operating and maintenance procedures;**
- 2) Order an opening of the relicensing process to provide just compensation to the local governments and communities that host the Oroville Dam-Project 2100 and provide it with services;**
- 3) Order that recreation facilities be provided on a timely basis that are at least as beneficial as those existing before the spillway debacle with future enhancements guaranteed, especially as regards lower lake level boating, swimming and dam access, and**
- 4) Order DWR to fully underwrite all local outreach efforts of the three downstream County communities that were stigmatized by the Spillway failures and emergency evacuation to help them reverse the negative public impressions the incident created”.**

INITIAL SPONSORS

Robert Bateman* (530 370 3347), founding member of Oroville Strong
Don Blake* (blakeusmc1970@gmail.com)
Bill Bynum
Larry Grundmann* (530 680 7121)
Wade Hough
Erik Johansen, founding member of Oroville Strong
Mike Phulps, founding member of Oroville Strong
Doug Poppelreiter
Betsy Putyrae
Don Raighley
Al Stein
Steve Seidenglanz, founding member of Oroville Strong
Kevin Thompson
Dick Thompson*(530 533 9223), founding member of Oroville Strong
Genoa Widener*(5303543141)
Brian Wong

Hold DWR Accountable, PO Box 2702, Oroville, CA, 95965
notjustaspillway@yahoo.com