

Meeting Summary
Small Group Meeting
December 3, 2024
12:30–1:45 p.m.
Virtual

Participants

- Commissioner Robert Bateman
- Supervisor Bill Connelly
- Matt Mentink, community member
- Erik Johansen, community member
- Michael Bessette, SBFCA
- David Gordon, DWR
- Mike Mierzwa, DWR
- Laurence Sanati, DWR
- Eva Spiegel, Kearns & West

Meeting Purpose

To discuss DWR's goals for the upcoming U.S. Army Corps of Engineers' Water Control Manual update and the local schedule for addressing the status of the Oroville Levee.

Action Items

- **Mike Bessette** will contact Mike Mierzwa for information on USACE's Section 165 program.
- **Mike Mierzwa** will talk with Rick Houck at the USACE to have the levee be considered for a non-USACE levee survey for Q3.
- **David Gordon** will invite Dr. Marty Ralph from Scripps to present the Forecast Informed Reservoir Operations (FIRO) Final report to the Commission at its March 2025 meeting.

Summary

Introduction

David Gordon facilitated the meeting, beginning with a review of the meeting's purpose and agenda. The meeting's focus was to discuss DWR's goals for the upcoming U.S. Army Corps of Engineers' Water Control Manual update and the local schedule for addressing the status of the Oroville Levee.

Funding for City of Oroville Levee Feasibility Study

SBFCA reported that its application to the U.S. Army Corps Pilot Program under Section 165 for a federally funded feasibility and alternatives study of the Oroville Levee was not approved. The application was one of hundreds submitted: only 12 were awarded.

Alicia Kirchner, a Water Resources Manager with the U.S. Corps of Engineers in Sacramento, connected SBFCA with some other contacts at the agency to discuss further options to seek funding. The Section 165 Program offers other funding streams. An alternative option, if approved, would provide up to \$100,000 to the Sacramento or San Francisco District office to evaluate the levee and determine federal interest in pursuing a feasibility study. If approved, the City of Oroville could enter into an agreement with the USACE to do a cost share for the study: 65% federally funded, 35% funded by non-federal agency. The study would be capped at \$1.4 million.

Supervisor Connelly commented that the City of Oroville is poor and lacks resources to fix known problems with the levee. He emphasized that because DWR needs the levee as part of delivering water statewide, it should be of interest to DWR and the State of California to have an extensive study done of the levee, which was built in 1915. He noted that there are two major boils in the levee that cause flooding. The Supervisor wants a mutually beneficial partnership for everyone who gets water from the system and for an agency, not the City or County, to take ownership of the levee.

Commissioner Bateman asked whether the Water Control Manual should be issued without knowledge of how levees would sustain a maximum release of 150,000 cubic feet per second (cfs). Mr. Mentink noted that he thought the Central Valley Flood Protection Plan required that each levee be studied for the condition that is unique to it. For downstream communities, this would be what happens with 150,000 cfs releases for days followed by rapid down ramping.

DWR stated that the letter from Secretary Crowfoot and Director Nemeth to the USACE in support of SBFCA's funding request reflects DWR's belief that it would be valuable to understand the status of the levee. The Water Control Manual is solely a USACE process, and that agency determines what is included. USACE continually changes its process for analysis and levee standards.

DWR stated that if Oroville and downstream communities want the Oroville levee to be owned and operated by USACE it is important to understand what this would entail. One advantage of becoming a USACE levee is that it would be responsible for it. However, it is a long process to become a USACE levee and it is critical to know that the agency frequently changes rules. Once a levee is under USACE, it would not be eligible for FEMA assistance funding.

In addition, a levee does not need to be a USACE levee to qualify for USACE funded cost share repairs. A levee owning agency can voluntarily enroll in a USACE program that provides annual inspections. There are 5,000 miles of non-USACE levees in California statewide.

Public Law 84-99 is the USACE Rehabilitation and Inspection Program. Under this program, levee system owners/maintainers can voluntarily enroll and if a levee is damaged in a storm, USACE does an inspection and does a cost share for repairs. If/when a levee is stressed, the owner can call USACE, which will provide technical assistance during an emergency to locate active boils.

There are other options, including seeking State funding for an improvement project through the Legislature.

Water Control Manual Update

DWR shared its four goals for the Water Control Manual update. These are:

- **Utilization of Best Available Science and Data:** Incorporate the best available science and data in the operation of the Oroville Dam facilities, such as the incorporation of Forecast-Informed Reservoir Operations (FIRO).
- **Forecast Coordinated Operations:** Incorporate improved weather forecast modeling and continued coordination between water operators on the Yuba and Feather Rivers, State-Federal Flood Operations Center, US Army Corps of Engineers, and the National Weather Service-CA Nevada River Forecast Center to reduce potential flooding impacts to downstream communities.
- **Minimizing the Potential Use of the Emergency Spillway:** Update Lake Oroville WCM to minimize the potential use of the emergency spillway.
- **Marysville Dam:** Do not include Marysville Dam in the WCM update process as this facility was not constructed.

Supervisor Connelly commented that he is concerned about the impacts of shrinking the flood pool and that in his opinion, it is not logical to restrain the flood pool even with advances in expert forecasting.

Mr. Mentink said there needs to be an evaluation of the reservoir at various stages from releases prior to storm event and capacity with the impacts of “yo-yoing” on the levees.

DWR noted that it would look at this question when the final FIRO report is released as well as in the draft Water Control Manual. DWR plans to contact Scripps to present to the full Oroville Dam Citizens Advisory Commission in March.

Mr. Mentink referred to the Comprehensive Needs Assessment Report and emphasized that he wants a strategy to reduce estimated damage downstream, including the cost of evaluation and the auxiliary spillway. He wants criteria to compensate people impacted downstream.

Based on Mr. Mentink's review of the FIRO Preliminary Viability Assessment (PVA) Report (2022), he pointed out that there were multiple alternatives for re-operation of Oroville based on similar forecast scenarios. However, in the FIRO (PVA) report, in at least one of the scenarios, re-operations of the reservoir resulted in water being released from the conservation pool below the maximum allowed flood (MAF) control pool of 750 MAF.

DWR explained that many of Mr. Mentink's questions should be directed at subject matter experts at the USACE and Scripps, which is producing the FIRO Final Report. The FIRO Final Report is expected to be released in January 2025.

DWR emphasized that public safety is its top concern.

Conclusion

Mr. Gordon thanked everyone for participating in the discussion and said that DWR looked forward to the full Commission meeting on December 6.