

OROVILLE DAM CITIZENS ADVISORY COMMISSION MEETING
Meeting on 09/30/2019

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STATE OF CALIFORNIA
OROVILLE DAM CITIZENS ADVISORY COMMISSION
MEETING
MONDAY, SEPTEMBER 30, 2019

TRANSCRIPT PREPARED BY MICHAEL HENSLEY, CSR, RDR

1 SECRETARY CROWFOOT: A big thanks to community
2 members for coming out.

3 My name is Wade Crowfoot, and I lead the
4 California Natural Resources Agency. And I have the
5 privilege of sharing our commission and presiding over
6 the first meeting of the commission. First of all, a
7 big thanks to Senator Nielsen, who sits to my left. The
8 reason we're here is his leadership and Assemblyman
9 Gallagher's leadership, actually, in establishing this
10 commission in law.

11 This is an official body of the State; so we'll
12 have to follow several rules, which we'll talk about
13 today. We'll operate as a formal organization. The
14 first thing we will do is call roll. But I think
15 because it's our first meeting, if we can, let's call
16 roll by simply going around the dais and asking
17 everybody to introduce themselves and the position they
18 serve.

19 Lieutenant?

20 LIEUTENANT MILLION: Joe Million. I'm the
21 Lieutenant operation --

22 Joe Million. I'm an operations lieutenant in
23 the Yuba County Sheriff's Department.

24 SHERIFF ANDERSON: All right. Thank you very
25 much. Wendell Anderson, Yuba County Sheriff.

1 MR. LAMBERT: Steve Lambert. I work at the
2 4th District, which is the other side of the river at
3 Butte County.

4 MR. LOFTON: Doug Lofton, Yuba County Board of
5 Supervisors representing the 3rd District.

6 MR. DOWLING: Steve Dowling, Assistant Chief
7 with California Highway Patrol out of Valley Division.

8 SUPERVISOR FLORES: Dan Flores, Sutter County
9 Board of Supervisors.

10 MS. WIDENER: Genoa Widener, appointed by the
11 Butte County Board of Supervisors.

12 MS. MONGAT: Lisa Mangat, director for
13 the Department of Parks and Recreation for the State of
14 California and some of our local leadership team members
15 out in the audience.

16 MR. GRIMA: Curtis Grima, alternate for
17 Assemblyman James Gallagher, who will be joining us
18 shortly.

19 SENATOR NIELSEN: Senator Jim Nielsen,
20 4th District. And over the years, that's been most of
21 Northern California.

22 DIRECTOR NEMETH: Good morning. Karla Nemeth,
23 director of the Department of Water Resources. I also
24 have leadership from the State Water Project team here
25 as well.

1 SHERIFF HONEA: Kory Honea, Sheriff of Butte
2 County.

3 MR. COLLINS: Steve Collins, Butte County
4 Sheriff's Office.

5 MR. CONNELLY: Bill Connelly, District 1, Butte
6 County Supervisor.

7 MS. CURRY: Good morning, Tina Curry, Deputy
8 Director, Governor's Office of Emergency Services.

9 MR. CONANT: Matt Conant, District 5 Supervisor,
10 Sutter County.

11 MR. BRADFORD: Gary Bradford, Yuba County
12 Supervisor, 4th District.

13 MR. LICON: Andre Licon, Sutter County
14 Sheriff's Office.

15 MR. PITMAN: David Pittman, City Council Member,
16 City of Oroville. And I'd like to mention Mayor
17 Reynolds is at the induction ceremony for his son
18 entering the military today and couldn't be here.

19 SECRETARY CROWFOOT: Wonderful. Thank you once
20 again for taking the time to be here and for your
21 leadership, not only on this commission, but just
22 generally for this region. We'll start our meeting by
23 reciting the Pledge of Allegiance; so I'd ask everyone
24 to stand up and face the flag.

25 (Pledge of Allegiance recited by audience.)

1 SECRETARY CROWFOOT: All right. Thanks so much.
2 I'll start the meeting with your proverbial housekeeping
3 items that will explain the facility here today and the
4 way we'll run our meetings. First, obviously, our
5 exits, should we have an emergency, are right behind us;
6 so take a moment to look and see where those are.

7 If you have -- well, everyone has cell phones;
8 so please mute them. The meeting's public and open to
9 the Bagley-Keene Opening Meeting Act. So we are -- very
10 importantly, we will have time for public comment this
11 meeting, and any member of the public is invited to come
12 and to share your thoughts with us. That also means we
13 have a set of rules that govern decision-making on this
14 body, which we can explain as we go along.

15 The meeting is being transcribed; so a
16 transcript and meeting summary notes will be available.
17 We'll have a subpage on our website at the Natural
18 Resources Agency that will be dedicated to this
19 commission; so if any members or their staff on the
20 commission or members of the public want to understand
21 what's been discussed at these meetings, we'll have
22 record of that. It goes without saying, but we ask,
23 regardless of your thoughts and feelings, we ask
24 everyone to be respectful in their comments and
25 questions. That shouldn't be an issue. We want to,

1 obviously, want to respect each other in terms of
2 allowing each other to make our full statements.

3 So then let me talk about what we're going to
4 get done today. We have over two hours to really start
5 off this process.

6 This is a commission now required by law thanks
7 to Senator Nielsen and Assemblyman Gallagher. We plan
8 to meet four times a year or quarterly. We'll use this
9 meeting to really kind of institutionalize ourselves,
10 discussing the charter or the rules we're going to
11 follow in our work together. We will hear from Karla
12 and her team an overview of the Oroville Dam and Lake
13 Reservoir so that everybody's on the same page in terms
14 of its operations, which is, I think, important kind of
15 information-sharing and level-setting as we start our
16 work together.

17 We'll be selecting a vice-chair for the
18 commission. We'll also ask for a couple folks around
19 the table in addition to the vice-chair to be one to
20 review minutes for accuracy. And then importantly at
21 11:30, we'll have an opportunity for public comment.
22 And I see at least some members of the public here; so
23 hoping you'll come up and share your thoughts,
24 suggestions, questions, concerns.

25 So with that, I will turn it over to the Senator

1 and the Sheriff to provide some opening remarks.

2 SENATOR NIELSEN: Thank you, Secretary Crowfoot.
3 And thank you and Director Nemeth for being a part of
4 this.

5 Ladies and gentlemen, the -- what you are
6 initiating here today has kind of a long history, and
7 I'll briefly trace it. When I was a representative in
8 the '80s of the Delta, we had many state and federal
9 agencies, local jurisdictions that had interest in the
10 delta and as well, all the people who lived and had
11 businesses in the delta. But I found that we had some
12 problems, as we always did, that people weren't talking
13 to each other. The public wasn't informed.

14 Then later, I became senator for most all of the
15 Sacramento River and its watershed. We had similar
16 problems here. So I authored legislation formally,
17 creating what became the Sacramento River Conservation
18 Forum. It's been around over 30 years now and operates
19 within the Resources Agency and headquartered in Red
20 Bluff at the DWR headquarters.

21 The Conservation Forum was purposed to keep
22 people informed, to have constructive suggestions about
23 managing that very vital resource, the Sacramento River.
24 And testimony to its success beyond being around still
25 30 years, Zeke Grader, now deceased, but he was always a

1 champion of the salmon that runs in the Sacramento
2 River. And Zeke told me many years ago Senate Bill
3 1086, which was the authorizing of legislation for the
4 Conservation Forum, did more to help preserve salmon in
5 the Sacramento River than anything else that had been
6 done. Now, I've always felt that was a bit overstated.
7 But if a guy like Zeke Grader felt it had that impact,
8 it did.

9 Skip forward to our challenge that we've had
10 face ^{to} here with the spillway. And understand, it's not
11 just a spillway. It is the dam and the State Water
12 Project and its conveyance system. And I felt that
13 this, as did Assemblyman Gallagher and
14 Congressman LaMalfa, who works with us at the federal
15 level, it's more important here than it even was
16 informally in the delta and formally through the
17 Sacramento River.

18 As we proceed now, then, the opportunity is for
19 everybody to be more informed, to have constructive
20 input, to ensure the continuity and success into the
21 future of the State Water Project and the operation of
22 the Oroville Dam and its purposes. So this is a big
23 deal. Now, the responsibility -- this is the
24 opportunity. The responsibility is on all of us,
25 including the public, to participate and convey their

1 opinions, ask questions, find out what's going on, and
2 offer constructive suggestions.

3 This isn't a place just to come to pitch a
4 bitch. This is a place to problem solve, to be aware,
5 and for the public then to gain comfort that our State
6 Water Project is working well. And we're very
7 appreciative of the Governor for signing the legislation
8 and its agency, the Resources Agency that Mr. Crowfoot
9 heads, and the Department of Water Resources for their
10 very expert, continued help and support for this project
11 now that we're embarking on today.

12 SECRETARY CROWFOOT: Thank you so much, Senator.
13 Sheriff?

14 SHERIFF HONEA: May I borrow the mic here?

15 Thank you, Secretary Crowfoot. It is an honor
16 to be here and serve you. Also, an honor to follow
17 Senator Nielsen and his comments.

18 I would begin by certainly thanking Senator
19 Nielsen, Senator Gallagher for their continued support
20 throughout the entire saga, if you will, and their
21 dedication to working collaboratively with our state and
22 local partners to bring about positive change. I know
23 today's meeting really represents a great step forward,
24 and it is one of a continuing number of steps that have
25 been made from the very beginning of this incident. And

1 I certainly see this as a great opportunity to formalize
2 the collaboration of members of our community in the
3 ongoing efforts to address concerns and issues and
4 management of the Oroville Dam facility.

5 You know, after the 2017 spillway incident, I've
6 had a lot of opportunity to reflect upon the facility
7 and -- and I am sorry. I've had a lot of opportunity to
8 reflect upon the incident and really gain a deeper
9 understanding of not only the Oroville Dam Complex but
10 also the State Water Project.

11 The State Water Project, as many of you already
12 know, is a critical piece of infrastructure in the state
13 of California, and I would argue, perhaps, maybe the
14 most critical piece of infrastructure because it
15 supplies water to 27 million Californians. Without it,
16 we don't have the agricultural enterprises that
17 California enjoys. Communities to the south of us
18 wouldn't have the water that they need to survive. And
19 locally, we wouldn't enjoy some of the benefits, like
20 flood control, that we enjoy here.

21 The 2017 spillway incident, in my mind, brought
22 to the forefront of all of us not only the risks
23 associated with having the Oroville Dam in our backyard
24 but also the benefits. And it occurs to me that you
25 always have to find a pathway forward when you're

1 dealing with a crisis, when you're dealing with
2 adversity. And this is a big step in that pathway
3 forward.

4 There is always opportunity that comes from
5 adversity, always opportunity that comes from crisis.
6 We've seen that here, and we'll certainly see that in
7 other tragedies, crises, that our community has faced in
8 the past few years. But this process is something that
9 I am glad to see we're kicking off. It is vitally
10 important that members of our community have an
11 opportunity and a formal way to participate in this
12 process, and I am certainly honored to be here today.

13 So thank you very much.

14 SECRETARY CROWFOOT: Thank you. And thank you
15 for your leadership not only responding to the spillway
16 crisis but more recently, given wildfires and other
17 threats. It's a little hard to get your head around all
18 that Butte County has faced in the last few years, and
19 we are thankful for your leadership as well as -- and,
20 obviously, your team and public safety personnel and
21 political leadership in the region.

22 So next in our agenda is really talking about
23 how -- what is this commission, how are we structuring
24 ourselves. This is really important that we all
25 understand moving forward how we will do our work.

1 To help us, we have contracted with a entity
2 called Kearns & West, and they specialize in organizing
3 these types of entities and helping us run our meetings.
4 So I'm going to invite Eric Poncelet up to share the
5 draft charter. In other words, the constitution of our
6 group that we have developed. Our goal here today is to
7 share with everybody so you understand it, answer any
8 questions that you may have, and then we would plan to,
9 at our next meeting, actually adopt the charter
10 formally.

11 Eric.

12 MR. PONCELET: Okay. Great.

13 Good morning, commissioners. It's good to be
14 here, and good to see this commission coming into being.
15 I'm going to provide a quick overview of the charter to
16 remind everyone why you're here and what you're doing.
17 It's really intended to be a document that helps explain
18 your roles and responsibilities.

19 Before that, two quick announcements to build on
20 those started by the Secretary. First, if you do need a
21 bathroom, out the door either to the left or to the
22 right through the doors for the bathrooms.

23 And then secondly, I just want to announce that
24 we do have a court reporter who is transcribing the
25 meeting, as you noted. He is actually recording the

1 meeting as a backup for this, but I just wanted to let
2 folks know that there is a recording taking place as a
3 backup for the court reporter.

4 Okay. So with regard to the charter, a little
5 bit of background information. The draft charter went
6 out in the meeting packet for the commissioners, and
7 it's available online for the public and without -- with
8 the agenda was posted over ten days in advance. It
9 derives predominantly and importantly from the
10 requirements articulated in the Senate Bill 955. And so
11 the version that went out with the meeting packet has
12 changed slightly from the versions that commissioners
13 received back in August when you got an initial draft
14 that was helping to explain what the commission was
15 about.

16 One key change was that we added some background
17 information that helps describe how the commission was
18 modeled after the Sacramento River Conservation Forum
19 that Senator Nielsen just described.

20 And secondly, we've -- put a list of anticipated
21 signatories in the last section in this. The Secretary
22 just said the intent is to have signatures at the second
23 meeting.

24 Okay. So now I'm going to jump in and do a
25 quick overview of the key sections of the charter. And

1 we'll pause afterwards to take any questions that you
2 might have.

3 So first of all, with regard to membership,
4 membership for the commission was specified in the
5 legislation. And commissioners are listed in the roster
6 that has been posted online, and commissioners should
7 have that roster in your packets. The term of office
8 for each commissioner is three years. The exception is
9 for elected officials, whose term may end within three
10 years. And in those cases, they will be replaced by the
11 newly elected official.

12 There are four main responsibilities that
13 commissioners have. First is to serve as a
14 representative to the public.

15 Second, to receive information from and provide
16 input to the dam operator. I think much of our time
17 together will be spent on that topic.

18 Third is just to note that the commission is
19 serving in an advisory capacity; so the commission is
20 not making rules or recommendations -- or regulations
21 regarding the dam operations.

22 And then finally and importantly, a role of the
23 commission is to publish a report at least once every
24 three years.

25 So let me tell you a little bit about the

1 report. The report does several things. First, it
2 provides an overview of ongoing maintenance and
3 improvements at Oroville Dam and the dam complex.

4 Secondly, it should be providing a register of
5 communications that was received from the State agency.
6 So this is a record of the topics that were discussed in
7 the commission meetings.

8 Third, it should provide a notice of upcoming
9 plans made by State agencies for the dam and the dam
10 complex.

11 And then finally, it should provide an overview
12 of flood-management projects along the Feather River,
13 effecting safety, and flood-risk reduction. So that's
14 the intent of the contents of that report.

15 The charter also notes some responsibilities of
16 State agency representatives. This was also stipulated
17 at the legislation. Two key areas here. One, that
18 State officials will provide facility site visits, and
19 then -- we're anticipating that actually, our next
20 meeting in -- scheduled for November. And I think we'll
21 get an update on the day soon. Could be -- we're hoping
22 to set that up as a site visit.

23 And then secondly and importantly, a key
24 responsibility of State agencies is to provide
25 information reasonably requested by the commissioners.

1 And this could be with regard to several topics,
2 including dam construction, rehabilitation, operations,
3 statements, schedules for anticipated repairs, asset
4 management, changes in flood-management rules, or other
5 updates on the Feather River flood management and
6 activities.

7 So finally, the charter also talks about the
8 meetings and how you guys will be meeting. As the
9 Secretary said, we're anticipating quarterly meetings,
10 so every three months or so. These meetings are open to
11 the public and subject to the Bagley-Keene Open Meeting
12 Act. And as such, agendas will be posted at least ten
13 days in advance of the meetings. And as the Secretary
14 noted, there will be opportunities for public comment at
15 every meeting.

16 In terms of order and conduct, the meetings will
17 be led by the chair or vice-chair. And as the Secretary
18 said, there -- that Kearns & West has been brought on to
19 serve as the meeting coordinator. So we have several
20 roles we're helping to plan with the meetings, but we're
21 also drafting a meeting summary. And these summaries
22 will be hopefully accessible ways for the public to
23 track what's been going on in these meetings. They will
24 focus on key outcomes, decisions made, key questions and
25 responses made at the meetings, and then any action

1 items and next steps. And so these meeting summaries
2 will be reviewed by some volunteers that we're hoping to
3 get later in the meeting from among commissioners, and
4 the meeting summaries will be agreed upon by the chair
5 and vice-chair and then posted to the website.

6 Finally, with regard to decorum at these
7 meetings, the charter notes that we're looking for
8 respectful interaction and turn-taking, that we're
9 asking parties to focus on the issues and disagreements
10 but not on the other parties themselves, not having
11 anything personal in that way, but engaging in joint
12 problem solving as was mentioned.

13 And then finally, if commissioners do want to
14 contact the media, there is a request that commissioners
15 speak on behalf of themselves other than through their
16 constituency, but not on behalf of the full commission.

17 So that's the -- a high-level overview.
18 Hopefully, this is familiar for everyone on the
19 commission here. Again, we're hoping that the charter
20 serves as a guideline for you for what you'll be doing.
21 And when people say "What's your role in the
22 commission?" You can pull out the charter and say "Here
23 it is."

24 So I'd like to pause for any questions or
25 comments on the charter at this point from the

1 commissioners.

2 SECRETARY CROWFOOT: Maybe a quick comment.

3 The charter notes that we should meet, quote,
4 "once every three months, four times a year." I just
5 want to let commission members know we're hoping to have
6 our second meeting actually in November prior to when,
7 really, the height of the wet season kicks in. We think
8 it's actually helpful to go out and see the dam and the
9 spillway before the height of winter and have one more
10 meeting on that. So I was really pushing my team to
11 select a date, which they did.

12 Give it a shout, Lizzy.

13 FEMALE SPEAKER: November 20th.

14 SECRETARY CROWFOOT: Okay. So we'll follow up
15 by email. But our next meeting will be held on
16 November 20th and I believe will include an -- actually,
17 an opportunity to get out there on top of the dam
18 spillway, which will be helpful for us all just to
19 understand how the facilities work before we can expect,
20 you know, knock on wood, a lot of rain this winter.

21 Other questions? Brandon.

22 MR. BARNES: Quick comment related to the terms.
23 In the summary, it was mentioned that terms of office
24 for elected officials would end essentially at the end
25 of their term in office. However, in Item E in the

1 charter, it seems to only mention that with respect to
2 legislative representatives and representatives from the
3 City of Oroville. So I would just make a comment
4 related to county supervisors that we maybe call them
5 out in that section as well. Or we may be more general
6 and just use the terms as you did in your summary.

7 MR. PONCELET: Okay. Thank you very much for
8 that close read of the charter. Much appreciated.

9 SECRETARY CROWFOOT: Good suggestion. And then
10 you can incorporate any -- that suggestion into the
11 document that's shared publicly before our next meeting
12 that's voted on.

13 MR. PONCELET: Exactly. We'll make that change
14 first and hope will be asked to sign.

15 SECRETARY CROWFOOT: Okay.

16 Other questions, suggestions? All right. Thank
17 you, Eric.

18 MR. PONCELET: Thank you.

19 SECRETARY CROWFOOT: So next, we'll move on to
20 an overview of the Oroville facilities. As both the
21 Senator and Sheriff explained, not only is this an
22 important resource and piece of infrastructure to this
23 region, but to the entire state. So we thought,
24 actually, starting this discussion on the commission, we
25 would actually take some time to really hear the

1 Department of Water Resources explain how Oroville
2 operates for the benefit of the State Water Project.

3 Karla.

4 DIRECTOR NEMETH: Thank you. And I am going
5 to

6 stay seated for, I think, the first several slides, and
7 then I will hand the presentation over to John
8 Yarborough of the DWR staff.

9 First, I'd like to start by extending my
10 appreciation and thanks as well to Senator Nielsen and
11 Assemblymember Gallagher and also Sheriff Honea.

12 In my view, this is absolutely the right time to
13 reinvigorate a sense of partnership here in the
14 community. And as you can see by all the folks around
15 the table, there are a lot of partners. And while many
16 folks in the Oroville community understand the
17 operations of the dam and it -- I think it strikes us
18 all as more complicated than what you might consider.
19 But to me, what really -- what really comes out when you
20 think about all the roles that Oroville plays is this
21 idea that we're not going to be successful unless we
22 accomplish better working partnerships into the future.
23 So I want to thank the political leadership here in
24 Butte County for helping to support this as a formal
25 forum for doing so.

I'd also like to introduce myself to the members

1 of the community that joined us here this morning. I
2 became the DWR Director in January of 2018. I was
3 certainly around the Department during the spillway
4 emergency, but I want you all to know from me that this
5 is a very important time in the Department's history in
6 terms of all the things we need to do to reinvest in
7 infrastructure to make sure that it's safe for people,
8 to make sure that it operates in a way that supports the
9 environment, and then does the very important job of
10 providing water to the California economy.

11 It's been a period of intense soul-searching on
12 the part of the Department to sort out the ways in which
13 we can communicate better with the people of Oroville.
14 We understand our facility is in your backyard. And you
15 have my commitment to do that, not only in this forum,
16 but in the several forums that are available to you all.
17 There is some overlap. But, again, I'm grateful for the
18 formality of this group that we have assembled here
19 today.

20 So with that, I'll start with a little bit about
21 the Department's history, which you may or may not know.
22 Our role in California is to sustainably manage water in
23 cooperation with other agencies that benefits the
24 state's people, protects, restores, and enhance our
25 natural and human environments. What you may not know

1 is that the Department has an enormous responsibility in
2 protecting Californians from flood. We also restore and
3 protect ecosystems not just in the Feather watershed,
4 but also down in the Sacramento, San Joaquin delta and
5 down in the Salton Sea in Southern California.

6 We are also extraordinarily focused on
7 sustainability and research and planning that supports
8 Californians' ability to deal with the challenges of
9 climate change and water resources management.

10 We also have an intensive public education
11 office that educates and informs all Californians on
12 water issues here in the state. And then we invest
13 significantly in new science that enables us to operate
14 our system better, in better coordination and in a
15 supportive way of all the natural ecosystems that we
16 rely on.

17 The State Water Project itself is the nation's
18 largest state-built, multibenefit water conveyance
19 system. That means we operate the system for both
20 flood, as I mentioned, ecosystem enhancement and also
21 recreation. It includes more than 700 miles of
22 aqueducts and canals, tunnels and pipelines, 35 storage
23 facilities, 21 pumping plants. Anyway, you get the
24 idea.

25 But what's really important about the State

1 Water Project is the foundational role it plays in water
2 supplies for 27 million Californians. It supports all
3 parts of California, from the Bay Area down,
4 essentially, to the border with Mexico and parts of the
5 Central Valley. It supports them in their efforts to
6 recycle more water, to clean their groundwater basins,
7 and recharge their groundwater basins.

8 So as we continue to grow as a state, the
9 importance of the State Water Project itself isn't as
10 much as an overall water supply, an overall piece of the
11 portfolio of water supply. It's getting smaller, no
12 doubt. But it does mean that it has to be reliable for
13 the 27 million Californians that depend on it.

14 A few words about our history. In 1919,
15 California drafted its first state-wide water plan. The
16 Central Valley Project was brought online in 1933. And
17 that is essentially the companion project to the State
18 Water Project. For those of you who like to recreate up
19 on Lake Shasta, that's part of the federal facility. It
20 also releases water into the Sacramento main stem, the
21 Feather joins the Sacramento, and that water, they are
22 collectively called the Projects. That means the state
23 and federal water projects. They send water down into
24 the delta to the pumps at the southern end of the delta
25 where that water is distributed further south and into

1 the Bay Area.

2 In 1951, the Feather River Project was
3 authorized. And then a handful of years later, we had
4 devastating floods here in Yuba City. This is certainly
5 your history. And that brought the State's attention to
6 the significant flood challenge in this part of the
7 state.

8 In 1957, the construction began here in
9 Oroville. And in 1958, the Burns-Poert Act passed. And
10 what that did was stipulate the revenue and cost sharing
11 for the State Water Project. That guides us today. In
12 1960, the California voters approved that bond, and in
13 1962, we secured federal funding for flood control here
14 up at Oroville. And then in 1968, the dam itself was
15 completed.

16 SECRETARY CROWFOOT: Is that photo from the '54
17 or '55 flood?

18 DIRECTOR NEMETH: That certainly is.

19 And then I thought this slide was interesting
20 because it helps me when we think about infrastructure
21 that's more than five-decades old, what the population
22 numbers in California were like back then. And what you
23 can see here, Oroville has a flood -- piece of flood
24 infrastructure, excuse me, was really protecting --
25 essentially, in the early 60s, we had a population of

1 about 6,000. Today, we're looking at over 19 million.
2 When you consider the role that Oroville plays together
3 with New Bullards Bar on the Yuba River and the American
4 River watershed.

5 So the role of Oroville has an integral part of
6 our flood system, is increasing in importance in terms
7 of lives and property that we need to protect.

8 And to head into all of that in much more
9 detail, I'm going to hand it over to the engineer. Many
10 of you may know John Yarborough.

11 MR. YARBOROUGH: Good morning. Thank you for
12 this opportunity to speak with y'all.

13 And so, again, my name is John Yarborough. I
14 work with the Department of Water Resources on the State
15 Water Project. And so I wanted to start with this
16 picture here of the dam just to get an overview of it.
17 And I realize a lot of folks here are very familiar with
18 all of these facilities, but I didn't want to -- since
19 we do have folks that might be new to this material, I
20 did want to just start with some of the basics so we
21 have this common basis as we move forward. So let's see
22 if I can found the pointer here.

23 So just -- here is the Oroville Dam and some of
24 the key features. Down here on the side is the Hyatt
25 Power Plant. This feature right here, this is the

1 intake structure; so this is where water will come in up
2 here and come down through the power plant. Over here,
3 this is the flood control spillway. We -- to make
4 things complicated, we have lots of different names for
5 the same facility; so this we call the -- either the FCO
6 or flood control outlet or the gated spillway or the
7 main spillway. That's the spillway right there. And
8 then right adjacent to it is the emergency spillway.
9 You can see the new pack of concrete that was recently
10 placed.

11 Here, I wanted to give -- to put Oroville Dam,
12 let you see it in the context of the Oroville-Thermalito
13 facilities, the complex. So if you're a -- this is the
14 neon that we were just looking at. The photo before on
15 the spillway. As water comes out of the dam, it comes
16 into this body right here that's called the diversion
17 pool. And that exists between the dam and then right
18 here, the Thermalito Diversion Dam. Water right here
19 then is split in two directions. It either moves over
20 through the power canal into the forebay. And then if
21 you go through the Thermalito pump generating facility,
22 into the afterbay. So that's one route the water will
23 go.

24 The other is it will come down here through the
25 low-flow channel. And then as water is let out of the

1 after bay right here, it joins together with the
2 high-flow channel. So this whole complex, whole set of
3 facilities is operated together as the
4 Oroville-Thermalito Complex.

5 I wanted to talk for a minute just about the
6 different rules and regulations that the project
7 operates in. So there are lots of different regulatory
8 bodies. There's lots of different rules that apply to
9 the facility. I wanted to focus on public safety
10 agencies that regulate the Department. So first is the
11 Corps of Engineers. And because the Corps participated
12 financially in the facility, they deserve a space in the
13 dam for flood control. DWR has to operate the same
14 water project during the flood season to rules set forth
15 by the Army Corps of Engineers and are in the Flood
16 Control Manual for this facility.

17 And then also, on the dam safety side, the State
18 Water Project regulated by the State at the Division of
19 Safety of Dams and then also at the federal level by the
20 Federal Energy Regulatory Commission. So this -- these
21 groups focus here on the dam safety, you know, here on
22 the operations and flood control. There's a lot of
23 other different regulatory oversight. The energy
24 operations brings in a lot of different agencies that
25 look at the Department from an energy standpoint or an

1 environmental standpoint. But here is just highlighting
2 the public safety regulations.

3 Looking at where Oroville fits and how it
4 relates to flood control. So here's the Oroville
5 facility. Oroville is adjacent to New Bullards Bar.
6 And so during flood events, the operations of Oroville
7 and New Bullards Bar have to be coordinated. See, the
8 flow from these two facilities comes together here at
9 Yuba City. And so it's important that both flows are
10 coordinated. And the DWR and Yuba Water Agency are
11 jointly responsible for maintaining certain flow limits
12 down in the stream here; so there has to be a lot of
13 coordination between those two entities.

14 The orange line here is showing -- this is the
15 south of the -- I'll just go back here. This is -- you
16 know, orange line is right down here. This is showing
17 the demarcation between the State Water Project and then
18 downstream, the State Plan of Flood Control. And so the
19 State is operator of -- the State Water Project
20 maintains the facilities up here. Downstream, the
21 levies, this is maintained by different reclamation
22 districts.

23 This forum that we have right here, the Oroville
24 Dam Citizens Advisory commission, I'm going to point out
25 that this is, you know, one of several different forums

1 where there's room for the public to engage on
2 Oroville -- on different topics. And this is an example
3 of some other forums that are currently ongoing.

4 There's the Oroville Recreation Advisory
5 Committee, which some members of the commission are
6 members of that committee as well. And this is
7 literally looking at the recreation facilities at
8 Oroville as it relates to the FERC license. So this is
9 the supplemental benefits fund; so this is a fund that
10 came out of the settlement agreement from the FERC
11 relicensing. This is managed by the City of Oroville
12 and the Federal Parks District and receives funds from
13 DWR that are able to be spent on different projects
14 within the Oroville area.

15 The Oroville Dam Safety assessment, we'll talk
16 about that a little bit later, but that's a separate
17 public group that participates with this setting. And
18 then also, there's just general DWR community outreach
19 that's going on.

20 So when you think about Oroville, the -- look at
21 the different benefits of why is the dam there, what do
22 we get from the facilities. And so we have a range of
23 different benefits. It's a multibenefit, multipurpose
24 facility. And so the first is flood management. And
25 then separate -- second is water supply. These are the

1 two primary benefits. But then with the facility there
2 is also the opportunity for power generation, for some
3 environmental enhancement, and also recreation benefits.

4 So I'll go into each of those here. So water
5 supply. So I wanted to show -- where does the water in
6 Oroville go? So I looked at -- this is 2018, just to
7 give an example of how water from the reservoir, when
8 it's used and it's being released.

9 And so let's see here. Our -- about a third of
10 it in 2018 -- and this will vary year to year as more
11 water and less. About a third of it was used for local
12 agriculture in the Butte County area.

13 This portion right here is instream
14 requirements; so this is releases being made to maintain
15 temperature and flow and fish in the Feather River.
16 There's also a piece over here called the In-Basin Use,
17 which is for meeting requirements in the delta.

18 And then there's a quarter here, about
19 22 percent, that was water that was exported out of the
20 delta. So over into the Bay Area and Central Coast down
21 Southern California and Central Valley.

22 The second benefit that I had mentioned was
23 the -- was flood management. And so this right here,
24 this figure is going to show how flood management -- how
25 Oroville provides that benefit. The basic idea is that

1 a flood, you have this -- we're looking at the flow from
2 a flood. You have this very high peak, lots of flow
3 coming in. And so what a dam like Oroville does is it
4 takes that peak, and it holds some of that water and
5 then releases it out at a slower rate. So if -- without
6 a dam, your water was -- you're flowing like this. With
7 the dam, you're able to reduce that peak, spread it out;
8 so you're -- you reduce the peak flow that you see.

9 Here's showing some different years of how the
10 dam -- what happened here, how the dam performed. This
11 was before the dam. So these were the floods in 1955
12 where there were a lot of lives lost in Yuba City. And
13 this was the size of that flow that was coming into --
14 coming into the -- along the Feather; so for 200,000
15 CFS.

16 And then these here are showing what that inflow
17 from the storm was and then what the outflow was with
18 the dam there. So the -- the operations were designed
19 here so that with an inflow up at this number, the
20 444,000, that the facility would be able to keep the
21 outflow down at 150,000. And so then you can see how
22 each -- we have large inflows, and then you're able to
23 keep the flow down lower.

24 Some of these years are over this -- how this
25 was the design. And what happens there is when you have

1 flood events, there's a lot of coordination with Army
2 Corps of Engineers. So sometimes with the Corps of
3 Engineers, we'll decide to make some small deviations
4 there for a whole host of reasons. But generally, the
5 idea is that you have a much lower outflow compared to
6 what happened with the dam there.

7 For power generation, the Hyatt Thermalito
8 Complex is a -- generates carbon-free electricity. It's
9 scheduled right into the ISO, into the -- into the grid.
10 It has a 819-megawatt capacity; so a lot of clean hydro
11 generation.

12 Environmental benefits. So the State Water --
13 facilities have the Oroville Wildlife area. So this is
14 11,800 acres that has habitat for endangered and
15 protected species, such as bald eagles. Also able to
16 maintain floods of the downstream river so that it's
17 beneficial fish.

18 And then recreation. So there's -- had over a
19 million visitors each year and just shows an example of
20 some of the recreation facilities that are able to --
21 the floating campsite which is, I believe, the only lake
22 at least in the state that has floating campsites.
23 These are really unique recreational opportunities.

24 So the dam has a lot of benefits it provides but
25 since -- with infrastructure, you have risk. And so

1 DWR, the Dam and Safety Activities, the approach, the
2 dam safety that DWR takes is defined in the Dam Safety
3 Program. This is a program that's described in the
4 document that's FERC. And then it talks about the
5 inspections, the types, and the amount of
6 instrumentation.

7 Independent review is a key part of this
8 program; so independent consultants, independent experts
9 are brought in to review the program and review the
10 performance of the facility.

11 And then there's also a lot of coordination with
12 local emergency agencies. So we do tabletop exercises.
13 We partner with affected agencies so they understand
14 what risks there are in the dam and what could happen in
15 an emergency, what actions everyone needs to take.

16 So for a -- couple of the current -- I want to
17 just talk about some of the major activities going on
18 here in Oroville. So recently, the spillway recovery
19 was a very large activity. So the spillway
20 reconstructed November last year, was operated in April
21 of this year. So a tremendous amount of work going into
22 this project that delivered the spillway that's now
23 performing and ready to be used coming next season.
24 Current activity that's going on, you still see a lot of
25 activity out there, and that's really related to

1 recontouring, getting the hillside back to where it
2 looks more natural and then preparing that soil for
3 revegetation. So that's the next phase that will start
4 in the spring. And then next year is let's get the
5 swell ready and start doing plantings.

6 Separate, major project is the Thermalito
7 facility. So this is where there was a fire back at
8 Thanksgiving several years ago. Of the four units
9 there, the first unit was just brought back online
10 recently, and so it's now plugged into the grid and is
11 generating. And then the remainder, we're expecting by
12 spring of 2020; so spring of next year should have the
13 rest of the facility back online.

14 Some other activities here is a lot of work on
15 public access restoration and also additional recreation
16 projects. So public access, that's restoring the
17 spillway boat ramp, the dam crest, being able to get
18 walkers back across the dam. But then also a whole
19 handful of different recreation projects, such as a
20 parking expansion of Bidwell Saddle's boat ramp
21 extension in Canyon. So a whole variety of projects
22 adding recreation facilities that have happened over the
23 last year or two.

24 More activities currently going on. So these
25 are some major studies, assessment going on. So the

1 first is the Oroville Dam Safety Comprehensive Needs
2 Assessment. And so that's the picture of this group
3 right here. So this is an engineering planning study
4 that the department's doing, looked at what are their
5 facilities or features that the Oroville Dam needs for
6 the long term to ensure the safety of the facility. And
7 so this is a study being conducted by DWR. This an
8 independent board that reviews that study.

9 And then the new thing about this effort is
10 Senator Nielsen and Assemblymember Gallagher have formed
11 a group that then meets with the department about
12 quarterly so we can present, here's what's -- what we're
13 doing with the study. We can get feedback and chair
14 information here about the study. So that's a -- really
15 a new effort for DWR that we've -- and that, I think,
16 we've gotten a lot out of there, and we've really
17 improved our ability to communicate what we're doing.

18 Separate is the Level 2 Risk Assessment. And so
19 this is a risk assessment that federal law required FERC
20 to have DWR perform this study. This is the largest
21 risk assess -- we believe the largest risk assessment
22 that's ever been done with a dam like this. And so it's
23 been a whole series of workshops where you have
24 different experts looking at different things that could
25 go wrong with the dam, understanding what's the

1 likelihood of this going wrong, and what's the -- what
2 are the consequences if something did go wrong. So a
3 very extensive process.

4 This is an interesting feature of this. It's
5 done independently. So there was the United States
6 Society of Dams for -- asked them to give us a list of
7 names that could participate. And so it's this
8 independent group then that actually does the assessment
9 and says, here's what the risks are. And so it's --
10 DWR, we present information, but it's an independent
11 group that's actually saying what the risks are.

12 Independent safety review. This is FERC orders
13 every five years. You have an independent review of the
14 facility; so that's ongoing right now.

15 And then the last. Forecast Informed Reservoir
16 Operation is a joint effort that the Department of
17 Safety with the Yuba Water Agency and the San Diego
18 Scripps Institute of Oceanography. And so this group is
19 looking at how to improve weather forecasting for the
20 reservoir and then how you use those forecasts to better
21 operate the facility. And so this is a joint effort
22 with Yuba. This is about a three-year effort. But
23 again, using today's current forecasting, using the best
24 science to help make informed decisions for how you
25 operate the reservoir.

1 And this is just a figure showing how these are
2 all -- this is a figure showing how these are all linked
3 together here. So it's the timing. So we have about a
4 three-year effort for the forecast from Reservoir
5 Operations. Here's this independent Part 12 FERC order
6 five-year review.

7 This is the Level 2 assessment that's linked
8 into the Part 12. This is the Comprehensive Needs
9 Assessment that would lead to potentially future
10 projects, showing that they're scheduled for how they
11 get constructed.

12 And then the other activity is this manual that
13 the Corps of Engineers has for how the reservoir is
14 operated. And so one of the things the Department has
15 been saying, and we've referred to a lot of different
16 folks, is this manual, I think it needs to be updated.
17 And it's time to take some of the output of this
18 forecast and form reservoir information and update the
19 manual so we have some better operations that are more
20 consistent with our -- today's understanding of the
21 watershed.

22 The last topic I wanted to talk about this
23 morning is the FERC relicensing process and settlement.
24 And so this is a -- start with our -- so FERC, they
25 issue licenses for hydroelectric facilities to operate.

1 DWR's license is -- currently, FERC is extending it on
2 an annual basis awaiting the -- a new license. So
3 starting in 2006 -- not starting in 2006. 2006, DWR
4 filed an application to -- for a new license. A very
5 lengthy process. I think a lot of folks in this room
6 were involved in that process.

7 It can -- one of the most recent milestones was
8 the National Marine Fisheries, NMFS. The biological
9 opinion was completed in 2016. So, again, a very long
10 time period. This was done with the settlement
11 agreement. So this is where 50 different signatories
12 got together to come up with the terms, the conditions
13 of what would happen in the new license, how would the
14 new license be different than what had been there
15 before. And so this is just some of what's in that --
16 what's in that settlement agreement.

17 So over the 50 -- they expect a new license over
18 this 50-year term, expecting it to be around a billion
19 dollars in different projects and activities that are
20 going to be going on. Some main, different categories
21 here is recreation, environmental, cultural land use,
22 how that's split out.

23 As part of the settlement agreement, there's
24 some activities that started right in 2006 when this
25 agreement was signed. So this would include Oroville

1 Wildlife Area funding. It would include the
2 Supplemental Benefits Fund.

3 There are these -- some of the recent projects
4 that are going to occur once the new license happened,
5 but these are projects that -- these recreation projects
6 have been on line saddle that were celebrated and that
7 were accomplished over the last year or so.

8 And then there's a lot of additional projects
9 that were going to occur once the new license is issued.
10 So these would include camp -- new campground at Bidwell
11 is one of the planned activities. Large project to
12 better manage the flow, the temperature in the Feather
13 River for the benefit of salmon.

14 Cultural -- doing a curation facility for some
15 of the cultural resources. And a land use would be some
16 of the fuel management and other land-use activities
17 there.

18 So that is the quick summary of the license.
19 That was the very brief story of a lot of different
20 things going on there so -- but I do think we have a few
21 minutes if there are questions.

22 And thanks for this opportunity to talk.

23 SECRETARY CROWFOOT: Yeah. We certainly have
24 time for questions, and maybe I'll start it off.

25 Can you toggle back to that slide that shows the

1 different groups that are, sort of, interacting with the
2 Department of Water Resources on the facilities? I
3 think it was, like, your third slide.

4 MR. YARBOROUGH: Definitely, yes.

5 SECRETARY CROWFOOT: Get back in there.

6 MR. YARBOROUGH: Yeah.

7 SECRETARY CROWFOOT: In a few minutes, we're
8 going to ask members of the commission to identify
9 topics for future discussion at our meetings. And so I
10 wanted to ask, sort of, how we -- how we should navigate
11 the overlap. So, for example, public safety and the
12 operations of the spillway is really important. So that
13 may come up at a priority discussion.

14 At the same time, thanks to the elected
15 officials to my left. We have this Comprehensive Needs
16 Assessment Working Group probably digging into some of
17 the weeds of what the, sort of, safety needs are.
18 Likewise, there's a group that focuses on recreation.

19 So how should we -- how would you suggest we
20 consider discussing those topics, whether it's public
21 safety or recreation, and ensuring that, you know, where
22 there's overlap, there's at least communication between
23 our commission and those entities.

24 MR. YARBOROUGH: Well, I think some of these
25 have a real natural -- and take this one, for example.

1 The way I would picture this and, of course, would be
2 curious what the Senator and Assemblyman, your views.
3 But I think we have a pretty focused study going on.
4 We've spent a lot of time really tracking that study and
5 getting the group up to speed. And so I think that
6 process with that focus group would make sense to
7 continue.

8 But I would see this group -- this larger group
9 being informed of what we're talking about there at that
10 process; so I would see a report, and obviously, we'd
11 spend our time being focus. And then perhaps a report
12 out for this group could be how I would see that area.

13 SECRETARY CROWFOOT: So then I could hear -- so
14 then I would hear about -- maybe get a report about the
15 specific work of the Comprehensive Needs Assessment and
16 discuss it here; right? Just to ensure that there's an
17 understanding of what's happening?

18 DIRECTOR NEMETH: Secretary, if I could add to
19 that. I think one of the real benefits of this
20 commission is, you know, something like the
21 Comprehensive Needs Assessment. Again, very focused.
22 But it is going to identify things that may -- that are
23 important but may be out of the purview of that needs
24 assessment that would be appropriate for this group to
25 discuss and provide some direction, some joint direction

1 on how to address those kinds of needs.

2 SECRETARY CROWFOOT: Got it. That's helpful.

3 And likewise for recreation, understanding what that
4 body does and then how we can help inform their work.

5 MR. YARBOROUGH: Yeah. And I think that body,
6 there's a -- there's a need to really get into some
7 details on that on some of the recreation topics, and so
8 I think that body gives us an opportunity to really dive
9 into some of those details. And then I think for this
10 body, I think we can find the right -- the higher level
11 message that would be that this body would be interested
12 in.

13 SECRETARY CROWFOOT: Got it.

14 Supervisor Connelly, I don't know if you have
15 any ORAC thoughts as an active member of ORAC.

16 SUPERVISOR CONNELLY: Not at this time.

17 SECRETARY CROWFOOT: So I would just want to
18 welcome Assemblyman Gallagher. We started the meeting
19 thanking you and Senator Nielsen for your leadership and
20 acknowledged that you wouldn't be here. You all had
21 passed this piece of legislation; so thank you and we
22 welcome you to share in the aspirations you have.

23 ASSEMBLYMAN GALLAGHER: Yeah. Well, thank you.

24 And I apologize for being a little bit late this
25 morning.

1 But I wanted to also thank, you know, everybody
2 that has -- all the local governments, as well as the
3 state agencies, you know, for their participation in
4 this. Obviously, we think this is a much-needed
5 commission that will help, you know, better inform the
6 public, give us an ability, you know, as elected
7 leaders, but the public as well to, kind of, weigh in on
8 different issues associated with the dam. I mean, kind
9 of, having everybody in the same room. So I think
10 that's -- will be very positive.

11 Just briefly on the Comprehensive Needs
12 Assessment. I think that might be a good thing to have
13 a presentation at some point to this group, and
14 especially as -- where we're getting there is we're
15 going to start getting into what are some of the -- what
16 are some of the different infrastructure and other
17 alternatives that we are looking at. What has been
18 ruled in and what maybe is being ruled out, if things
19 are being ruled out. That's something that I think that
20 this body would definitely want to have some input on.

21 SECRETARY CROWFOOT: Great suggestion.

22 Other observations or questions?

23 All right. Thank you.

24 SENATOR NIELSEN: I have one.

25 SECRETARY CROWFOOT: Sorry, Senator.

1 SENATOR NIELSEN: Let me just put something in
2 context, and it is important. And it's important to me
3 to keep reminding people of this. In 2009, the State
4 Legislature deliberated with Governor Schwarzenegger on
5 a new water plan for the State of California. In other
6 words, how are we going to do things? Where are our
7 priorities? What -- it hadn't been reviewed since the
8 State Water Project started. And what are --
9 coordinating -- many things had happened over the
10 decades in between.

11 And so a new water plan was drafted. There was
12 a conference committee, legislation was passed. And
13 I'll try to get some information together for the
14 committee here about what -- the outline of that. So as
15 we do things specific, say, to our purview here, that
16 does fit into the overall picture for the State of
17 California. And one of the fundamental elements -- and
18 I'm not going to go through all of them, but one of the
19 fundamental elements for decades, water policy in the
20 state had become delta-centered. Everything about water
21 was about the delta, the delta, the delta.

22 Well, there's -- that's important. But that's
23 only one part. And we discussed how there's an east and
24 a west, a north and a south, the central, and that that
25 also was important when we assess and have plans for

1 water delivery in the state of California and conveyance
2 and all those pertinent facilities.

3 So just keep that in mind that such things as
4 this and such things as these voluntary agreements that
5 are in process down in the Valley, they all fit into
6 that bigger picture of what is our overall water plan
7 for the state.

8 SECRETARY CROWFOOT: Yeah. And that's a really
9 good point. And I would only add that under Governor
10 Newsom's direction, many of our agencies are working on
11 a water portfolio this year, which we're really defining
12 as our road map in the executive branch for the next
13 three and a half years, where we're going to invest in
14 water, what we're going to prioritize. So at the right
15 time, bringing that breakdown. Presenting on that, this
16 group could be helpful.

17 SENATOR NIELSEN: Great.

18 SECRETARY CROWFOOT: So then let's transition
19 into the next part of our meeting, which is actually a
20 good segue, and that is future meetings. And we're
21 going to do a few things during this item on the agenda.
22 And the first is identifying what we want to talk about,
23 what do we want to discuss.

24 We heard from Assemblyman Gallagher it would be
25 helpful to get a presentation on the Comprehensive Needs

1 Assessment, a real clear understanding of what's being
2 considered, what's not being considered.

3 One suggestion I would make too is an update on
4 the FERC relicensing effort, probably look at what's
5 being discussed as it relates to investment in the local
6 community. And if I lived up here, I'd be really
7 interested in the recreation. So, for example, we'll --
8 having somebody from DWR come and talk about what's
9 being negotiated in the FERC relicensing and what it
10 really means in terms of what gets on the ground in the
11 community. I think that would also be helpful.

12 Other topics that commission members want to
13 ensure that we discuss in the coming months?

14 Yes?

15 MR. CONANT: I -- one of my concerns is public
16 safety, and I just want to make sure that we thoroughly
17 look at every single aspect of the project, i.e., the
18 powerhouse, the -- make sure that maintenance is being
19 done on all the infrastructure of the reservoir itself,
20 both the spillways, the dam itself, piezometers. And
21 that's -- and maybe a low-level outlet. I know that's
22 probably too late at this point to address that, but
23 maybe there's something that can be looked at because if
24 truly, we are in global warming, global climate change,
25 all the experts say we'll have bigger storms quicker

1 that maybe we need to have a way to let out water
2 sooner. And it may be too late for that.

3 SECRETARY CROWFOOT: Yeah. I think your
4 suggestion around really a deep dive on all aspects of
5 public safety. So not only the Comprehensive Needs
6 Assessment is helpful. And I think if, you know,
7 representing the three counties that are impacted by the
8 safety or lack thereof of the facility, teams like that
9 would be high priority. One idea could be for our
10 November meeting to really do a deep dive on public
11 safety, all aspects of public safety prior to the, you
12 know, the big winter season and the wet time of year.
13 So that's at least an idea.

14 SENATOR NIELSEN: One thing -- let me turn this
15 over to James Gallagher, because one of the many things
16 that we've done in progressing here was dam inspection.
17 And let James speak briefly as to legislation related to
18 dam inspections.

19 ASSEMBLYMAN GALLAGHER: Well, I was just going to say very
20 quickly on your point, Mat, which is a very good one.

21 Low-level outlet is being looked at as part of
22 the CNA. So it isn't off the table by any means. It's
23 definitely part of that process on looking at whether or
24 not we need a low-level outlet up there.

25 Also, looking at the potential for updating the

1 manual to account for what we're seeing in terms of
2 water levels.

3 And the other point that you brought up,
4 piezometers. Here recently, they announced they are
5 going to be installing more piezometers on the dam
6 embankment; so I just wanted to put that out there.

7 In addition, we do have -- we passed legislation
8 that's going to increase the level and what I would call
9 more of the in-depth nature of comprehensive inspections
10 that are done by the State.

11 And so those are some things that are on the
12 table that we're looking at right now. But I think a
13 presentation on some -- on these items and where we're
14 at with them would be -- definitely be good.

15 Thank you.

16 SECRETARY CROWFOOT: Great. Thank you.

17 Councilmember?

18 MR. PITTMAN: Thank you, Chair.

19 One of the things I'd like to bring up is the
20 other side of the reservoir, the watershed. There's
21 a -- and I'm one of the local guys that plays in the
22 watershed, as many in this room do. The watershed is
23 huge, and it would be nice maybe at the next meeting to
24 have an inventory of the watershed and those other dams
25 and facilities that are there and maybe even a condition

1 report of those dams and facilities because many of them
2 go back to the 20s on the north fork and the south fork.

3 But then also, it would be nice to see if we
4 have -- if the DWR or the State has working agreements
5 with those other facility operators to help us
6 understand the flow coming downstream, and if they have
7 or have any capacity to handle part of that flow because
8 many times the flow coming in is a different branch of
9 the Feather River. But I think having that also would
10 be hugely informative to the public to understand how
11 big the watershed is and maybe even the Bullards Bar
12 watershed too so we have a bigger picture of that degree
13 of intensity.

14 And I know I -- I remember in '97, I was at
15 Grass Valley Lake and we had four foot of snow in
16 the morning. The rains came and more rain. And by the
17 end of the day, the four feet of snow was gone; so we
18 all knew we had a problem, and that's just locally. It
19 would be nice if we had ways to talk to our other
20 operators upstream to be able to predict what's coming
21 our way.

22 SECRETARY CROWFOOT: That's a great suggestion.

23 Karla, thoughts?

24 DIRECTOR NEMETH: Yeah. I think you're raising
25 a really good point. The Department has been

1 investing -- at least it did the last two years -- in
2 better sensors that -- further up in the watershed that
3 can help us monitor more precisely what's coming in as
4 inflow.

5 But I think we'd be glad to provide an overview
6 of the kinds of facilities that you suggest and how the
7 Department does work with those. Some of those
8 facilities that you point out, they are old, owned by
9 other people, which really speaks to the importance of
10 the legislation that was passed on dam inspection. And
11 that's a different part of the Department of Water
12 Resources is the Division of Safety of Dams, which has
13 jurisdiction over the safety of those kinds of dams,
14 which put the Department in a terrific position to
15 articulate how those things go together, and where are
16 we missing pieces and get some input.

17 So I'd be glad to arrange for that kind of
18 presentation.

19 SECRETARY CROWFOOT: And I think as long as
20 we're looking at the watershed, it would be great to
21 understand the connection around forests and the forest
22 watershed and wildfire risk in the watershed. You know,
23 there's an increasing recognition that our forest
24 management efforts as it relates to preventing
25 catastrophic wildfire and our water supply and

1 protection are increasingly intertwined. And in the
2 State, you know, both the legislature and the Governor
3 are really focused on getting -- doing more forest
4 management to avoid these campfire-like scenarios. And
5 so just understanding, sort of, how the work that
6 Cal FIRE and local partners are doing is actually
7 impacting the watershed would be helpful.

8 MS. MANGAT: So this body is really important, I
9 think, to the community because it is the only long-term
10 board in place. The CNA and ad hoc committee that goes
11 along with that have an end date. And even ORAC, you
12 know, is slated to end when the new licenses -- is
13 issued. But this is not. So going forward, when the
14 CNA is gone, I think the focus of our group would be
15 more on, you know, safety and looking into those
16 inspections and things like that. Things that CNA is
17 doing now and the ad hoc committee.

18 But for now, I think that the most important
19 thing for our community is working on the communication
20 with DWR and how the community receives information. I
21 know as myself, being a part of the community, I felt
22 that a lot is, you know, flowers and sunshine, you know,
23 in the newspapers, and the reports say something a
24 little different. And things that people have brought
25 to me, you know, in the community that I've discussed

1 with several people, things like the piezometers, the
2 community considered that an issue for a long time.
3 We've heard about it, we've known about it, and now it's
4 being communicated that it is an issue and that it will
5 be fixed. But for a long time, I feel like it was
6 glossed over. And my people didn't -- we -- as a
7 community member, we feel like our concerns aren't
8 heard.

9 So I think that is the most important thing
10 about this body is being able to hear from the community
11 and get real answers. And then also being able to go
12 forward with communication with DWR and learn how to
13 communicate with each other because we haven't done a
14 great job in the past.

15 SECRETARY CROWFOOT: That's a really good point,
16 good suggestions, and hopefully we'll hear from members
17 of the public, one, you know, what they need to hear as
18 it relates to reports from this body. And two, ways
19 that we can, at the State agencies, better communicate
20 and, you know, really the real time, kind of, honest
21 communication back and forth.

22 One of the things too is I want to make sure
23 this entity is helpful for community members. So I
24 know, for example, we're meeting first thing on a Monday
25 morning. A lot of people are at work. We should maybe

1 consider holding meetings in different times and
2 different places to enable more people to actually come
3 out and share their thoughts. So your priority on
4 communication is really helpful and noted.

5 And just because I'll be the one that's brave
6 enough to ask. John, can you come up and explain to us
7 what a piezometer is because maybe some of us that have
8 been following this for a long time know this. I do
9 not. I imagine there's some others out there that don't
10 know what the heck we're talking about.

11 MR. YARBOROUGH: Put me on the spot to have all
12 my engineering callings here.

13 So piezometer measurement is your pressure
14 that's going to be in; so a piezometer -- having
15 piezometers can be important, especially with the rate
16 the dam is constructed, that's extracted as it's
17 settling. You're wondering where the water is seeping
18 through the dam. And so by measuring that core
19 pressure, that's how you can get a sense of what --
20 where the seepage is, where the water level is within
21 the dam.

22 How did I do, engineers here -- over here?

23 SECRETARY CROWFOOT: And then while we're at it,
24 can you just talk about the outlet as well and sort
25 of -- without going too deep into a tangent.

1 MR. YARBOROUGH: The low-level outlets of the --

2 SECRETARY CROWFOOT: Correct.

3 MR. YARBOROUGH: So the concern is that there's
4 a lot of capacity to move water out of the reservoir at
5 the upper elevation. So with the gated spillway, we can
6 move lots of water out very quickly. Once you get down
7 below the sill of the gated spillway, then really your
8 main outlet is Hyatt Power Plant, which the volume of
9 that is much smaller than the gated spillway. Much
10 smaller than, like, if you were building a dam today,
11 you'd have more capacity there.

12 So that's the question about low-level outlet is
13 there are ways that you can increase that ability to
14 move water out of the facility once it gets to the lower
15 level.

16 And is there a way to construct that so that
17 you're not creating more messes through constructing,
18 like, adding another outlet. There's risk in
19 constructing that. So that's some considerations. One
20 of the risks of adding that capacity compared to what's
21 the benefit of having that capacity.

22 SECRETARY CROWFOOT: That's helpful. And I
23 would note that if we're going to, you know, focus on
24 public safety as early as the next meeting,
25 November 20th, it sounds like the commission really

1 wants to, kind of, have a full picture, not only, sort
2 of, the detailed conversation with the CNA, but really
3 what's on the table and off the table as folks have put
4 it here today.

5 MR. YARBOROUGH: And so, yeah, I think that
6 would be -- the CNA is a process that's ongoing; so as
7 we're -- some of that, we really want to get the answers
8 of, you know, what's the assessment showing and what are
9 measures, the supplement, that we're getting to over the
10 next few months. So we'll have -- definitely have -- be
11 able to have some material here in November, but then
12 there's 45 minutes for --

13 SECRETARY CROWFOOT: Good. And even if it's in
14 real time, just toward the communication, just have
15 them -- you know, help them understand so where does the
16 department have on the piezometers and the low-level
17 outlet. And other safety features would be helpful.

18 MR. YARBOROUGH: Yeah. That would be great.

19 SHERIFF HONEA: Short question, if I may ask.

20 SECRETARY CROWFOOT: Yes.

21 SHERIFF HONEA: On the low-level water outlet,
22 essentially, it's a plumbing problem. And the
23 powerhouse, correct me if I'm wrong, but you currently
24 can't move water through the powerhouse unless the
25 turbines are operating.

1 MR. YARBOROUGH: That's correct.

2 SHERIFF HONEA: So you don't have to bypass
3 those valves in the turbines. That's a problem that was
4 created from the original design.

5 MR. YARBOROUGH: That's -- yeah, that's how the
6 facility does it, right.

7 SHERIFF HONEA: So it's a plumbing problem.

8 MR. CONNELLY: Connelly -- I think for the
9 public to understand the disparity between what you can
10 get out, you should go on record and say what the total
11 amount is you can get through the turbines and river
12 valve.

13 SECRETARY CROWFOOT: What is the -- what is our
14 total capacity out of the --

15 MR. CONNELLY: Connelly -- it's not much.

16 SECRETARY CROWFOOT: Yeah. So just to talk a
17 little bit more about the outlet of the powerhouse and
18 the river valve system. So I'm going to take that. I'm
19 going to ask the Deputy Director for the State Water
20 Project.

21 So those two systems have a capacity of about
22 17,000 cubic feet per second to flow through the
23 powerhouse. And then additionally, we have a capacity
24 of around 4,000 feet per second can be moved through the
25 river valve system, which river valves is the bypass to

1 the Hyatt Power Plant.

2 MR. CONNELLY: Connelly -- thank you so much for
3 that because I think the point here is if it's at 813
4 and above, we can spill 150,000 cubic feet per second --
5 correct? -- without damaging anything. But with the new
6 changing scenario in our weather, the greatest threat to
7 us is 150 to 200 percent of snow in a pineapple express.
8 And if you're at 813 and above, there's not capacity
9 with an input of over 400,000 cubic feet per second in
10 which they projected when they built the dam.

11 That's the biggest threat to our safety. We
12 need to change the way we operate, and I'm really
13 grateful to hear Karla and them say that we're going to
14 move towards a more positive look at that.

15 Thank you.

16 SECRETARY CROWFOOT: That's good. So let's take
17 up that point of discussion when we do our deeper dive
18 on public safety. Really well put, Supervisor.

19 Thank you.

20 Any other suggestions?

21 Yes, Assemblymember.

22 MR. GALLAGHER: Just really quickly on items to look
23 at. I think the presentation on thermal heat up will be
24 good to see what the status of that is.

25 And then the other one. I think this is kind of

1 already -- understand that it's going to be part of the
2 commission already. But certainly, when we're doing,
3 like, a report on inspections that have been done,
4 either by the department or when we have the five-year
5 FERC inspection, but those inspections that they, kind
6 of, give us, this body will report on, you know, what,
7 if any, were the significant findings, a copy of the
8 report, and then people can have questions or, you
9 know -- just some kind of regularity. Maybe we have
10 that as part of an agenda.

11 SECRETARY CROWFOOT: That's a really good point.

12 And I'll note in just a little bit, we're going
13 to have time for public comment, and so if there are
14 folks that want to share their thoughts.

15 One question I have is what do you want this
16 commission to talk about in future meetings? And this
17 is a perfect time to raise suggestions because we're
18 going to be developing those agendas for the next year
19 starting now.

20 So the other two things we want to get done
21 during this agenda item are electing -- first electing a
22 vice-chair. So we sit as a formal body in the
23 Bagley-Keene Act, which means this is, somebody said,
24 pretty formal, pretty institutionalized. That basically
25 means that the public understands how we're conducting

1 our conversations. They have access to information that
2 we do as it relates to the discussions, and we have,
3 kind of, a formal governing structure.

4 So at this time, what I'll do is ask for a
5 nomination or nominations for vice-chair, and then we
6 would have a second. And then depending on the number
7 of candidates, we'll either do a vote by acclimation for
8 or a roll call vote of those members of the commission
9 that can actually take a vote.

10 SUPERVISOR CONNELLY: I'd like to nominate James
11 Gallagher as the vice-chair.

12 ASSEMBLYMAN GALLAGHER: I was actually just going to
13 nominate the Senator, but since he created this
14 commission.

15 SUPERVISOR CONNELLY: I can see his face.
16 I can see your face.

17 ASSEMBLYMAN GALLAGHER: I would love to nominate the
18 Senator.

19 SUPERVISOR CONNELLY: I'll second
20 that. Sorry, Senator.

21 SENATOR NIELSEN: It's no problem.

22 SECRETARY CROWFOOT: Excellent. So we have a
23 nomination and a second. Are there any other
24 nominations before we move to a vote?

25 Okay. Given there's one candidate, I think we

1 do a voice vote on those. So all in favor of Senator
2 Nielsen serving as vice-chair of this commission, please
3 say aye.

4 (A chorus of ayes was heard.)

5 SECRETARY CROWFOOT: Any opposed?

6 (No response.)

7 SECRETARY CROWFOOT: Any abstentions.

8 (No response.)

9 SECRETARY CROWFOOT: All right. Senator?

10 SENATOR NIELSEN: I humbly accept. Thank you.

11 SECRETARY CROWFOOT: All right. Good.

12 So then the other request or vote or order of
13 business on this agenda items is less formal.

14 So as I mentioned, after every meeting, we
15 will -- or Kearns & West, actually, will provide a draft
16 of the conversation. It's really important that it's a
17 thorough summary of the discussion and it's accurate.
18 We'll ask Senator Nielsen's office and Assemblymember
19 Gallagher's office to review.

20 Are there -- and while I put it out to any other
21 commission members, if you or your offices have any
22 interest in being another set of eyes before we finalize
23 a draft of meeting minutes, recognizing you might be
24 volunteering people who aren't, that's how it works.

25 Does anybody desire to be another set of eyes on

1 this?

2 SUPERVISOR FLORES: We can do it.

3 SECRETARY CROWFOOT: Excellent. Thank you,
4 Supervisor Flores.

5 Great. Bradford?

6 MR. BRADFORD: All right.

7 SECRETARY CROWFOOT: Well, this -- it seems
8 like, you know, four offices reviewing the meeting
9 summary is probably adequate. Thanks in advance for
10 your help and your work.

11 So then let's move to the next item, which I
12 believe is public comment. So what we'll -- I've got
13 walking up to me, comment -- or cards identifying
14 speakers, and we'll ask you to come forward and just
15 identify yourself. We have a healthy amount of time for
16 public comments. We're shooting to have comments
17 limited to about three minutes, and we'll be respectful
18 about hearing what you have to say.

19 So if we can start with Helen Dennis. And then
20 after Helen, we'll hear from Jerry Antonetti.

21 SHERIFF HONEA: Mr. Secretary, as Helen --

22 SECRETARY CROWFOOT: It's all right.

23 SHERIFF HONEA: No, it's okay. As Helen is
24 making her way up, I just want to say I have,
25 unfortunately, a meeting after this at 11:30; so I may

1 be leaving early. I just wanted the public to
2 understand that I think your comments are important, and
3 if the meeting I was attending wasn't also critical, I
4 would stay for the entire thing.

5 But thank you very much.

6 SECRETARY CROWFOOT: Thank you.

7 And, of course, we'll make sure that these
8 meeting minutes reflect public comment as well.

9 Hellen.

10 MS. DENNIS: Yes. My comment is this, that I
11 would make sure that -- downstream here or wherever. I
12 don't want to see flooding anywheres. I don't want to
13 see our lives in jeopardy again. And I want -- I don't
14 mean just Oroville. I mean all the land this water goes
15 to. I remember a few years back -- it's probably been
16 15 years or so -- I went away to see my grandchildren
17 being -- they were twins -- and when I came home on New
18 Year's Day, it was flooding. And I lived on a hill. My
19 driveway is quite steep. It's only one-car length,
20 really, that you can park in the driveway.

21 But halfway up my driveway, it was flooded. So
22 when I got out and, of course, I'm in a wheelchair,
23 sitting in water, just trying to get into my home where
24 I'm supposed to be flood-free. I'm not supposed to have
25 those kind of things happening. But the water was so

1 bad going all the way to Sacramento to the airport, from
2 there, that's when I realized. We're in a flood because
3 water was at the airport height. It was here. It was
4 high. It was everywhere.

5 So I'd like to see that not happen. I'd like
6 not to see any more of the turbines being down in the
7 powerhouse for extended periods of time and just being a
8 flood. So that possibly, you know, we aren't to need
9 it. It doesn't have to be that. I want to see that.

10 Another thing on my agenda is such an eyesore.
11 The new little emergency spillway isn't so little. You
12 can see it from everywhere within this big, white, nasty
13 blob day and night that you see up there on the dam. We
14 need to do something. And I know they said they were
15 going to start planting next spring, but I'd like to see
16 that happen sooner than later. So I'd like to see
17 something being done. I don't care if it's just, you
18 know, paint. At this point I just want to see it not
19 where I have to see it everywhere I go. You turn
20 around, and there's this big, white ugliness.

21 SECRETARY CROWFOOT: Hmm.

22 MS. DENNIS: And the other thing is I would like
23 to see that there's not any huge releases all at once;
24 so when we have salmon fishers out in their waders in
25 the water, they don't have to climb the hill just to get

1 away from flooding because all of a sudden, here comes a
2 ton of water comes down the river. That shouldn't
3 happen because it could be a child.

4 Fortunately, the ones that I know that it
5 happened to it -- they were adults, and they knew how --
6 they were good swimmers. They were strong. But a child
7 would not manage that unless they were on some kind of
8 swimming team or something that really went, you know,
9 for major strength.

10 So those are kind of the things I would like to
11 see. I really don't want to see flooding. That's the
12 most important thing. I think we have to keep on top of
13 it. Recreation is very important. I love the water. I
14 love being out on the water. But our lives are more
15 important. That's the most important thing.

16 So I want everybody on this commission to know
17 I'm here, and I'm going to stay here telling you I want
18 this to happen for all of us. Not just me because I
19 probably won't be around, but other people. You know,
20 because when I get to be 105, I'll reevaluate, but I
21 don't know that I can be out on the water at 105. I'll
22 try, but you know what I'm saying. So please look into
23 these things for me.

24 SECRETARY CROWFOOT: Thank you for those good
25 points, and thank you for being here.

1 We'll next hear from Jerry Antonetti followed by
2 Shannon DeLong.

3 MR. ANTONETTI: Thank you for conducting this
4 meeting. It's very important to the local people around
5 here and me, for one.

6 Getting down to your deep dive on public safety.
7 The subject I'm going to bring up right now is rather
8 controversial. I've been exploring this avenue ever
9 since we had the public meetings up here. I have
10 personally met with Cindy Messer, who was the acting
11 Director at one time but also attended this meeting up
12 here.

13 And we're talking about something that is easy
14 to fix, but I know there's going to be a big lawsuit
15 with water agencies or water managers in case this thing
16 happens. And what I'm talking about is the Palermo
17 Canal Tunnel, 2,430 feet. That is in the left groin of
18 the Oroville Dam. It's 300 feet deep when the -- the
19 lake is up to 900 to the stop wall. That is the -- shut
20 the water off in case something happened. A diver would
21 have to go down 300 feet with a cable and a crane on top
22 of a barge, pull the gate up, remove two pins to drop
23 the gate down in order to shut the water off in case
24 something happened at a full reservoir.

25 Now, we're talking about an outlet of this

1 Palermo Tunnel that is right above the Hyatt Power
2 Plant. Should something happen, broaches itself, it's
3 going to flood right down into that power plant as sure
4 as I'm standing here.

5 Now, the original Oroville-Wyandotte Irrigation
6 District was part of the party of the canal. William
7 Randolph Hearst was involved in it. The canal has --
8 provides water to Palermo area that was there before the
9 dam. But then when the dam was built, an agreement was
10 made with Oroville-Wyandotte Irrigation District to
11 allow 40 cubic foot a second to come off the pin stock
12 that supplied as a little powerhouse down below the dam.
13 So there's a facility there now to provide the small 40
14 CFS that the Palermo Canal needs.

15 This tunnel needs to be plugged up. It's
16 60 years old. It has a gate valve at one end and a
17 Howell-Bunger valve to control the water, and it has --
18 unfortunately, and I don't believe this. But
19 unfortunately, it's in the area where the green spot
20 keeps showing up. I don't know if it's leaking now or
21 not. Some come in and say it's not leaking. Other come
22 and say they do. But the potential for the shoulder of
23 the dam to settle and broach that tunnel -- 6 foot in
24 diameter, 2,430 feet long with 300 foot head on top of
25 it -- needs to be corrected and gotten rid of. Easy to

1 plug. You simply go down to the existing pin stock
2 that's suppling the Feather -- the new agency, Feather
3 Water and Power Agency -- and open up a valve that is
4 already there to provide the 40 CFS that goes in the
5 Palermo Tunnel.

6 So we had a contractor on board now, Kewitt,
7 mobilized, ready to go. I been on this now since we had
8 public meeting. It was down there to do something about
9 it, really look into it. Dale Brown, the project
10 engineer, I even talked Cindy Messer, who was the acting
11 director at one time when Hyole left about this
12 situation. We've got contractors on board, engineers
13 out the gazoo. Something should have been done at the
14 time, and it keeps getting put off, and no answer. I've
15 even sent emails to Cindy Messer after meeting her at
16 the top there requesting at least information about,
17 what are you doing about this, with no answer.

18 So that's part of your deep-dive public safety.
19 If that thing broaches, you're going to wash out that
20 side of the dam, and you're going to fill the power
21 plant up with water. Need to look into it.

22 SECRETARY CROWFOOT: Thank you, sir. And let's
23 make sure that we actually directly address this when we
24 talk about public safety as early as about six weeks'
25 time in November -- when we meet on the 20th of

1 November. And, you know, what we need to hear from DWR
2 is the, you know, as much information as we have. We
3 might not all agree on all of the public safety
4 strategies, but really providing direct information.
5 Certainly, improving the Palermo Tunnel. And if we
6 could have a copy of the email, that would be helpful
7 too.

8 MR. ANTONETTI: I would like to give Karla --

9 SECRETARY CROWFOOT: Yeah.

10 MR. ANTONETTI: -- if you do not mind that. I'd
11 like to give you the correspondence with Cindy Messer
12 bringing this item up. I'd like to bring up the
13 University of California has built commentary and plans
14 that shows exactly what I'm talking about. And needless
15 to say, I don't have access to your as-built plans to
16 look into it further. I was an engineer for water
17 resources when the Thermalito power plant was
18 constructed. Matter of fact, I was one of the checkout
19 inspectors; so I know a little bit about this.

20 SECRETARY CROWFOOT: You know a lot about that.
21 So if you could, we would appreciate if you could bring
22 copies of it to Karla.

23 Thank you.

24 Let's next hear from Shannon followed by Eric
25 Smith.

1 MR. DELONG: Hello. My name is Shannon DeLong.
2 Local resident here. Live out in the City of Oroville.

3 But my primary concern and, obviously, life
4 safety is the number one thing. The Feather River, I
5 don't know how many of you guys get on and see it.
6 Downtown at Oroville after Feather Fiesta Days, looks
7 great; so I know it can be done. But on a daily basis,
8 our river is a place that is feared by the locals. They
9 don't want to go swim there. You don't let kids go
10 there. You don't take your dogs down there for fear of
11 hypodermic needles. Me and my partner went down there
12 the other day. We found -- I mean, there was
13 prescription drugs. I've been helping out with the
14 cleaning efforts.

15 But the problem seems to be that our local law
16 enforcement is so taxed, there's no funding to keep our
17 river in town policed and clean. And if we're talking
18 about recreation for the locals in the Oroville area, is
19 this committee where we need to be speaking with you and
20 maybe coming up with a solution for that problem? Or is
21 it more about the infrastructure of the dam?

22 I'm just looking for solutions and looking to
23 help out however I can and looking for some agency's
24 cooperation to be able to maybe make it a place where
25 people want to like it was when I was a kid. I would go

1 down there and fish with my grandfather, have a good
2 time. Not a place that's feared by all of our local
3 residents.

4 SECRETARY CROWFOOT: That's a really good
5 question. I'm going to ask Karla in a moment. You
6 know, I live down in Sacramento, and we have a similar
7 challenge at the American River, which -- it's an
8 incredible, recreational asset. But if it's not safe or
9 if it's not in a condition you'd want to take your
10 family, it's as if it doesn't exist.

11 The question as it relates to, kind of,
12 jurisdiction here and the purview of this committee,
13 Karla or folks from DWR, I mean what role can the State
14 play as it relates to the red-herring area there along
15 the Feather riverbanks? Whose -- I mean, is that
16 jurisdiction of the City of Oroville, the county, DWR?

17 And, commissioners, feel free to pipe in. You
18 know a lot more about your area than I do.

19 Sure.

20 SHERIFF HONEA: Thank you, sir. Great comments.
21 Thank you very much.

22 It is a concern of ours as well. And
23 unfortunately -- and I'm going to be candid -- I don't
24 know that this body will ever be able to fully solve the
25 problem that we are talking about because it is much

1 much, much larger than the purview of this particular
2 group.

3 That said, there are some jurisdictional issues.
4 And within the area that you're probably talking about,
5 it involves not only the City of Oroville, but also the
6 County and California Highway Patrol. The riverway is
7 California's and all the islands that are within it as
8 well -- up to a high-water mark. Beyond that, it is --
9 depending on where you're at, within the City's
10 jurisdiction or the County's jurisdiction in terms of
11 the County line.

12 We certainly are concerned about that and to the
13 degree we can dedicate resources to it. But it is the
14 result of a much, much bigger problem that doesn't stem
15 from the dam or doesn't stem from the courtroom.

16 SECRETARY CROWFOOT: Thank you, Sheriff.
17 Senator?

18 SENATOR NIELSEN: Let me be kind of blunt about
19 it. Part of the problem is the State of California, and
20 part of the problem is the people of California who
21 voted for certain measures, like Proposition 47, that
22 drug crimes are no big deal and that we are going to be
23 institutionalized and have more people out in the
24 community rather than in custody and in treatment and
25 supervised. And that policy of the State of California

1 over the last near-decade now has resulted in a lot more
2 individuals with various problems, mental health issues
3 and substance abuse issues being in our communities.

4 And that's the bigger level that Sheriff is
5 talking about. All law enforcement have got to contend
6 with it. Assemblyman Gallagher and I have to contend
7 with it. And many times, folks, we feel like we're
8 pushing uphill because the tide is not going our way.
9 The individuals who have come into our communities have
10 needs, problems. They have criminal histories. They
11 have addictions. And when the realignment occurred,
12 resources to the local jurisdictions, the counties, the
13 cities, were not beefed up to accommodate the new
14 populations. So we have mental health individuals
15 showing up in our hospital ERs. That's not where they
16 should be, and we can't really treat them in that
17 environment.

18 So as Sheriff Honea mentioned, it's a lot bigger
19 issue. And Assemblyman Gallagher and I are dealing with
20 it at the State level. But as citizens, we have to deal
21 with it too. And I will only say when you read -- or
22 are going to vote on ballot propositions related to
23 criminal justice, don't read just the ballot title and
24 summary. Read the whole bloody thing and look into it
25 so you know what you're voting on.

1 SECRETARY CROWFOOT: Senator.

2 MR. GALLAGHER: Just very briefly. Again, I think a
3 lot of this has been covered by the previous speakers.
4 But where it does impact us is exactly what you brought
5 up, recreation. And the ability to go down there and
6 enjoy this great resource.

7 I think the other thing that we need to think
8 about is how this is affecting the watershed. And
9 because -- as you brought up, American River we saw, you
10 know, huge increases in the amount of E. coli in the
11 river. We're seeing the same thing up here and down at
12 Yuba-Sutter area as well. Some serious degradation to
13 the river if we don't, you know, figure out a bigger --
14 but I agree. There's a lot of other things playing into
15 this, but it certainly affects the things that we're all
16 concerned about.

17 SECRETARY CROWFOOT: Thanks.

18 MR. DOWLING: As we talk about these things --
19 and they are multifaceted, they're not singular. But
20 also, we care about it as law enforcement. And I think
21 we continue to try to work collectively to make sure
22 that we're making a positive impact. And I don't want
23 you to walk away with us saying that we don't hear you.
24 I've got to tell you, personally, we feel very similar.
25 We want to make sure that there's safety in our

1 community. That's why we exist. And even as things
2 change within our community, we're going to continue to
3 try to approach it collectively with our partner
4 agencies looking for solutions to try to make headway.

5 That doesn't mean that we have, you know, the
6 perfect, magic way of making it happen overnight. But I
7 want to let you know that's why we exist. That's why we
8 come to work every day. That's --and we have some
9 challenges that, honestly, in our communities are
10 changing. Right? It wasn't like it was not that many
11 years ago. And we're trying to make sure that we are as
12 efficient and as effective as we can.

13 The one thing that I will tell you that's very
14 encouraging about this community is the cooperation
15 between agencies. Outstanding. You have outstanding
16 leadership as a voice for the community as a whole. But
17 between the agencies, we look at it as a collective
18 effort, and we're going to continue to do that.

19 Again, I just don't want you to ever think that
20 we've lost hope. We're very hopeful and we're very
21 motivated and we're going to continue to try to ensure
22 and make a positive impact in our efforts on safety.

23 SECRETARY CROWFOOT: Thank you.

24 And so I would -- did you make to --

25 MR. PITTMAN: I want to add to Mr. DeLong's

1 comments also can serve with the supplemental reference
2 which I also serve on as a City of Oroville member, and
3 we have had that cooperation amongst the agencies. As
4 they said, not only as a voting membership but as an
5 agency representation. And that body really works along
6 the low-flow section of the river. In fact, our grant
7 awards are based upon their nexus to there and that
8 process, credit is given that way.

9 I also should mention too that the City of
10 Oroville agenda for tomorrow night's meeting has a
11 special team being proposed just to work on the problem
12 you raised. And hopefully, maybe upstream, we'll be
13 able to take care of a little bit more problems if the
14 team's successful; so keep an eye on this. We're
15 working on it.

16 SECRETARY CROWFOOT: That's really helpful.

17 So what I hear you saying is Oroville City is
18 potentially establishing their -- kind of, an
19 interagency -- potential team focused on this. I think,
20 you know, if State partners want to be supportive, how
21 we can be.

22 I think directly to your question, this
23 commission is probably not where we dive into this, but
24 you will -- you know, once every three months, we'll be
25 here. And so if any of our agencies or departments

1 aren't actually present helping, you know, with this
2 effort that you can let us know.

3 And I would also just note, the Supplemental
4 Benefits Fund, which was on our screen, is funding from
5 the Department of Water Resources that can be used in
6 the community. So it sounds like it's already a
7 potential source of funding to help address the issue.

8 MS. MANGAT: If I could add to that.

9 SECRETARY CROWFOOT: Yeah.

10 MS. MANGAT: So I was thinking about your
11 comments and -- the recreation along this river being
12 affected. It does kind of go back to, you know, our --
13 the Department of Water Resources. And, you know, if
14 you look at the original recreation plans of Oroville,
15 that area did have a lot more recreation that was
16 planned for it, a lot more being built down there,
17 including the train depo. That will be pretty neat to
18 give people tour rides up to the dam. If those things
19 had been put in place, maybe we wouldn't see so much of
20 this. But that's -- you know, that's in the past, and
21 maybe it's something we can, you know, discuss as far as
22 moving forward.

23 And even when you bring up the Supplemental
24 Benefits Fund, that was created almost 20 years ago now.
25 And you've seen how much our river has changed in the

1 last 20 years. Maybe it's time for us to look at that
2 again and see, you know, if that still covers the needs
3 of the residents here in Oroville.

4 SECRETARY CROWFOOT: Great point.

5 I think when we talk about recreation and get an
6 update on the plan as it relates to the FERC
7 relicensing, et cetera, we can include this discussion
8 around, you know, to what extent does it make sense to
9 include recreational priorities in the lower reaches.
10 So we can loop that -- sort of, integrate that in the
11 conversation.

12 Let's move on to Eric Smith followed by Reid
13 Johnson.

14 MR. SMITH: Good morning. My name's Eric Smith.
15 I'm the CEO of the Chamber of Commerce and incidentally,
16 also on the City Council.

17 Hello there, Mr. Pittman.

18 Although my comments here are fairly -- are as a
19 private citizen and as a representative of the Chamber
20 of Commerce. And my particular concerns with this
21 body -- and I really appreciate the term "results"
22 because that is certainly what we need. Because that's
23 been a long time in coming, and everyone here can
24 acknowledge that fact.

25 And so my concern with this body, just like the

1 ORAC body that was put together back in '06 to address,
2 you know, the concerns of recreation, as it relates to
3 the billion-dollar commitment from DWR with the FERC
4 relicensing, and everything is supposed to flow out from
5 that. No pun intended, of course.

6 And so I just want all of you to be very
7 cognizant of the power of your words because each and
8 every one of you are important people, and your words do
9 matter. And when we think about it, even with our
10 country, kind of in the stalemate that it's in,
11 debating, tossing back words, arguing, if you will,
12 which just, you know, we have these impasses. We get to
13 a point where we're not being effective.

14 And I want to see this body effective because at
15 the end of the day when we think about Oroville and the
16 impact that that lake has had, both good and bad, what
17 we don't want to see is more of the bad piece. Right?
18 Which is, it comes down to perception, and we know what
19 they say about perception. It is reality. And so when
20 we think economic impacts, we know that Oroville has
21 been challenged for some years. And so part of the
22 promise with -- whether it be SPF funding or the
23 relicensing commitment with the billion dollars to go
24 towards some of that infrastructure, recreation pieces,
25 so on and so forth. If this body degradates down into a

1 rock-throwing contest -- because we all have competing
2 interests, we all want to make our points.

3 Frankly, I'm not an engineer, and I don't know a
4 damn thing about dams, but I do know what it feels like
5 when my safety is in jeopardy. And so to me, to quickly
6 have results for the public where we can feel like, you
7 know what? Oroville is the best place on the planet to
8 live, to raise my family, to have a job, to start a
9 business. And at the end of the day, that's economic
10 opportunity.

11 And so as long as we stay in the circle of
12 debate and discussion, this community cannot move
13 forward. And you guys play a tremendously vital role in
14 that. I think about -- I was just in Folsom yesterday
15 crossing the American River. If you've all been across
16 that road, look at that big dam. And behind that, of
17 course, is the Lake Folsom. And I'm thinking about it
18 as I'm passing through that community,
19 multimillion-dollar homes, multimillion-dollar
20 businesses, we know what that looks like. And do they
21 worry about that? Does that area have a challenge in
22 attracting new business and people to come live there?
23 Absolutely not.

24 What about Lake Isabella? Just down the road
25 from there is Bakersfield, the 9th largest city in the

1 state of California. Do they have trouble? No. Some
2 of the biggest businesses and industries are right there
3 in Bakersfield, yet they do talk about it from time to
4 time if that dam were to give way because of an
5 earthquake -- which is a real concern down there -- then
6 Bakersfield stands to be inundated.

7 So when I think about results, I think about
8 this body, and I -- even hearing some of the words about
9 engineering or this bypass, you know, I don't know a
10 thing about that. But what you want to hear from the
11 experts and the engineers and DWR is that we've
12 addressed it all. We appreciate that, those concerns,
13 and this is how we've mitigated that. This is how --
14 now we can move forward and get that license, get that
15 FERC relicensing, get the money flowing, get the
16 economic engines going.

17 Because there's no reason why Oroville should
18 not be thriving. I've looked at, again, Folsom. Wow.
19 Oroville could be the next Folsom. We have the land.
20 We have the resources. We have the water. We have the
21 beauty. We have everything here absolutely necessary to
22 see a thriving community. And as long as we stay in
23 this zone of gray that's very, very difficult -- trust
24 me, I'm a member of the Chamber of Commerce. Right? I
25 hear it all the time. Day in and day out, we get many,

1 many phone calls. And then -- that's the big deal.

2 So for me, results -- give the public that we
3 have absolute confidence. We know for certain Oroville
4 is absolutely safe, as much as possible; right? And
5 we've addressed all these concerns. We've got it done.
6 We've got the money. We've got the relicensing
7 happening, and so that this community can move forward
8 and move on to a bright future.

9 And so I appreciate all of you collaborate --
10 actively worked together, not spending a lot of time
11 arguing and debating about the minutia of, well, how
12 many cubic feet does flow through that. I don't really
13 care, to be frank with you. I just want to know that
14 it's not going to break and flood our City. That's, at
15 the end of the day, all that I care about is the safety
16 of our committee moving forward economically and
17 thriving as a community.

18 And you guys, really, you're on the button. And
19 that you can make it happen and turn this community
20 around in a heartbeat. So look for ways to work
21 together tonight, to not fight, but to get along and get
22 the answers and get them out quickly so we can move
23 forward.

24 Thank you very much.

25 SECRETARY CROWFOOT: Thank you very much.

1 Really helpful comments. And I would say I'm
2 really encouraged that we have leadership that's taken
3 the time to be here and committed to this substantial
4 time commitment that the -- that this commission
5 represents. I think I probably speak for everyone, but
6 I'll speak for myself when I say that, you know, our
7 number one goal with this commission is to rebuild trust
8 and confidence in the infrastructure so that you all,
9 you know, have that moving forward in your daily lives,
10 whether it's just for own sense of personal safety or
11 for, you know, continuing to develop a community you
12 want to live in. So thank you for being here and
13 holding us accountable for results.

14 Let's move to Reed Johnson.

15 MR. JOHNSON: Good morning. My name is Reed
16 Johnson, and I'm from Gridley. And just to kind of
17 build on the communication. I tried to zero in on some
18 questions, and I did some questions there. And I think
19 the importance of my questions are the communication.
20 And I've heard a lot of rumors about different things
21 that are going on and the condition of the spillway, the
22 drainage system; so -- and the current use of --
23 viability of this spillway.

24 So I guess my questions are I've heard that the
25 drain on the spillway -- and I don't even know the

1 importance of the drainage system, but I've heard that
2 it's not working, and I've heard the leaks on the
3 spillway are part of an indication that there's some
4 problems. So I think the bottom line of what I'm
5 curious about is the safety of all of us and the true --
6 truth of what the condition and is that spillway ready
7 to be used.

8 SECRETARY CROWFOOT: Thank you.

9 MR. JOHNSON: Thank you.

10 SECRETARY CROWFOOT: So let's ask somebody from
11 DWR to come up and just address that most directly.
12 We'll have a chance to unpack when -- hopefully, the
13 next meeting when we do this deep dive in public safety.
14 But just now, and just to share some information, that
15 would be really helpful.

16 MR. JOHNSON: Okay.

17 SECRETARY CROWFOOT: Thank you. Thank you,
18 Reid.

19 MR. CRADDOCK: Yeah. Good morning, everybody
20 again. I'm Ted Craddock with California Water
21 Resources. In 2017 and '18, I served as the project
22 manager for rebuilding the spillway.

23 So what I can share with the commission and
24 community here is that the structure that was built is
25 probably the best spillway in the United States and the

1 world. We've put a tremendous amount of effort into
2 building that structure to modern standards. We
3 invested, you know, probably more than was necessary
4 just to ensure that we had the most robust structure to
5 ensure, you know, future public safety of the Oroville
6 facilities. So I can assure you that the -- I think the
7 information you've heard regarding questions on the
8 drains, seepage is really inaccurate.

9 The drainage system has been camera-inspected
10 throughout, and the structure itself is a extremely
11 sound structure and will work safely moving forward.

12 MR. JOHNSON: And it is operating, the drainage
13 system?

14 SECRETARY CROWFOOT: Is it ready for action.

15 MR. CRADDOCK: The drain system is operating,
16 and the facility is functional.

17 MR. JOHNSON: Are the J-seals on the radial
18 gate, people are really worried about the leakage past
19 the radial gates, for example.

20 SECRETARY CROWFOOT: Just to make sure that this
21 gets recorded. Concern from the public around --
22 discussion around potential leakage from radial dates.

23 MR. CRADDOCK: Yeah. So I can address that as
24 well, Commission. So the gate structure has eight
25 radial gates. When the radial gates operate throughout

1 the season, there's the potential that material gets
2 lodged in the gates when they close. And so a result of
3 that, you do get a little seepage that occurs around the
4 radial gates, and so that's the water that you've seen
5 coming down the spillway chute after we've used it this
6 season. It's common occurrence that structures like
7 this -- under the Comprehensive Needs Assessment, one of
8 our projects we're looking at is an assessment of the
9 gate structure as well. So that's being looked at under
10 that project.

11 MR. JOHNSON: Is that also called an ogee weir?
12 Is that part of that?

13 SECRETARY CROWFOOT: Just repeat the question?

14 MR. CRADDOCK: Yeah. So the question was is
15 that also called the ogee weir. So the ogee weir is a
16 structure that's part of the emergency spillway. So the
17 emergency spillway concrete monoliths, part of those are
18 referred to as the ogee weir.

19 SECRETARY CROWFOOT: And so I think -- at --
20 hopefully, at our next meeting, we'll have an
21 opportunity to actually tour the site, and so we can get
22 up there and talk about some of these features actually
23 on-site. And that's certainly helpful for me to have a
24 little bit more context on-site.

25 But I think, Karla, did you want to add

1 anything?

2 DIRECTOR NEMETH: I did. I want to thank you
3 for that question because DWR is a work in progress in
4 sorting out how we can communicate better with the
5 community. And part of our challenge is, you know,
6 there's a lot of social media. There's YouTube videos.
7 There's just an infinite number of sources from the
8 public and some expert opinions.

9 And so one of the dialogues that we're having
10 internally at the Department is around this theme of
11 working with the community on risk communication and how
12 to make more information available. But also, how to
13 work with people to make sense of that information so
14 that when we have, as Ted mentioned in the rebuild of
15 the spillway, the gated spillway, and the emergency
16 spillway, we have designed a lot more testing
17 instruments that can provide information to the
18 Department about what's happening there. And we are
19 going to be looking for ways in which we can share that
20 information with the community in, kind of, a known way
21 that is at the right cadence in terms of level of public
22 interest and desire to understand more deeply some of
23 the intricacies of the engineering instrumentation and
24 operation.

25 So we are putting together a plan for heading

1 into this winter so that we can more fully articulate
2 how the dam will operate in what kinds of circumstances.
3 And we'll be -- we can incorporate that into our
4 conversation in November. But to the extent that this
5 shares -- this becomes a forum, that's terrific. But
6 also know through our website and through, kind of, a
7 real-time dashboard around how the dam operates, we are
8 looking for ways to better describe the information that
9 we have that helps us operate that. But it also helps
10 people understand what's important about that
11 information and what's less important.

12 That requires you all to trust the Department a
13 lot more than I'm being willing to take a guesstimate
14 that you do today, but I understand that. And that's
15 part of our longer term approach is how do we repair
16 that.

17 So thank you for that comment.

18 SECRETARY CROWFOOT: And, Karla, I would just
19 add, you know, I think that proactive outreach is really
20 important. I think in John's presentation, we saw one
21 of those bubbles of DWR engagement is public outreach;
22 so it's one thing to put it out on, you know, DWR
23 website or through press releases. It's another thing
24 to have somebody available to actually go have a
25 conversation in the community or update the City Council

1 or the County Board of Supervisors.

2 So it will be helpful at the next meeting to
3 really understand what DWR's plan is to actually be in
4 the community just for a lot of back and forth. I
5 imagine that you guys may have a offline conversation
6 after this in which you can answer more questions. We
7 want, you know, more of that interaction.

8 And we're going to have Genoa and then Reed.

9 MS. WIDENER: I just want to add that, you know,
10 a lot of the frustration with the community is we've
11 read for, you know, this entire wet season, basically,
12 or this entire summer that the water has been over that
13 gate threshold, and we've seen the water leaking down
14 the spillway over and over and over again in the
15 newspaper, press releases that the gates were designed
16 to leak. That's a very frustrating thing for a
17 community member to read because it's inaccurate.

18 Your explanation of debriefing in the gates is
19 such a -- it's so much more fulfilling for community
20 members to know that we are heard and that we're given a
21 real answer. And so I do appreciate that. And I hope
22 to see that going forward. That's a good step
23 communicating with the community.

24 SECRETARY CROWFOOT: Thank you.

25 Reed.

1 MR. JOHNSON: Real answer means the truth. I
2 would rather know truth than some -- you know,
3 everything's working fine. I want to know what's going
4 on.

5 SECRETARY CROWFOOT: Yeah. And that's going to
6 be our commitment is to be direct. We won't always
7 agree altogether on the approach forward, but we need to
8 be, you know, completely forthright and put in all of
9 explanations and direct in real time.

10 We've come to the end of our speakers' cards.
11 If there's any other member of the public who would want
12 to get up and share thoughts, please do.

13 MR. BRACKETT: My name's Mark Brackett. I live in
14 the Thermalito area.

15 My biggest concern's, like, the worst-case
16 scenario. You know, the dam's only 50 years old or so,
17 and we've already had the powerhouse fire and the
18 spillway collapse and the emergency spillway and all
19 that. So I want the committee to be aware of, you know,
20 the floods of 1862 and these things that have happened
21 in the past and not only, you know, just saying, oh,
22 everything's been fixed, everything's okay. And, you
23 know, so I'm concerned about the lifespan of the dam.
24 And in all my research, I've never come across on how
25 long is this dam even supposed to last?

1 And, you know, also, I'd like the committee to
2 consider what happens if the dam does fail and
3 27 million people lose their water. You know, what
4 then? You know. So that's just some of my concerns.

5 And thank you.

6 SECRETARY CROWFOOT: Thank you.

7 And I think when we do this public safety deep
8 dive, to the Supervisor Connelly's point, really
9 understanding, you know, sort of, worst-case scenarios.
10 Because it sounds like, as the gentleman expressed, you
11 know, that's really probably in his mind and others,
12 which is, like, what happens if, you know, we have the
13 worst snow followed by a flood, et cetera. And then
14 also, when we have a public safety briefing, what is the
15 expected, you know, lifespan of the dam, and should we
16 be worried about, you know, as it gets older.

17 Karla.

18 DIRECTOR NEMETH: And that's where our
19 -- I think our partnership, our -- I would say new
20 partnership, quite frankly, with the Butte County
21 Sheriff's Office and how we work together in the event
22 of an extreme event to keep everyone safe is certainly a
23 very important outcome, if you will, of the 2017
24 spillway incident where we started to understand where
25 we didn't have enough of a connection between public

1 safety officials here in Butte County.

2 And I'm excited that the Department has
3 reinvigorated a partnership with the Sheriff's Office on
4 all those kinds of topics. It was also something that
5 appeared in the follow-up legislation requiring the
6 Department as the dam owner to put together an emergency
7 action plan that addresses not -- you know, not the dam
8 failure, but also the potential failure of certain
9 pertinences and to work with the County Office of
10 Emergency Services and our California Office of
11 Emergency Services to put those plans into place.

12 And so as we talk about the public safety
13 aspects of decisions that we're making in the
14 Comprehensive Needs Assessment process, et cetera, I
15 think including that element of the partnership between
16 the Department and the County and certainly, the
17 California Highway Patrol will be very informative and
18 useful information for everyone to understand in more
19 detail.

20 So thank you.

21 SECRETARY CROWFOOT: Good.

22 I think there was a gentleman here.

23 MR. BATEMAN: My name is Robert Bateman, and I
24 had a business in town just within the inundation but
25 not the flood control.

1 I'm wondering whether the consideration's been
2 given to the committee having some control of the lake
3 level, particularly when as in the spring it's outside
4 the limits that were set out in the flood bank plan.
5 Because many of us see it as a game of Russian roulette
6 played without a clear understanding of the odds and the
7 benefits.

8 Thank you.

9 SECRETARY CROWFOOT: Thank you. And just with
10 that commitment of being truthful and direct, this
11 commission doesn't have control of the operations of the
12 lake. What I'm hoping this commission can do, though,
13 is really provide as much transparency as possible into
14 how the Department Water Resources is making those
15 operations decisions so that you will understand, sort
16 of, what are the conditions that are going to determine
17 the lake level and under what conditions does DWR decide
18 to spill water to protect against flood risk, et cetera.

19 So while this commission won't be a body that
20 makes those decisions, the goal is to create as much
21 understanding of how those decisions get made.

22 Is that fair?

23 MR. BATEMAN: Yes, that's a step in the right
24 direction. And how are those decisions made? I mean,
25 this spring, there was a flood into the level and there

1 was a lot of water available, and the decision was made
2 to raise the lake to the limit, when many of us know the
3 lake had a -- the dam has major flaws, some of which
4 have been discussed already. And these aren't fixed.
5 Once they're fixed, that's one thing.

6 But if there's an earthquake, earlier this year,
7 we would have been in trouble. And the trouble is so
8 immense that running any risk of it is inappropriate.
9 And I wonder who is making those decisions and whether
10 the water -- pollution of water is given too much weight
11 and the risk of the community is given too little.

12 SECRETARY CROWFOOT: That's a fair question, and
13 I think one we'll be able to unpack, you know, more
14 comprehensively when we do this public safety
15 discussion, hopefully, in November.

16 But very quickly, just for our colleagues at
17 DWR, can you just in maybe a paragraph or two, just as a
18 little bit of a sneak peek, explain how lake levels are
19 determined and how the Department balances public safety
20 concerns on flooding with water supply.

21 MR. CRADDOCK: Yeah. Ted Craddock again. So
22 the lake is operated in accordance with the Army
23 control -- or Army control -- or U.S. Army Corps of
24 Engineers Water Control Manual. Sorry for mixing that
25 up. But the -- and so our winter operations are

1 governed by that document. Over the course of the last
2 two years, we've updated that document for the spillway
3 construction work to provide a little more space in the
4 reservoir for flood control.

5 So our operations are really governed in
6 accordance with that manual and working closely with the
7 Corps of Engineers.

8 SECRETARY CROWFOOT: And just I -- as I've been
9 educated, that -- those Army Corps rules ensure that
10 there's enough space in the reservoir to capture flood
11 flows; right?

12 I mean, is that the notion of the manual if it's
13 trying to restrict how high that goes so that there can
14 be space to capture flood flows?

15 MR. CRADDOCK: Yeah, that's correct, Wade. So
16 when the reservoir was built, we partnered with the
17 federal government to include flood reservation space in
18 Lake Oroville. So 20 percent of the storage space at
19 Lake Oroville is allocated for flood control during the
20 winter operation season. And the studies conducted by
21 the Corps of Engineers, basically, laid out the
22 operation parameters for how we operate the reservoir
23 during that winter flood control season.

24 SECRETARY CROWFOOT: Good. So I look forward to
25 unpacking that a little bit more when we talk about

1 public safety at large.

2 I think the gentleman behind you had a comment.

3 MR. KEYO: Michael Keyo from Biggs. My concern,
4 again, is the truth and what we're hearing and the
5 change of the flow or the height of the reservoir.

6 For an example, just prior to 2017, I believe it
7 was, in 2016, I saw a video related to the 50-foot
8 leeway for the dam. And since then, during the crisis
9 period and after -- this year, actually, I did see where
10 they can take it all the way to the top. There was
11 never a 50-foot leeway. And again, I'm getting back to
12 the truth then. If we don't know what's real, we can't
13 be okay with what's happening.

14 Thank you.

15 SECRETARY CROWFOOT: Fair point. And again, we
16 want to -- in terms of providing the full picture, we'll
17 do that in a little bit more depth in the next meeting.

18 But just briefly, do you want to address whether
19 there's been any change in terms of the leeway or the
20 space between the water and top of the dam between, you
21 know, 2015, '16, and now?

22 MR. CRADDOCK: Yes, so I'll cover that a little,
23 Wade. So after the spillway incident, as we were
24 reconstructing the spillway, we implemented an interim
25 operations plan, which provided a little more operating

1 space in the reservoir to allow us the complete
2 construction during the 2017, '18, and '19 seasons.

3 As we move forward this year, while we're still
4 working on the Comprehensive Needs Assessment, we're
5 also planning to continue that plan that was put in
6 place the last couple of years.

7 The Comprehensive Needs Assessment does include
8 a track that, basically, looks at reservoir operations
9 moving forward with the, you know, plans for different
10 structures of the facility. And additionally, we're
11 working with the Corps of Engineers and Yuba Water
12 Agency, as John Yarborough mentioned, on the update to
13 the Water Control Manual and using forecast and forum
14 reservoir operations. So that's something that we can
15 share in more detail with subsequent meetings.

16 SECRETARY CROWFOOT: Got it.

17 Just to boil it down. Was there -- essentially,
18 it doesn't sound like the rules changed to enable more
19 water to be stored in the dam during this construction
20 period. Or can you just help?

21 MR. CRADDOCK: Yeah, thank you for clarifying
22 that point, Wade.

23 So that's correct. The rules did not change to
24 store more water in the reservoir.

25 SECRETARY CROWFOOT: So that would be a great

1 example of where -- the gentleman, if we have a liaison
2 from DWR who was able to sit down and talk it through.
3 And we could say, okay. Well, what's the -- what's the,
4 you know, source information?

5 Karla mentioned there's a lot of points of view
6 out there, for example, on the Internet and just really
7 being able to understand the core of the concern. When
8 you see something on YouTube and it can look really
9 convincing, it starts to call into question the
10 explanation; so that's really the benefit of DWR being
11 able to sit down and have a really constructive
12 back-and-forth with residents that have specific
13 concerns.

14 MR. CRADDOCK: Yeah. We absolutely agree with
15 that, Wade.

16 SECRETARY CROWFOOT: Good.

17 Any -- okay. We're going to give you the last
18 word.

19 MR. BATEMAN: Could I just make a suggestion?

20 SECRETARY CROWFOOT: Yeah.

21 MR. BATEMAN: I understand Folsom is run with a
22 better, more modern and comprehensive management --
23 flood control than a rule book written in 1958, I think.

24 Would it be sensible for the commission to have
25 someone from Folsom come up here and discuss how it is

1 run and how they're measuring the water flows? And so
2 we get an idea of the alternatives, and hopefully, DWR
3 will adopt those or will as soon as possible.

4 SECRETARY CROWFOOT: Yeah. I would say as a
5 next step. Certainly, here as we're talking about the
6 public safety framework in place and how the dam is
7 operated, it would be helpful at the next presentation
8 to compare it to Folsom. As I understand it, the
9 Department of Water Resources is working with the Army
10 Corps to update that manual. And Folsom's made progress
11 in that. So I think if -- getting a comparison would be
12 helpful. And then if we need, do a deeper conversation
13 with Folsom.

14 Karla.

15 DIRECTOR NEMETH: And I would add I think one of
16 the most powerful aspects of this formalized committee
17 is to speak with one voice. We really -- the federal
18 government and the Army Corps of Engineers must be our
19 partner in updating that manual. So I, you know, would
20 be eager to share what we know about Folsom or bring
21 someone to help us understand it better.

22 But, you know, foundationally, what we need to
23 do, I think -- or want to discuss doing as a body would
24 be to come up with a recommendation to encourage the
25 Army Corps of Engineers to prioritize the update of the

1 Oroville manual.

2 SECRETARY CROWFOOT: Yeah. And I think it would
3 be sensible at our next meeting, as we address public
4 safety, to invite somebody from the Army Corps to just
5 talk about their role in this and be able to ask
6 questions about, you know, how they operate differently
7 on different dams in California.

8 Any other members of the public that wish to
9 comment?

10 Okay. Ma'am?

11 MS. SWEARINGEN: I want to say I'm Joan, and I'm
12 so grateful everyone here is in this room and want to
13 echo what everyone has spoken already and really wanted
14 to speak on behalf of the children of this community.

15 I work both with UC Master Gardeners and
16 Children's Gardens. I work with the nature center down
17 on Feather River and then interface in a few other areas
18 as well. I'm also working with Hedgerow Farms
19 currently, who is helping do the restoration work up on
20 top of the spillway, and I really commend you for
21 putting the earth back and trying to do some healing.

22 In regards to that, I'm also asking if perhaps
23 along the river, we can look at some of that because of
24 the spillway's impact. With such great flow, there was
25 a lot of debris that was washed in the trees. It's

1 still there. My partner and I and a few other people
2 have cleaned up the perpetuating problem of transient
3 trash and debris, but there is a lot of stagnation and
4 change in the ecotype of that riparian habitat.

5 And we are taking from the river. We should be
6 able to give back to it. This watershed is incredibly
7 special. It flows into the heart of the Sacramento, and
8 sacrament is, you know, divine.

9 So I would just ask that -- our children deserve
10 to come to a place of beauty and a place of learning.
11 When I teach them and I ask them if they've been to the
12 lake or out on the river, most of them have not because
13 their parents restrict that. I've heard it firsthand
14 for numerous reasons, safety and just -- yeah. The
15 cases of such.

16 So if there's any funds or any partnerships with
17 our colleges, I know Butte has got a great program. We
18 need more projects, and we need to help these kids
19 become the stewards of this environment.

20 Thank you so much.

21 SECRETARY CROWFOOT: That's really helpful.
22 We've been at the end of our meeting. I know we have
23 maybe one more comment.

24 But just quickly from Department of Water
25 Resources, do we know, sort of, the -- there's

1 restoration activities funded, essentially, at and
2 around the spillway as it relates to plantings. What's
3 the status of any restoration work downstream?

4 MR. CRADDOCK: Yeah. So I can cover that one as
5 well, Wade.

6 So for the spillway work, we're currently
7 putting together a restoration plan for the hillside
8 that, you know, as -- it's currently bare. That's
9 something that our team will be reaching out to get
10 input on. It will go through a review process of the
11 Federal Energy Regulatory Commission as well.

12 And then as we look downstream, as part of the
13 settlement agreement for the relicensing, there's a
14 suite of river restoration projects that are planned
15 once the new license is issued. And that will really be
16 a valuable suite of projects to implement -- to help
17 with some of these things related to improving fisheries
18 and the conditions of the downstream river.

19 SECRETARY CROWFOOT: That's helpful. So as
20 we -- when we have a summary on the potential terms of
21 the FERC relicensing settlement, it would be great if we
22 could have -- get details as it relates to that on the
23 recreation, environment, and restoration, et cetera, so
24 folks who are in the community working to restore that
25 lower watershed understand what resources they can

1 expect.

2 MR. CRADDOCK: Yeah. That sounds really good.

3 SECRETARY CROWFOOT: Good.

4 Ma'am?

5 Oh, sorry.

6 MR. GALLAGHER: I'll just quickly add that there's
7 also \$5 million that was secured in the last years'
8 budget to do some setup and management downstream that's
9 much needed so that people could access the river.

10 Still working out some kinks with that, but we're -- you
11 know, that's going on. And we know we need to do more
12 too.

13 SECRETARY CROWFOOT: That's great.

14 Ma'am, I think you may have the last word.

15 CAROL ANDERSON: I wasn't going to
16 speak because of -- this meeting has been focused
17 entirely on the safety, and I'm so appreciative that it
18 is. And I had a comment that really wasn't directly
19 related to the safety. The last two speakers eluded to
20 it.

21 The dam and the activities here have had a
22 tremendous economic cost to our community, and the
23 monies that we've received through SBF or the FERC
24 licensing have not been adequate to the costs. And I
25 wondered at what forum we have an ability to ask for a

1 little more equity in the reimbursement to the community
2 of Oroville and the County of Butte for the costs that
3 we've incurred. Safety, policing and such alone has
4 been a tremendous increase in cost.

5 The damage -- I mean, I clean up on the river on
6 a regular basis. I clean up parks at least three times
7 a week. And I know that there's a lot that needs to be
8 done, but our community is not keeping restrooms open;
9 so there goes your fecal matter in the river because
10 it's expensive to do that. The community needs the
11 funds to deal with some of these issues. And I realize
12 we are owed through DWR and the State a little more
13 recompense than we've had.

14 SECRETARY CROWFOOT: Thank you. And thanks for
15 deciding to speak. I think that's an appropriate topic
16 to discuss.

17 I think I'll take as homework figuring out how
18 we structure that conversation. There has been
19 litigation, to be direct, about, sort of, the impacts
20 and compensation. And so we don't want to get in the
21 middle of that discussion or process, but I think your
22 point is you really want to understand how the State is
23 helping the community build -- rebuild and playing, sort
24 of, an appropriately scaled role in doing that. So I'll
25 work with Kearns & West, a meeting coordinator, to

1 figure out how we structure that discussion so we can
2 make sure that your concern is actually discussed.

3 With that, we've come to -- oh, Hellen, a second
4 time. If we can just ask you to make a short point, and
5 then we're going to close.

6 MS. DENNIS: All right. Once again, I want
7 to
8 say that DWR always refers to, yeah, we're going to get
9 to it once we get our license; so we are virtually being
10 held hostage by DWR. Either you give us our license or
11 we're not going to help you. That's not their -- way
12 they should be. They should say, yes. We are going to
13 help you because we have neglected for many years to
14 take care of this community as we've promised. The
15 recreation, everything that we were supposed to get.

16 So DWR, once again, is giving us this little
17 line, we can't do anything until we get our license.
18 There's no guarantee they're going to give us anything
19 then. But what we always get is the short end of the
20 straw.

21 SECRETARY CROWFOOT: Well, I -- so thank you,
22 Helen.

23 I would say a couple things to that. One is the
24 ability to actually operate the infrastructure relies on
25 federal permission, and that permission's granted by the
FERC license. So I actually don't -- you know, I don't

1 think State Department, including DWR, could pull off
2 that requirement, number one.

3 Number two is I think that there is a lot of
4 desire to get the FERC license or the FERC -- yeah, the
5 FERC license completed. And we should unpack in future
6 meetings how long that will take. And given that
7 there's a billion dollars of community benefit, you
8 know, at the end of that process, how we can make that
9 process, you know, come to completion as quickly as
10 possible.

11 I'm hoping that you don't come away with this --
12 the feeling that DWR has thrown up its hands in the
13 meantime. But that's a lot of money that we're talking
14 about, the FERC relicensing; so we have to figure out
15 how quickly we can actually complete that process and
16 get these funds into the community.

17 Senator. And maybe, if you can, move us to
18 closure.

19 MR. GALLAGHER: I do. And that's exactly what I
20 want to do.

21 And I -- just to Hellen's point. You know, Hellen
22 has been through a lot. We've talked many times, you
23 know, over these last few years about the different
24 experiences that you've gone through.

25 But what I want to say is I think we are off to

1 a very promising start with this commission. I like
2 what I am hearing. And the discussions that we're
3 having here today have been very provocative, and I
4 think it's the start of a new conversation and of a
5 better conversation with DWR.

6 I want to say thank you to the Secretary for the
7 real strong attention that he has given to Oroville and
8 to the situation, and I think it is a big testament to
9 that. It's his presence here today, the time that he's
10 taking even outside of this commission to help ensure
11 that we address some of these longstanding issues.

12 And so -- and also to Director Nemeth, who's
13 also had -- given that same attention. Been talking a
14 lot about the manual, for instance, which is one of the
15 big things that were brought up and some of those
16 things.

17 So look, there's a lot of very positive
18 discussion, and I think thanks to legislation from
19 Senator Nielsen and this commission, we are going to
20 open a new chapter. That is my hope. A new chapter
21 that's going to be a lot more proactive and productive
22 going forward.

23 SECRETARY CROWFOOT: Thank you.

24 Senator and Vice-Chair Nielsen to finish us off
25 here. Any final thoughts?

1 SENATOR NIELSEN: I just thank everybody. This
2 has gotten off to a magnificent start. It will be
3 productive. I hope you feel that it has been. I'm
4 certain we will be accessible to more information. You
5 will be able to input. And I really appreciate the
6 commitment of the Resources Agency, and that comes from
7 the Governor down, to be here in full measure working
8 with us and working with us for the long run. This
9 isn't a tomorrow deal.

10 It is very complicated. There are many things
11 that we have got to contend with. We've talked about a
12 lot of them here today. But this is problem-solving,
13 folks, and it's engaging the public directly in, and
14 your voice is directly heard. That's all good.

15 SECRETARY CROWFOOT: Thank you so much. I would
16 just -- thank you.

17 I just close this meeting with two points; one
18 is we meet next on November 20th. Our staff will get
19 out a meeting notice to you all, and so you're aware of
20 when that is.

21 And then second point, we are maintaining a
22 subpage on the Natural Resources Agency website; so you
23 will have a summary of meeting minutes that's adequately
24 vetted through this group. And it will provide
25 information on the next meeting. Again, we're this

1 formal act or body of the State; so we'll get the
2 information that the committee's getting in advance of
3 the meeting like this will get to the public through the
4 Internet.

5 Most importantly, thanks to all the commission
6 members for your time today, for your continued
7 commitment moving forward and the members of the public.
8 Our goal is to make this, as both of our elected leaders
9 said, you know, the beginning of a new conversation.

10 And so with that, we adjourn, and we'll see you
11 in six or seven weeks.

12 Thank you.

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