

**MEETING SUMMARY**  
**Oroville Dam Citizens Advisory Commission**  
**Meeting 1: September 30, 2019, 9:30am – 12:00pm**  
**Southside Oroville Community Center**  
**2959 Lower Wyandotte Road, Oroville, CA 95966**

This meeting summary provides an overview of the September 30, 2019 Oroville Dam Citizens Advisory Commission meeting and focuses primarily on capturing the comments and questions posed by Commissioners and members of the public. It is organized by agenda topic to assist readers in cross-referencing the meeting materials. This document is not intended to serve as minutes of the meeting or a transcript of the discussion. A transcript prepared by a court reporter and materials from the meeting are available on the Oroville Dam Citizens Advisory Commission website:

<http://resources.ca.gov/oroville-dam-citizens-advisory-commission/>

**MEETING AGENDA**

- Roll Call
- Kick Off and Introductions
- Commission Charter Overview
- Oroville Dam Facilities Overview
- Preparation for Future Commission Meetings
- Public Comment

**ACTION ITEMS**

1. Meeting facilitation consultants, Kearns & West, to produce meeting summary.
2. California Natural Resources Agency (CNRA), Assemblyman Gallagher, Senator Nielsen, Supervisor Flores (Sutter County), and Supervisor Bradford (Yuba County)'s offices to review summary prior to posting on the Oroville Dam Citizens Advisory Commission website.
3. Kearns & West update the Charter per Commission comments and circulate updated draft to Commissioners.
4. Kearns & West/CNRA to confirm meeting for November 20.

**AGENDA ITEM 1: ROLL CALL**

As mandated by the requirements set forth in Senate Bill 955 (2018, Nielsen), the Commission consists of representatives from the following agencies and public bodies. Attendance at the September 30, 2019 meeting is noted in the table below.

<b>Agency or Public Body</b>	<b>Commissioner (or Alternate)</b>	<b>Present</b>
CA Natural Resources Agency	(Chair) Secretary Wade Crowfoot	X
Department of Water Resources	Director Karla Nemeth	X
Department of Parks and Recreation	Director Lisa Mangat	X

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Office of Emergency Services	Deputy Director Christina Curry	X
Department of California Highway Patrol, Butte County Division	Assistant Chief Steve Dowling	X
California State Senate	Senator Jim Nielsen	X
California State Assembly	Assemblyman James Gallagher/Curtis Grima	X
Oroville City Council	Councilmember David Pittman	X
Oroville City Council	Mayor Chuck Reynolds	
Butte County Board of Supervisors	Supervisor Steve Lambert	X
Butte County Board of Supervisors	Supervisor Bill Connelly	X
Butte County Board of Supervisors	Genoa Widener	X
Yuba County Board of Supervisors	Supervisor Gary Bradford	X
Yuba County Board of Supervisors	Supervisor Doug Lofton	X
Sutter County Board of Supervisors	Supervisor Mat Conant	X
Sutter County Board of Supervisors	Supervisor Dan Flores	X
Butte County Sheriff's Office	Sheriff Kory Honea; Lieutenant Steve Collins	X
Yuba County Sheriff's Office	Sheriff Wendell Anderson; Lieutenant Joe Million	X
Sutter County Sheriff's Office	Sheriff Brandon Barnes; Deputy Andre Licon	X

**AGENDA ITEM 2: KICK OFF AND INTRODUCTIONS**

Secretary Wade Crowfoot opened the meeting by describing the format of the meeting and associated materials available to the public. Several attendees offered opening comments, which included the following:

- Senator Jim Nielsen explained that the Oroville Dam Citizens Advisory Commission is modeled after the Sacramento River Conservation Area Forum, which was established by legislation adopted in 1986 to coordinate restoration activities along the Sacramento River and in the Delta and is overseen by the Natural Resources Agency. Senator Nielsen described the importance of the Forum in fostering communication among stakeholders with differing priorities and, thereby, its crucial role in helping to preserve salmon in the Sacramento River. He identified decision-making related to Oroville Dam and its role as part of the State Water Project as an even more important and higher stakes endeavor, and he encouraged the Commissioners and the public to use the Commission process to participate, ask questions, and provide constructive suggestions.

- Butte County Sheriff Kory Honea thanked Senator Nielsen and Assemblyman Gallagher for their support throughout the Oroville spillways recovery and their dedication to working collaboratively with local and state partners. Sheriff Honea said that the Oroville spillways incident illuminated for him both the critical importance of the Oroville Dam complex and the State Water Project in agriculture, water supply, and local flood control and the risks of having the Oroville Dam facility in their community. He strongly supported having a formal venue for the public to provide input on the facility.

#### **AGENDA ITEM 3: COMMISSION CHARTER OVERVIEW**

Eric Poncelet, Kearns & West, described the Commission Charter, which was derived primarily from the requirements outlined in the legislation (SB 955). He noted that Commissioners will be asked to sign the charter at their next meeting and asked for feedback and suggested revisions prior to finalizing the text.

- Supervisor Gary Bradford observed that Item E (“Terms”) stipulates three year terms for all commission members except members of the Legislature or representatives from City of Oroville, who only serve for the duration of their term in office. Bradford suggested that all elected officials, including Supervisors, should only serve on the Commission during their time in office.

#### **AGENDA ITEM 4: OROVILLE DAM FACILITIES OVERVIEW**

Department of Water Resources (DWR) Director Karla Nemeth initiated DWR’s presentation on the Oroville dam facilities by describing her perspective on the changes at DWR since the spillways incident. She emphasized that DWR has increased investment in statewide infrastructure to serve multiple purposes – public safety, environmental protection, and provision of water. In addition, DWR has recognized the need to make significant changes in the way the agency communicates with the public and shares information about DWR operations and decision-making. She voiced a commitment to clear and consistent communication with the Oroville community.

Director Nemeth described DWR’s mission as supplying water, supporting ecosystems, and providing flood protection. She emphasized the Department’s commitment to sustainability, which includes significant investments in scientific research and local water supply alternatives like recycled water and groundwater recharge projects to supplement water supply in the face of climate change and growing demand. Director Nemeth noted that while local options will grow as part of the water supply portfolio, the State Water Project will need to continue to reliably supply water to the 27 million Californians who depend on it.

The DWR presentation provided a high-level overview of the Oroville landscape. Topics included:

- Key features of the Oroville complex infrastructure;
- The downstream extent of DWR’s area of authority versus the areas maintained by local reclamation districts;
- Oroville-related forums for public participation;
- Benefits provided by the Oroville facility, including water supply, flood management, environmental improvements, energy production, and recreation access; and
- Major activities and processes underway at Oroville, including the spillways reconstruction, the recommissioning of the Thermalito Pumping-Generating Plant, public access restoration,

Comprehensive Needs Assessment, the Level 2 Risk Assessment, Forecasted Informed Reservoir Operations (FIRO) efforts, Water Control Manual Update, and the FERC Relicensing process.

Following the presentation, Commissioners suggested several topics for future meetings; those are included as part of the list compiled under Agenda Item 5 below.

#### AGENDA ITEM 5: PREPARATION FOR FUTURE COMMISSION MEETINGS

Commission discussion resulted in two outcomes:

- The Commissioners elected Senator Nielsen as Vice-Chair of the Commission in a unanimous vote.
- Senator Nielsen, Assemblyman Gallagher, Supervisor Flores, and Supervisor Bradford volunteered to review meeting summaries prior to public posting.

Commissioners proposed the following as agenda topics for future meetings:

- **Comprehensive Needs Assessment (CNA):** Commissioners asked DWR to provide periodic updates on the CNA process, address topics that are identified in the course of the CNA but are out of scope in that process, and review alternatives developed as part of the CNA process and provide input on those that move forward for further consideration.
- **Introduction to the State Water Plan:** Senator Nielsen offered to prepare materials explaining the Water Plan and proposed that the Commission discuss how Oroville and the State Water Project fit into state water policy. Governor Newsom's administration is working on a water portfolio outlining their priorities for the next three years; Secretary Crowfoot would like to provide updates on that planning as well.
- **Federal Energy Regulatory Commission (FERC) Relicensing:** Commissioners requested an update on the FERC relicensing process for Oroville Dam, including what projects will be considered for investment once DWR receives its license.
- **Maintenance and resiliency of project infrastructure to ensure public safety:** Supervisor Conant asked for details on the regular maintenance of project infrastructure as well as how those features will perform with the bigger storms and additional rain expected due to climate change. He asked for a comprehensive review of the infrastructure (e.g., powerhouse, low level outlet, piezometers, dam, and spillways). Assemblyman Gallagher observed that the CNA is looking at options for a low level outlet to release water at lower elevations; as part of the CNA early implementation process, DWR is also planning to install piezometers on the dam face. Secretary Crowfoot suggested that the next Commission meeting (scheduled for November) focus on public safety in advance of the wet season.
- **Inventory of the watershed to better understand the flows coming into the dam:** Councilmember Pittman asked for information on DWR's coordination and working agreements with upstream facilities. He wanted to learn more about how DWR is working with those operators to receive advance notice about the flows coming toward Oroville and to use upstream capacity to control those flows. Director Nemeth commented that DWR has been investing in upstream sensors to provide additional data about inflow. She also observed that many upstream facilities are very old, increasing the importance of regular inspections. She suggested that a presentation by the Division of Safety of Dams (DSOD) on its inspection process and maintenance of older facilities could be helpful.

- **Interconnection between forest health, water supply, and reducing wildfire risk:** Secretary Crowfoot suggested that the Commission also explore how forest management techniques could improve both water supply and reduce wildfire risk.
- **Communication and public input:** Butte County representative Genoa Widener noted that the Commission is the only venue that will provide the opportunity for public input long-term. The CNA process will be completed next year, and the Oroville Recreation Advisory Committee (ORAC) will be phased out once the license is issued.<sup>1</sup> The public has many concerns about the Oroville facilities, and they feel that the responses DWR provides publically are often insufficient. Secretary Crowfoot asked community members to think about what information will be most helpful to them in Commission reports and what information can be provided in real time by the State to improve communication. He also suggested that future meetings could be held at different times in order to increase the number of people who can attend.
- **Inspections:** Assemblyman Gallagher suggested that DWR provide updates on its latest inspections by DSOD and FERC with an emphasis on any significant findings. The Commission members will want to review these reports as DWR receives them.

#### AGENDA ITEM 6: PUBLIC COMMENT

Members of the public were invited to provide comments or ask questions of the Commissioners and/or DWR and to share specific topics they would like to see addressed at future meetings. Remarks are summarized and shared without attribution below; for a full transcript of the exchanges, see transcription prepared by the court reporter and posted online.

- Comment (C): I would like DWR to ensure there is no downstream flooding. Flooding endangers lives and property. I do not want to see turbines down for extended periods of time. The new emergency spillway is an eyesore due to how brightly it stands out from its surroundings. I know vegetation is scheduled to be planted in 2020, but something should be done about it sooner—perhaps painting? I am concerned about the safety of fishermen, children, and others in the river downstream when large releases occur; the increased flow could sweep unsuspecting people away causing death or injury. Recreation is important, but people’s lives are more valuable.
  - Response (R) (Secretary Crowfoot): We understand and hear your concerns. Thank you for your comment.
- C: Thank you for conducting this meeting, as it is important to the local community. I have been exploring the Palermo canal tunnel since Oroville Dam public meetings began and have met with Cindy Messer of DWR on the topic. The tunnel and canal were part of an agreement with the Oroville-Wyandotte Water District at the time of the dam’s construction to provide 40 cfs into the Palermo canal. There is potential for the dam to settle and broach the tunnel; if something went wrong with this tunnel, flooding would occur down into the power plant and a diver would have to go down into the tunnel in order close it off. The fact that the tunnel is in the same area as the green spot suggests there could already be leakage. The tunnel would be easy to plug by going down into the existing penstock. This issue should be part of the public safety deep dive.
  - R (Secretary Crowfoot): Thank you for your comment. Director Nemeth will look into your email correspondence with DWR in order to follow up.

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<sup>1</sup> Correction: ORAC is temporary, but once the FERC license is issued, ORAC will be replaced by the Recreation Advisory Committee (RAC), which will be another venue for public comment on license-related recreation topics.

- C: I am a local resident whose primary concern is for public safety. People are scared to recreate along the Feather River because of refuse and discarded drug paraphernalia. Local law enforcement appears to be without proper resources to clean up and maintain this area. Is this the appropriate place to address this issue?
  - R (Secretary Crowfoot): We understand this is a real issue for the community. What role can the state play in terms of assisting to clean up the Feather River's banks?
  - R (Sheriff Honea): I appreciate your comments as this is a concern of ours as well. It is uncertain if this commission will be able to solve that problem. There are jurisdictional issues along the river among the City of Oroville, the County, and California Highway Patrol (CHP). These issues are a result of a much larger problem that does not stem from the dam.
  - R (Senator Nielsen): This problem is due to the state and the people of California voting for ballot propositions that weaken the ability to prosecute drug crimes without also investing in infrastructure to deal with addiction, mental health, and other associated challenges. Both law enforcement and elected officials are trying to deal with the issues of homelessness and drug addiction with the resources that have.
  - R (Assemblyman Gallagher): This impacts our ability to recreate and enjoy resources. There are also impacts to water quality like E.coli to be considered.
  - R (Assistant Chief Dowling): These issues are important to law enforcement, and we are working hard to address them collectively with partner agencies. There is no way to alleviate the problem overnight, but your concerns are heard. We are hopeful and motivated.
  - R (Councilmember Pittman): The Supplemental Benefits Fund grants awards to projects with a nexus to the river; it could be a useful body to approach for funding. In addition, the City of Oroville has an agenda item to create a team focused on this issue.
  - R (Secretary Crowfoot): State partners want to be supportive of these efforts.
  - R (Genoa Widener): Recreation along the river should be DWR's responsibility. The original recreation plans associated with the dam planned for more recreation along the Feather River. Had these plans been enacted, perhaps this issue would not exist. The Supplemental Benefit Fund was created 20 years ago and things have changed since then; it is unclear whether the Fund's scope is big enough.
    - R (Secretary Crowfoot): When the Commission addresses recreation, we can discuss recreation on the River's lower reaches as well.
- C: I am a representative of the Chamber of Commerce but am here as a concerned citizen. There is a tendency for individuals in decision-making bodies to take entrenched positions and stymie progress by endlessly debating over minutiae. Please focus instead on how we can achieve timely results. Oroville is a wonderful place filled with economic opportunities. Other areas in California with reservoirs, such as Folsom and Lake Isabella, have no problems attracting business. Oroville can achieve this potential if you work together to address FERC's concerns and get the new license.
  - R (Secretary Crowfoot): Our primary goal is to rebuild the trust and confidence of the public with the dam's infrastructure—both for public safety and to rebuild the community. Thank you for doing your part to hold us accountable.

- C: There are many rumors regarding the current viability of the spillway, including that it is broken with leakage occurring. What is the true condition of the spillway? Is it ready to be used?
  - R (Secretary Crowfoot): We will have a chance to unpack that question in coming meetings, but we can address your immediate concern directly here.
  - R (Ted Craddock, DWR): In 2017 and 2018, I served as a project manager for rebuilding the spillway. The rebuilt spillway is likely the best in the nation and world, built to the highest modern standards; DWR invested heavily to construct the most robust structure possible. Rumors of seepage are inaccurate as the entire drainage system has been camera-inspected and is fully operational.
- C: I am worried about the leakage from the radial gates.
  - R (Ted Craddock): There are eight radial gates. When they close, material can become lodged in between them, which can create leakage. This is a common issue for such facilities and is not an immediate safety concern, although it is being discussed as part of the Comprehensive Needs Assessment.
  - R (Director Nemeth): Thank you for your questions. DWR is working on how we can better communicate with the community. This includes making information available but also providing ways to make sense of that information. As part of the CNA, we have developed monitoring systems and are figuring out how to best share that information and at what intervals. We want to share information on how the dam may operate in a variety of conditions and thereby, to build the community's ability to parse out the most important information. We understand building trust is paramount to this process.
  - R (Secretary Crowfoot): We should also explain what DWR's plan is to engage in community conversations. We understand that we need to be as forthright as possible.
- C: I am worried about the worst case situation, such as a powerhouse fire or spillway collapse. How long is this dam supposed to last? What if the dam fails and 27 million people lose their water?
  - R (Director Nemeth): DWR's new partnership with the Sheriff's office is a critical outcome of the 2017 spillway incident; it was clear there was previously not enough connection with local public safety officials. Also since the incident, legislation has mandated that dam safety plans consider what to do in the event of failures of appurtenances (e.g., spillways) rather than only considering outcomes of a full dam failure.
- C: I would like to better understand how the costs and benefits regarding lake level are considered in operational decisions. Why would the lake level be raised when we know the dam is not functioning properly? Has consideration been given to the commission having control of the lake level?
  - R (Secretary Crowfoot): The Commission does not have control over the lake level, but we can help to give the public clear understanding of why DWR is making choices about the spilling or retention of water.
  - C: This past spring, water levels were raised when the water was already high. There are points of vulnerability within the dam complex that have not been addressed. I am worried that the water supply is given the highest priority in operational decision-making.

- R (Ted Craddock): The lake and overall water operations are operated according to the US Army Corps of Engineers' (USACE) water control manual. There must be enough space in the reservoir to capture flood flows: 20 percent of the reservoir's storage capacity is reserved for flood storage in winter months. During construction, DWR adhered to even more conservative storage guidelines.
- C: I saw a video explaining that a 50-foot leeway is required when the dam is full, but I have not observed this spatial buffer.
  - R (Ted Craddock): After the spillway incident, the interim operations plan called for more flood space in the reservoir. Although the CNA has looked at potentially changing reservoir management needs, the current rules have not changed to allow us to store more water.
  - R (Secretary Crowfoot): In-person outreach will be critical to helping the public parse the truth from the abundance of misleading or confusing information online.
- C: I understand that Folsom reservoir is operated under more modern operations rules than Oroville's operations manual. Could we have Folsom management come here to discuss how they operate?
  - R (Director Nemeth): USACE must be our partner to update their operations manual. The most powerful aspect of the commission is for us to be able to speak with one voice and recommend that USACE prioritize that update.
  - R (Secretary Crowfoot): We should ask USACE to present before this Commission.
- C: I would like to speak on behalf of the children of this community. I work with the Feather River Nature Center and UC Master Gardeners and am helping with the restoration work at the top of the spillway. We should do something similar along the river given how much vegetation was lost to high flows. Our children deserve to have a place of beauty and nature but are often restricted from the river due to safety concerns.
  - R (Secretary Crowfoot): What are the restoration activities happening downstream?
  - R (Ted Craddock): We are putting together a restoration work plan for the spillway area. There is a suite of river restoration projects that will be instituted when the license is issued.
  - R (Secretary Crowfoot): We should discuss restoration as well as recreation in future meetings.
  - R (Assemblyman Gallagher): Additionally, there is five million dollars allocated to perform sediment management, but we know we need to do more.
- C: The dam and the activities here have had a tremendous economic impact on the community. Is there a forum where we will have the opportunity to ask for equity reimbursement for the damage and costs the dam has incurred on the community? The state owes us recompense.
  - R (Secretary Crowfoot): That is an appropriate discussion topic. There has been litigation on the impacts and compensation that we cannot get in the middle of, but we would like to understand how the state is appropriately helping to rebuild.
- C: DWR always postpones addressing our concerns until after their license is issued. The community has been neglected and deserves care.
  - R (Secretary Crowfoot): The ability to operate the infrastructure is based upon federal permission via the license. We understand there is a lot of interest in getting the license, and we need to understand how long that will take.

#### CLOSING COMMENTS

Assemblyman Gallagher voiced his appreciation for the proactive conversation and observed that the Commission is off to a promising start. Senator Nielsen thanked the other Commission members for the productive meeting and CNRA for their willingness to engage directly with the public. Secretary Crowfoot reminded attendees that the next meeting will be held on November 20, and that a vetted summary of this meeting will be posted on the Commission page of the CNRA website.

The meeting adjourned at 12:00 p.m.