

Meeting Summary
OCAC Follow Up
April 10, 2024
Noon –2:00 p.m.
Virtual

Participants

- Butte County Supervisor Bill Connelly
- Commissioner Robert Bateman
- Matt Mentink, community member
- David Sarkisian, DWR
- David Rennie, DWR
- David Gordon, DWR
- Annie Wagner, DWR
- Eva Spiegel, Kearns & West

Meeting Purpose

To address the following action item from Meeting 16: Schedule a small group meeting before Meeting 17 with DWR, Commissioner Robert Bateman, and Matt Mentink to dive more deeply into how risk is being assessed, including:

- Reviewing Meeting 16 presentations 1 and 2.
- Discussing the ways in which likelihood was determined in the Risk Matrix.
- Studies and how they are funded.
- Budget for Division of Safety of Dams and where they interact in the decision making.

Action Items

- David Gordon will follow up after the internal DWR meeting to discuss flood related questions to schedule a meeting with Supervisor Connelly, Commissioner Bateman and Matt Mentink.
- Supervisor Connelly, Commissioner Bateman and Matt Mentink will cc David Gordon on their email to USACE with follow up questions.
- Commissioner Bateman and Mr. Mentink will cc Mr. Gordon on any follow up questions to USACE.

Summary

Introduction

David Gordon facilitated the meeting and reiterated that it was scheduled so that the group could discuss remaining questions and clarifications from the Oroville Dam Citizens

Advisory Commission Meeting 16, held March 1, 2024. He noted that Laura Hollander is the new DWR Deputy Director, and she is being briefed on the Commission. Mr. Gordon said the US Army Corps of Engineers (USACE) can answer questions related to the Water Control Manual Update.

Matt Mentink stated that he and Supervisor Bateman view their responsibility as a voice of the public related to dam safety. They want to “introduce break the box thinking” with the organizations/agencies responsible for risk management and the infrastructure.

USACE Water Control Manual Update

Commissioner Robert Bateman said that they have asked USACE for a meeting regarding the Water Control Manual Update and that the USACE has requested DWR’s participation. He noted that he is not sure of the scope of the meeting.

Mr. Gordon said that DWR will have key staff attend the USACE meeting and emphasized that it is USACE’s meeting because that agency is responsible for the Water Control Manual Update process.

Mr. Bateman stated that their concern is safety and that he wonders who else is representing safety issues with the Water Control Manual Update process. He requested that the Director of Floods (Flood Management) investigate this further.

Mr. Mentink said they are very focused on the Update and want to make sure that both infrastructure and human decision-making issues are addressed.

Division of Safety of Dams

The Division of Dam Safety (DSOD) will give a presentation to the Commission at Meeting 17 on August 2.

David Sarkisian, Manager of Dam Safety Services within DWR/SWP’s Division of Operations and Maintenance (O&M), (and the Program Manager for the SWP Dam Safety Program) explained that O&M and DSOD are both under DWR. DSOD operates as a regulator and thus it regulates dams in the State Water Project (SWP) just like other jurisdictional dams in California. O&M operates as an owner and operates and maintains SWP dams. Under the California Water Code, DWR is required to have a five-year review board, which evaluates the safety of SWP dams. The Boards (known as the Director’s Safety Review Boards) produce reports for each dam. Five-year review boards also occur through the Federal Energy Regulatory Commission’s Part 12D Safety Inspection process.

There are different funding mechanisms for SWP and DSOD. Annual fees fund DSOD, via invoices sent to dam owners. There is also an application process and associated fees for

alterations to dams; however, DSOD should explain their funding and budget which would likely be at the next meeting.

Mr. Mentink said that after the last OCAC meeting, he talked to a DSOD staff and that they did not discuss much in depth. He expressed concerns that DSOD human resource challenges create lack of expertise.

Mr. Sarkisian said that there has been significant change and improvement to the SWP Dam Safety Program in the last seven years. Safety is the highest priority for the SWP. The OCAC has a role in this process and progress.

Mr. Mentink acknowledged the progress but said some areas still need caution and public spotlight via OCAC and that he seeks to provide the same to FERC and USACE.

Flood Protection

Mr. Bateman asked for the name and title of the person responsible for safety and reassurance that safety has equal consideration to water contractors.

Mr. Sarkisian emphasized that dam safety is a shared effort and responsibility. He relies on his own staff, O&M staff at Oroville Field Division, staff at DWR headquarters, and consultants in this process. He said that the SWP Dam Safety Program and DWR are focused on succession planning to ensure that when people retire, the next generation can carry forward this emphasis on dam safety and continuous improvement. He cautioned that in today's economy, people jump around professionally, and institutional knowledge loss can occur.

Mr. Gordon explained that if they can demonstrate that more staff are needed to address a safety concern, resources will be directed accordingly. Annie Wagner noted that Mr. Sarkisian's Dam Safety Services Office has doubled in size since 2017.

Mr. Sarkisian said that the risk workshops required by FERC identify top risks and build a body of work that shows future needs and helps make the case for more resources to take on more projects. Answering Mr. Mentink's question on how much is outsourced, Mr. Sarkisian said that in the SWP Dam Safety Program, consultants comprise about 20–25%. The consultants bring specialized expertise, help with peaks in workload, and contribute to the culture. Consultants are heavily involved with meeting FERC's new engineering guidelines covering the Part 12 process and the Level 2 Risk Analysis Process.

Mr. Bateman raised the Comprehensive Needs Assessment (CNA) and that he gets suspicious when people say it was "scientific".

Mr. Sarkisian said that the SWP Dam Safety Program is relying on risk estimates/results from the Level 2 Risk Analysis, which Congress mandated, and FERC was involved in.

FERC has reviewed the Level 2 Risk Analysis report. He said that the CNA and Level 2 Risk Analysis produced similar estimates in some areas, but different estimates in others. The next step for the top risks is Level 4, which will provide quantitative analysis. DWR is planning for Level 4 quantitative risk analyses for some Oroville-related risks. Proposals will be sent to FERC to request the Level 4 quantitative risk analysis as they will have to approve and participate. This would occur in 2026 or beyond.

Annie Wagner explained that FERC will require DWR to go through a Level 4 quantitative risk analysis and to do this entails completing multiple studies and analysis that take multiple years to complete. DWR is working on and planning for those studies now too.

Mr. Mentink asked if a study in 2027 would be complete in time for the required Part 12 inspection due in 2029. Mr. Sarkisian said that they are currently wrapping up a five-year Part 12 safety inspection (Periodic Inspection for Oroville Dam) and that in 2029, another Level 2 Risk Analysis will be conducted from scratch for that Part 12 Comprehensive Assessment.

Mr. Bateman said they are still waiting for an evaluation of the emergency spillway and want to know if it would have been used in 1996 or 1997 if rains had continued.

Mr. Sarkisian said that the enhanced flood control pool is in place and will likely stay in place until questions about the emergency spillway performance/erodibility are answered and/or the new Water Control Manual is released.

Supervisor Connelly emphasized how important the flood pool is to the local community. He cautioned a Pineapple Express storm could result in too much water in the flood pool and that this would be more catastrophic than what happened in 1997. He said that science and radar are key to understanding storms. Supervisor Connelly also raised concerns about water delivery being more important than safety. He asked some questions about the Governor's budget proposal.

Mr. Rennie said that the Oroville Pump Back project is a unique one for SWP. The Governor allocated that money from the General Fund to do non safety enhancement work at Oroville with the exception that it would provide broader benefits to the power grid.

Mr. Gordon said that DWR prioritizes safety projects and that when a need is identified, they direct resources accordingly. He also explained that the State Water Contractors do not influence what projects DWR selects.