

Oroville Spillways Community Meetings Oroville, California on May 2, 2017, 5:30 pm Meeting Summary

This meeting in Oroville was the second of a series of community meetings convened by the California Department of Water Resources (DWR) in April and May 2017, with the objective of providing the following:

- Opportunities in multiple locations for members of the public to learn about the response and recovery effort
- Opportunities for members of the public to communicate directly with DWR staff about questions and perspectives
- Information on ways to provide additional feedback to DWR.

This document summarizes the presentation to the Oroville community on the Oroville spillways response, recovery, and other community topics. It also captures public comments and clarifying questions and DWR staff responses. It is not intended to serve as a detailed transcript of the meeting.¹

This document is organized into the following main sections:

1. Introduction
2. Presentation
3. Questions and Comments
4. Action Items

A full video of the meeting is available online at <https://youtu.be/DUY3dccNYm8>.

Introduction

Mike Harty, Facilitator, opened the meeting, reviewed the agenda, and provided meeting guidelines. Chief Deputy Director Cindy Messer introduced a panel of DWR staff and invited California State Senator Jim Nielsen and Assemblyman James Gallagher to make brief remarks.

California State Senator Jim Nielsen made brief remarks, noting that the Senate is holding hearings on the Oroville Emergency Response topic and that he is working to get answers and resolution to issues. Senator Nielsen assured participants that errors made in the past will not be repeated and emphasized the importance of the entire flood management system beyond the dam.

Assemblyman Gallagher provided brief remarks, noting that his family was evacuated as well. He added that he is working to communicate community concerns to DWR and the Governor, working to make sure public safety issues are addressed, and thanked DWR for holding the community sessions. Ms. Messer then introduced Christy Jones to deliver the presentation, and closed by saying that DWR is sorry for the impacts of the spillways incident and subsequent evacuation on the affected communities.

Christy Jones, DWR Deputy Director for Statewide Emergency Preparedness and Security, delivered a brief presentation and indicated that work related to the emergency response has now shifted to long-

¹ Where appropriate DWR has added a "NOTE" that reflects subsequent investigation to ensure factual accuracy.

term recovery efforts. Through the public information sessions, DWR is committed to responding to stakeholder comments and questions ensuring the spillway flow capacity of 270,000 cfs, with additional flows over an improved emergency spillway possible by November 1, 2017. The intent is to safely pass all flows through the gated main spillway. Deputy Director Jones noted that DWR continues to monitor and manage snowmelt and expects to close the spillway in early May and then reopen it for a short period of time before construction begins on the spillway. Before introducing California elected representatives and a representative from the Sheriff's office, the Director reemphasized DWR's interest in engaging with meeting participants and its commitment to listening and addressing comments and questions from all participants.

California State Assembly member James Gallagher shared that his family was among those evacuated, as were numerous meeting participants. Assemblyman Gallagher noted DWR staff's commitment to an open dialogue with him and their responsiveness to convening public meetings and releasing the Board of Consultants reports.

Lt. James Bell of the Oroville Sheriff's office represented Sherriff Kory Honea in expressing the Sheriff's commitment to collaborating with DWR staff to ensure public safety.

Presentation

Deputy Director Jones delivered a brief presentation on the Oroville Emergency Response and Recovery process and the current status of operations. The Deputy Director emphasized that the dam itself was not impacted by the event. She reviewed the structure of the spillways and the timeline over which the primary spillway failed in early and mid-February. The Deputy Director noted the unprecedented meteorological conditions that required the controlled but rapid release of water from the reservoir onto the damaged spillway. She reviewed the proposed approach to restoration and mitigation which focuses first on repairing the upper chute of the spillway, and then addressing the lower chute and the emergency spillway, which DWR is not planning to use again, but which it will still repair to ensure erosion prevention.

Public Comment and Question Session:

Following the brief presentation, DWR staff reserved time for a lengthy public question and comment session, during which participants had the opportunity to express many of their concerns and clarify pressing questions regarding the spillways response and recovery effort. During this session, DWR staff addressed 37 questions and comments from meeting participants. The following comments, questions and responses were recorded (Q= question, R= response, C= comment) during the meeting.

- Question (**Q**): Why did DWR leave us in such a hurry and not tell us? I am disabled and where I live is around the corner from a hospital. Why should I believe DWR will fix the spillway with sound infrastructure by November?
 - Oroville Sheriff's Response (**R**): The evacuation was a matter of immediacy; the Sheriff's office received the information and had to take action quickly.
 - DWR Response (**R**): DWR will complete the reconstruction of the spillways by November 1, 2017 using the best technology, standards, and information available.

- **C:** It was noted that DWR wants to regain the community's trust. I suggest DWR stop making false claims. The key issue to our safety while the spillway is being rebuilt is lake level management.
- **Q:** Will DWR commit to reducing the lake level to half full and to manage the level through next spring so that water does not reach the spillway gates?
 - **R:** DWR cannot make that commitment right now. DWR is actively conducting daily management of lake levels, including monitoring weather forecasts and snowmelt. In order for to DWR fulfill its commitment to repairing the spillway, there will need to be a large construction window, which will be balanced with the safety of lake levels. DWR intends to open the gates once more before closing them for the summer to allow for as large a construction window as possible.
- **C:** As a local fisherman, I am concerned about the health of the ponds in the area that have been filled with debris that could have been placed elsewhere. Will DWR replace the fish that died? The road adjacent to Burma Road runs through an archeological area. DWR had said they reviewed that area for archeological significance, which I know is untrue.
 - **R:** Debris removal was an emergency situation and the ponds were the only nearby location large enough for the debris that needed to be removed. DWR intends to remove this debris in order to restore and enhance habitats. Regarding the archeological sites, DWR has been cautious about its activities and met with local tribes soon after the spillway incident. DWR has been consulting with tribal representatives to minimize impacts on sensitive cultural sites.
- **C:** DWR needs do a better job with maintenance on all systems at the Hyatt Power Plant.
- **C:** In December 2015, a Federal Energy Regulatory Commission (FERC) report noted that the dam has differential settling. The green spot on the face of the dam shows there is a breach on the surface or internally. Those two factors raised a red flag for FERC. These issues need to be addressed.
 - **R:** The green spot does not pose a risk to the integrity of the dam, and has been there on a seasonal basis since the dam's construction. This does not indicate a dam safety issue. Differential settling is normal.
- **C:** DWR's claims about transparency are interesting given all the roads and trails that have been blocked off. It is insulting to residents to claim that DWR went through what we did. DWR is lying to us despite claiming it wants our trust.
- **C:** Who is paying for response and recovery of the dam? Why was dam built originally?
 - **R:** Payments will be dictated by the Burns-Porter Act, which laid out the funding sources for management and regulation of the state's water use. As such, funding for response and recovery will come from local water agencies, possibly through the selling of bonds. Additionally, given the spillway incident was an emergency, the Federal Emergency Management Agency could also potentially provide funding. The dam was built to serve multiple purposes. These include flood protection for downstream communities as well as serving as a source for recreation and a supply for water and power.
- **C:** I am here to thank DWR for its support and for saving this community. This spillway incident is not DWR's fault; it was caused by how it was constructed.

- **C:** Local fisheries need to be restored immediately, including the restoration of spawning gravel and riparian habitats. Local commercial fishermen and farmers need to be compensated for losses incurred through the spillway incident.
 - **R:** Full releases of fish were made on the Feather River this year. DWR will talk to other agencies about releasing more fish. DWR is in regular contact with numerous state and federal agencies about environmental impacts of event. The water level will need to go down before sedimentation and gravel levels can be addressed.
- **C:** The economic burden of the dam is supposed to come with benefits that have not been fulfilled. DWR needs to look at the original license to ensure it is meeting commitments. This could take the form of offering apprenticeship trainings.
- **Q:** The Feather River's riparian ecosystem and buffer zones, which filters water content, provides habitats, and slows down river flows, has been destroyed. Furthermore, erosion will continue and water temperatures will increase. What plans does DWR have to do restore riparian ecosystems?
 - **R:** While DWR cannot commit to specifics, it will have a suite of projects in the DWR Oroville project area to address these issues. We will meet our flow and temperature requirements this year regardless of the spillways incident, and will work with our state and federal partners to address restoration issues based on
- **Q:** Who is the Forensic Team?
 - **R:** The Forensic Team is developing a report that will explain the cause of the event. Their report is expected by fall 2017. NOTE: Additional information about the Forensics Team can be found here: <http://bit.ly/2s1Rd6Y>.
- **Q:** Will a viewing platform be built in order for residents to watch and track construction?
 - DWR is working with the community on this. A platform will be built and DWR is looking for locations.
- **Q:** How can DWR fix the spillway when the earth is giving way?
 - **R:** The earth around the spillway not actively eroding, which makes it the perfect construction site.
- **Q:** What is roller compacted concrete (RCC)?
 - **R:** RCC is similar in its constituency to other structural concrete, but it is faster to construct and more economical than traditional concrete.
- **C:** I was born and raised here and witnessed the birth of the dam. I wanted to compliment DWR on its efforts in handling the spillway incident. The dam protected downtown; I cannot imagine what would have happened if the dam was not there. I am a fisherman and understand the spillway comes first. The amount of work and material that was moved out of the diversion pool is amazing. I appreciate DWR's work so far and hope its efforts for transparency with this community continue.
- **Q:** Will Oroville have the license to run the power plant? Will residents be able to launch boats from spillway ramp?
 - **R:** DWR is in Washington, DC right now working on the FERC license issue. There are currently only two commissioners; a third must be appointed to form a quorum. While the spillway boat ramp will not be available this year or next, other boat ramps are open and DWR is looking at expanding parking in those areas. DWR is working with the Oroville Recreation Advisory Committee as well on this issue.

- **Q:** When will River Bend Park reopen?
 - **R:** That is not a DWR park. It is operated by the Feather River Parks and Recreation Department, and is locally insured. Their website has updates on the restoration process.
- **Q:** I represent 49 lot owners on Oman Drive, a private road, which overlooks the dam. Can we get a guard posted on our road to alleviate people driving up and gawking at the construction? When will Oroville Dam East open? Who can I contact at DWR for repair of our private road that has been damaged? Given there is a new sewer pipe that will be connected to our sewer lines, what will effect be on us?
 - **R:** DWR will look into security issue. The Road Task Force will look into making repairs on Oman Road. DWR is looking into the impacts of construction traffic. Once these are confirmed, DWR will discuss with the Sheriff's office to mitigate any impacts. DWR will need to get back to you on the sewer line.
- **Q:** The evacuation displaced nearly 200,000 people at a cost of approximately \$500 per person. Who will reimburse these people and when will this reimbursement be distributed?
 - **R:** DWR does not have answer right now.
- **Q:** Why was the lake allowed to get to flood stage? Why not release sooner?
 - **R:** Releases were made via the Hyatt Power Plant as well as the spillway beginning in January. DWR will continue to analyze and monitor the lake's level for safety while it is kept high enough for recreation and to obtain a critical power pool. Releases will occur again before construction begins.
- **Q:** Upper dams are not built to hold spring runoff. How is DWR managing this?
 - **R:** Those dams are not flood control facilities.
- **Q:** Tourists pay a lot of money for the use of long horse trails, now there are only short trails. What plans are there for making continuous trails from Loafer Creek to the Lakeland Parking Area and when will they be open?
 - **R:** DWR is currently working on developing continuous trails and working with the Parks Department to do so. When these trails open will depend on traffic and construction zones for spillway recovery. DWR will also look into building new trails as needed.
- **Q:** I live 200 ft from the diversion pool. Who can I talk to about what aspects of the settlement agreement DWR is complying with, specifically the shooting range that is nearby?
 - **R:** The shooting range is operated by State Parks, DWR does not manage it under its recreation plan.
- **Q:** What action will DWR take to remove the stigma that surrounds Oroville as a result of the spillway incident and DWR's behavior afterwards?
 - **R:** DWR is aware of how it is being perceived publicly. DWR continues to communicate that public safety is of paramount concern to DWR.
- **C:** The Oroville Wildlife Area is 10 miles downstream from the dam and is covered in dredged materials and aggregate. DWR should consider sourcing aggregate needed for reconstruction from this area. Doing so will improve channel capacity and habitats, reduce construction costs, improve safety, and stimulate the local economy.
 - **R:** The source of materials is up to the selected construction company.
- **Q:** Given a lot of residents do not drive, what are they supposed to do if there's another emergency? How are you informing the public of these protocols?

- **R:** The Butte County Sheriff's office has established several public assembly points where they can pick up residents. Maps of these areas are on their website and available at local libraries.
- **Q:** What campgrounds will be open this summer?
 - **R:** All campgrounds are currently open.
- **Q:** How are erosion issues for local and downstream farmers being addressed?
 - **R:** Eroding banks are a natural phenomenon and can be good for farmers and the environment.
- **C:** I am a local fisherman and am concerned about sedimentation of rivers and repairs to riparian corridors.
 - **R:** While the California Department of Fish and Wildlife (CDFW) has done a full assessment, it is still too early to determine riparian impacts. DWR will follow up with CDFW and assess sedimentation.
- **Q:** Will all snow melt will be managed through the power plant when the spillway is closed for construction?
 - **R:** DWR has estimates of snow levels and when the melt will be reaching the dam. The power plant is running efficiently and all its valves will be able handle the melt while the spillway is closed for construction.
- **C:** I have seen no evidence that DWR wants this community to grow. Why should we trust DWR? Everything is behind done closed doors. I do not have an idea on construction efforts because I am turned away every time I go up there.
 - **R:** While DWR got off to rocky start with communications, it is committed to doing a better job moving forward and will release as much information as possible. DWR's hope is to build trust by meeting commitments and improving communications and transparency. DWR is working with the city and county to provide viewing platforms.
- **C:** DWR needs to pay for printing and distributing informational materials at libraries and other public places. No EIR was completed for filling ponds with debris. How much money is set aside for riparian repairs? Oroville residents should have free access to all parks. I have heard DWR is going to do blasting during construction.
 - **R:** DWR is working on a process for having printed materials in areas of high public use. Ponds were used for storing debris due to restrictions of other sites considered. They will be restored during the broader restoration process. DWR is working with its federal partners to assess and restore riparian areas. DWR is working with the Parks Department to waive fees for residents. "Blasting" is necessary in order to excavate rock and is a typical aspect of dam construction processes. DWR will need to conduct controlled blasting during construction, which we have permits from the Sheriff to do.
- **C:** The majority of surface streets in Oroville are not designed to highway standards and will be damaged by heavy equipment and the hauling of materials. DWR's plans for accessing the spillway area is a joke. Heavy equipment and other construction materials will need to be brought in by trucks and the only way up there is infeasible for trucks. My suggestion is to come off of the shoe fly from the railroad grade, build a structure similar to the Bailey Bridge, and use the old railroad area for a marshalling area. Heavy machinery should be brought in by rail. I brought this up to the Board of Supervisors, who agreed with me. The Thermalito power plant

has been down since 2012 yet has capacity to power a city the size of San Francisco. Unit 1 in Oroville is going to be down for another two years.

- **R:** DWR is conducting preventive maintenance on Unit 1 with the intention of having it back online in January 2018. DWR will take your railroad idea into consideration with the Roads Task Force.
- **Q:** Can DWR open valves and operate the power plant at same time?
 - **R:** Yes, DWR can open valves and operate the power plant simultaneously.
- **Q:** The level of trust of the community has for DWR is still a major concern. The communications effort will be very important to improve trust and transparency. DWR will need to inform this community about local employment opportunities during construction which will be a massive effort. Having Oroville residents involved in the construction effort would bode well for DWR's public relations. Can DWR make information handouts available of the contractors working on the construction project?
 - **R:** Yes, DWR will make the list of contractors available. There are also openings with DWR for public information officer positions based in Oroville.
- **C:** DWR's drones have not been as active as they were previously but they are the best option for residents to know what is going on regarding construction.
 - **R:** DWR has and will continue to collect video. DWR's website has links to live video of construction operations at the spillway.

Closing

Deputy Director Jones closed the meeting by thanking everyone for attending and commenting that DWR will address the evening's information requests.

Action Items

Following are action items or next steps for DWR, which came from the meeting:

1. DWR to look into traffic, security, and potential sewer line issues for residents along Oman Road.
2. DWR to investigate and provide information about whether those displaced by evacuation can expect financial reimbursement. *NOTE: This response incorporates additional information identified by DWR to ensure factual accuracy.*
3. DWR to discuss bringing in heavy machinery via rail with Roads Task Force.
4. DWR to follow-up with CDFW on the loss of fish resulting from the February incident.
5. DWR to publicly post/release list of contractors
6. DWR to publicly post/release information on spillway (both main and emergency) capacity.
7. DWR to further research the issues of sediment and gravel level on fish habitats and riparian corridors.
8. DWR to further research opening additional parking areas at open boat ramps.
9. DWR to continue to work with Parks Department to (re)establish horse trails.
10. DWR to continue to work with city and county officials to develop construction viewing platforms for the public.