



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

April 25, 2017

SUBJECT: Authorize Mayor to Sign Coalition Letter Regarding Oroville Dam Crisis on Behalf of the City Council

PREPARED BY: Greg Greeson, City Manager

Recommendation

Staff recommends Council Authorize Mayor to Sign Coalition Letter Regarding Oroville Dam Crisis on Behalf of the City Council.

Background/Discussion

In the aftermath of the February 12, 2017 evacuation of 180,000 people from Butte, Sutter, and Yuba counties, local jurisdiction have been working to update emergency plans and provide additional information to the public. During last month's community forum, many of the questions asked by residents were about actions taken by DWR at Lake Oroville.

In an effort to consolidate the various questions from the community and concerns from local governing bodies, Assemblyman James Gallagher has developed a coalition letter directed at the California Department of Water Resources. The letter points to the vulnerability of communities downstream from the Oroville Dam and outlines eight areas of particular concern. The letter requests responses to each of the listed concerns. The following entities have approved participation in the coalition letter:

- Butte County Board Supervisors
- Sutter County Board of Supervisors
- Sutter Yuba Association of Realtors
- Yuba-Sutter Chamber of Commerce
- Butte County Farm Bureau
- Oroville Chamber of Commerce
- Gridley Chamber of Commerce
- Rideout
- Sutter County Board of Supervisors
- Marysville City Council
- City of Yuba City
- Yuba County

Attachment

1. Coalition Letter



City of Wheatland

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April 25, 2017

The Honorable Edmund G. Brown Jr.
Governor of California State Capitol
First Floor Sacramento, CA 95814

John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Dear Governor Brown & Secretary Laird:

We are a coalition of community groups, local governments and agencies, businesses, labor, and individuals who have been affected by the recent Oroville Dam crisis.

The State, in partnership with local agencies, has greatly improved public safety downstream of Oroville Dam through the investment of hundreds of millions of dollars in levee repairs and other flood management measures--this investment has proven to be effective and timely in light of recent high water events. Oroville Dam itself plays a critical role in metering flood flow on the Feather River. However, while we are cognizant and appreciative of the many flood control benefits of Oroville Dam, we are greatly concerned by the physical constraints and operational decisions that have negatively impacted our downstream communities.

Oroville was built with the anticipation of Marysville Dam providing an additional flood control buffer that was never realized. In the last fifty years, atmospheric rivers occurring when there is a large snowpack have fueled large inflows into the dam requiring large discharges from the spillway. Climate change has made this worse. Levee failures, flood fights, emergency evacuations and loss of life and property during high water events in 1986, 1997 and 2017 have all been borne by our residents who live and work immediately downstream of Oroville Dam. This latest ongoing incident dramatically highlights the fact that those who suffer the greatest consequences from dam malfunction or failure have little or no say in the construction, operation or maintenance of that structure.

Oroville spillway conditions negatively affect our communities downstream, communities that are composed of low-income, minority and economically depressed constituencies. In the City of Oroville for example, 24% of the population lives in poverty. Just downstream in Marysville, the poverty rate is nearly 29%. The benefits of the Oroville Dam project are significant throughout the state, providing water to 24 million people in California. But the extreme danger and burden of flood water is shouldered by our disadvantaged communities alone. We view this as a social, economic and environmental justice issue that must be addressed.

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Accordingly we have the following requests and questions:

1. This emergency has demonstrated that the Oroville Dam lacks the operational flexibility and reliability to provide adequate flood protection to communities downstream. It is not clear how DWR is adapting both the dam itself and/or reservoir operations to accommodate these deficiencies. We believe options need to be explored to provide for large releases well in advance of high water events and well below the service spillway crest elevation. Or, overall flood protection could be improved by providing additional flood buffer when there is a large snowpack and the potential for warm storms.
2. DWR's outreach to the downstream communities directly impacted has been inadequate at best. Our best sources of information have been informal and indirect sources rather than through official DWR channels. DWR must immediately shift its thinking in how, when, and to whom it shares information. There is already a strong community distrust of DWR due to this event. A lack of communication and transparency only makes it worse. DWR could do much more to improve trust and credibility with the community by providing greater transparency and providing formal, consistent communication with the downstream communities.
3. Design and construction of the necessary repairs to the dam and related infrastructure must be paramount and other considerations must be secondary. The number one priority must be to protect the lives of 200,000 people living immediately downstream. To be abundantly clear: fisheries protection, water supply issues, State Water Contractor priorities, FEMA reimbursement, politics and other issues must take a distant backseat to public safety. We urge DWR to publicly acknowledge this priority.
4. The overall infrastructure of the dam is old and, in the case of the spillways, river valves and turbines, failing. There must be a longer term plan for ensuring that Oroville Dam and all appurtenant features are repaired and brought up to 21st century standards. This plan should include not only the gated spillway and the emergency spillway, but also ensuring the plant facilities and low level release valves are adequate and fully operational. All construction plans should be reviewed by independent experts to ensure that this infrastructure is well planned, soundly built and supported. This modernization should be paid by the owners of the project, which we understand to be the State Water Contractors.
5. There must be a full and thorough review of how the Department of Water Resources designed, constructed, operated and maintained the dam. This review should include not only the existing, independent consulting board review and regulatory review, but also legislative oversight hearings and reviews by the State Auditor. Full disclosure and transparency of these proceedings and documents is essential.
6. There must be a public discussion as to how Oroville Dam should be operated in the future and who should operate it. Without prejudging the conversation, some of the questions are as follows:
 - a. Should DWR continue to be the operator of Oroville Dam? There are other alternatives and they should be analyzed and discussed.
 - b. Should the Division of Dam Safety remain under the Department of Water Resources or should it become an independent body or moved to another agency to avoid perceived conflicts? Many of the most important technical regulators in the State serve under a publicly accountable board—DSOD should be no different.
 - c. Are the current inspections, maintenance, repair, and replacement activities associated with the infrastructure at the dam sufficient to provide for public safety?

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- d. How can we ensure more local input on Dam operations?
 - e. Should there be a more robust public safety obligation on the part of DWR to provide for law enforcement and emergency response at the Oroville Dam and Reservoir? As of now this obligation is largely shouldered by Butte County which has limited resources. FERC and DWR need to treat Butte County fairly for all the services provided to Lake Oroville facilities.
 - f. Should the operations at Oroville Dam be modified to provide for increased flood space during seasons in which there is a large snowpack?
 - g. How has DWR's coordinated reservoir operations and predictive forecasted reservoir operations benefitted our communities? How could these tools be better utilized? Forecasting during this crisis has been significantly inaccurate.
7. Improving Flood Protection Downstream:
- a. There are several constrictions of the Feather River downstream that could be improved to better contain flood flows from the spillway. A cost-benefit study should be conducted to analyze projects that might alleviate these constrictions.
 - b. There are also several critical repair sites along the Feather River levee system that should be improved in order to better contain future flood flows from the spillway, including but not limited to sites in District 10, south of Yuba City, and south of Nicolaus. These were the sites of significant seepage during the recent crisis.
 - c. We have also seen large-scale erosion of the river banks as a result of quick draw downs of the spillway in the aftermath of the crisis. This erosion could ultimately threaten levees and, combined with the debris from the spillway collapse, has contributed to significant debris in the river channel. The debris impact to the carrying capacity of downstream levees must be analyzed/measured and removal/mitigation measures must be taken to protect property, lives, and the ecology and fish habitat of the Feather River.
8. As a result of the crisis and evacuation, there were business and property losses, lost wages, and damages to public and private property. These damages are harder to take for communities that are already struggling and families that are already living paycheck to paycheck. Emergency relief dollars may provide some compensation for these losses but it will not be complete. We would like to see some discussion as to how these gaps can be covered to help make our communities whole.

The undersigned jurisdictions and organizations would appreciate a response to each of the concerns and questions outlined above. Additionally, we formally request that our coalition be briefed and consulted as conditions change, recovery plans are being crafted and other critical short and long-term issues are being discussed. **As an initial matter we would like to have a briefing from the technical staff (not PR staff) tasked with design and construction of spillways fixes that are scheduled to be completed before November 1st.**

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While we are resolute in pursuing our demands, we appreciate that DWR faces tremendous challenges, and we stand ready to collaborate with DWR to successfully complete necessary construction before next flood season.

We look forward to an ongoing discussion with you.

Rick West, Mayor
City of Wheatland