

Comment for OCAC 2nd Triennial Report
(February 25th 2026)
Unaddressed Concerns and Future Priorities

1. Important future priorities for the Commission

- Advising the DWR and the USACE that the revised Water Control Manual (WCM) should be aimed at achieving 500-year protection which up-to-date science including the FIRO studies suggest that can also result in an increase in water storage over 10 years.
- Providing the Commission with more information about how risk is assessed by the DWR including comparison with other Dams and best industry practice.
- Taking further steps towards having OCAC meeting agendas developed in consultation with downstream Commissioners and involved citizens and having presenters address questions that are submitted either at meetings or afterwards.

2. WCM Update

- Volunteers and Commission members have spent hundreds of hours working to understand the reservoir operations and the role of the WCM. Continuing working with the USACE and the DWR on the completion of the WCM revisions is the top priority for the next year. We have submitted questions over the last 18 months to the USACE and received answers. At the same time there have been a series of meetings with DWR representatives. These interchange of ideas are important for the development of trust in the DWR.
- The FIRO studies explored alternatives for operating the Oroville reservoir. Based on the information we have received it is now possible for the reservoir to be scientifically managed for the provision of 500-year flood protection while increasing the volume of water stored. We had been given the impression that both the USACE and the DWR staff accepted the merit of this approach. But, the USACE presentation at their public meeting on February 4th did not include this alternative.
- 500-year protection will depend on the level of the reservoir to be lowered to 813 ft when an extreme storm is forecast, which is unlikely to be more often than every 15 to 20 years. In the interest of the downstream communities, and that includes Sacramento, if this practice cannot be included in the WCM regulations, it should be adopted by the DWR. Not only would this satisfy any duty of care but also as long as the operation of the reservoir is driven by scientific forecasts both

in refilling the reservoir and in low rainfall years rather than the legally derived flood pool, more water will be stored for summer delivery. The OCAC should advise the DWR that 500-year protection should be sought unless there are compelling reasons why not.

- If the reservoir is operated to achieve 500-year protection, the risk of inundation and evacuations will be greatly reduced and will be caused only by exceptional events such as earthquakes or the failure of an upstream dam.

3. Risk

Flood and inundation risk is the main concern for the downstream communities and managing this risk should be the top priority of the management of the DWR. The two papers which were submitted for the first Triennial report, and were included in the Appendix, made several recommendations about risk; specifically the fundamental causes of risk and the way it is being handled. While David Sakisian has provided good update about safety projects, understanding, analyzing and mitigating known and unknown risks, as discussed in the presentation to the OCAC given by Dr, Rune Storesund four years ago, have largely been ignored.

Unaddressed concerns include:

- The assessment of risk used by the DWR is based on the CNA study which was a subjective assessment by DWR personnel and not based on independent studies. DWR's risk management and investigation is largely in reaction to FERC's mandatory Part 12 inspections by independent subject matter experts (SME). Their findings and recommendations are often quite different from those of DWR's staff as seen in the 2012 and 2018 Part 12/L2RA. To resolve these recent differences of priorities, FERC has simply asked that all studies recommended by the independent SME be completed.

As dams, including Oroville, are exceeding the life expectancy of many infrastructure components, FERC part 12 inspections have moved to once in every 10 years, thus relying on dam owners' due diligence in doing proper self-inspection. Despite improvements in the Oroville Dam safety program, it has not matured to level of design assumption audits or life cycle analysis.

A presentation on how the DWR deals with the assessment of risk in comparison with other similar dams and best industry practices would be appropriate.

- The Oroville dams does not comply with current standards with respect to emptying the reservoir in case of emergency, the ability to handle a standard

project flood and maybe other aspects. There are no firm plans to address these concerns. These failures tend to be overlooked in the DWR publicity and by management. DWR publicity and management tend to assert that safety of the Dam is satisfactory and as good or better than other Dams whereas the DOSD ranks Oroville in a low category for safety. An independent report on how Oroville measures up against other Dams in terms of risk to safety should be included in a future meeting.

- Neither the extent to which recommendations in the Independent Forensic Teams 2018 report nor those in the State Auditors Report have been addressed in an OCAC meeting. They should be.
- The OCAC has not been fully informed about the risks of downstream levy failure when releases from the Dam reach or exceed 150,000 cfs. A presentation of this supported by independent studies is needed.
- The original financing of the Dam led to the State Water Contractors (SWC) having significant influence on maintaining and renovating the Dam. In effect, they have responsibility without accountability while the DWR personnel cannot be held accountable for decisions they do not control. The ambiguity and lack of transparency about the relationship between the DWR and the SWC leads to poor governance and public misunderstandings. This relationship, the specific responsibilities of the SWC and role of the SWC in budget, maintenance, capital expenditure and reservoir operations should be explained at an OCAC meeting.
- The maintenance of the Oroville Levee and how it should be paid for should remain on the agenda for future OCAC meetings. The cost being the responsibility of the City of Oroville rather than the State Water Project (SWP) or the DWR, the agencies which benefit most from its reliability, should be justified.

4. Management of the OCAC

- The agendas of recent meetings have started to reflect the topics of concern to downstream communities and Commissioners. But presentations have tended to ignore the questions that were submitted in advance. The practice of establishing working groups to follow up on presentations should be continued more broadly.
- The 3-minute limit on public comment should not be applied to members of associated committees such as the CNA Ad Hoc Committee and ORAC that are referenced in the Commission Charter.

- The action report does not get systematically reviewed. This is as much the fault of Commissioners as the OCAC management. Consideration should be given to establishing a sub committee of 2 or 3 Commissioners to review the Action Report before and after each meeting.
- An important role for the Commission is to advise the DWR and represent the interests of the river communities. The Commissioners who are employed by government agencies have not shown much enthusiasm for engaging with the DWR. The Commission is not generally a high priority for the representatives who are elected County Supervisors or City Councilors. Concerned volunteers provide most of the information and analysis for the development of advice and comments. Consideration should be given to providing Commissioners and associated concerned citizens with some direct support, perhaps from a member of the Kearns and West staff.
- Comments from concerned citizens and Commissioners such as these should be included in the body of the report not in an Appendix.

5. Future Priorities

The above comments include recommendations for priorities for future meetings. Other priorities should be considered only after the WCM process is concluded. These include:

- Recreation: Use the influence of the OCAC to create a more functional structure for the provision of recreation. This includes:
 - i) Considering what role the OCAC can play in advising the DWR on recreation, particularly if FERC withdraws as is specified in the Alternative Licensing Process (ALP) Relicensing.
 - ii) Including recreation maintenance, expenditure and budgets in the items reviewed at OCAC meetings.
 - iii) Considering the priority of safety in recreation decisions from the point of view of facility owners.
 - iv) Reviewing the extent to which agreed recreation facilities and projects are implemented.
- Relicensing: There should be presentations at an OCAC meeting covering the conflicting views of the appropriateness of the ALP License that was sent to FERC in 2007 without the agreement of the County and other stakeholders and without the normal independent studies associated with the issue of a 50-year license. It

should be noted that the ALP has not been used anywhere other than Oroville. The OCAC may be in a position to advise on what needs to be done to reach terms for relicensing that are appropriate, effective and broadly seen as fair. This should end the antagonism that has clouded relationships and adversely affected economical development and recreation in the past.

The Feather River recovery Alliance is a public service charitable organization formed by Oroville Businesses after the Spillway Incident and the evacuations in 2017. It was instrumental in submitting a petition 'Hold the DWR Responsible' to FERC signed by 6,500 local residents. It continues to support the adoption of measures aimed at mitigating the risk from the Dam and eliminating the recurrence of the uncontrolled releases and disastrous floods such as those in 1986, 1997 and 2017. We seek regulations, maintenance and renovation based on today's science not historic rights. We believe that, if the Dam is going to be an overall benefit to the local communities, trust in the DWR must be established.

Supporters and contributors to this paper are:

FRRA Directors:

Dick Thompson, Chairman

Erik Johanson, Treasurer, formally President of Oroville Economic Development Corp.

Robert Bateman, Secretary and OCAC Commissioner

Bill Connelly, Butte County Supervisor and OCAC Commissioner

Tod Kimellshue, Butte County Supervisor and OCAC Commissioner

David Pittman, Mayor of the City of Oroville and OCAC Commissioner

Kevin Zeitler, Chairman of ORAC

*Angie Mannel, Emergency Manager, Butte County,
and other allies of the FRRA*