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April 19th, 2017

Bill Croyle, Acting Director
California Department of Water Resources
1416 9th Street
Sacramento, CA 95814

Dear Director Croyle:

The February 7th failure of the Oroville spillway and consequent utilization of the emergency spillway resulted in the evacuation of almost 200,000 people and millions in infrastructure damage to the facilities at Oroville, levees downstream, and public roads. We are committed to working with you and other stakeholders to study the cause of the damage at Oroville and to ensure such a failure does not happen again.

We understand that the situation at Oroville is still highly dynamic. However, it is important that we provide oversight and understand all the factors that led to this incident. In our oversight function, we ask that the Department provide responses to the following inquiries with supporting documentation.

Spillway Inspections

- How often were the Oroville spillways (main and emergency) inspected, and what is done during a typical inspection?
- Who performed inspections on the main spillway and emergency spillway and what were the dates of these inspections? Did any inspections reveal weaknesses or instability in the concrete of the spillway? Please provide copies of all available inspection reports.
- What is the geology beneath the main spillway? Was geological testing done at any point prior to construction of the main spillway and emergency spillway? What did that testing reveal, and was anything done to address geotechnical issues prior to construction?
- After construction, has there been further testing of the geology below the emergency and main spillways? If so, what did this testing reveal and what was done to address any geotechnical issues after construction?
- How extensive were any repairs to the main spillway? What were the most recent repairs to the spillway and how much did those repairs cost?
- Several reports state that inspections in 2014, 2015, and 2016 found seepage on the face of the dam in addition to cracking around the gates of the main spillway. What was done to address

issues found in these reports? Please provide copies of these inspection reports and any follow-up reports.

Maintenance and Operation

- Over the last ten years how much revenue has the department collected annually from the State Water Contractors for operation and maintenance of the State Water Project. Please provide an annual funding breakdown for the SWP by contractor.
- It is our understanding that the State Water Contractors are responsible for the maintenance and operation costs of the State Water Project. In 2012, DWR Director Mark Cowin commented that DWR did not have adequate resources to operate and maintain aging SWP infrastructure. How does DWR determine how much revenue is necessary for operations and maintenance? If more revenue is required, what is the process for increasing charges to the State Water Contractors?
- What is the average annual expense for maintenance and operation of the Oroville Dam? Please provide a breakdown of how these maintenance and operation funds are spent at Oroville Dam.
- Prior to its failure, what was the expected life of the main spillway?

Spillway Failure and Response

- Photos of the spillway taken on January 13th and January 27th appear to show discoloration and possible damage to the main spillway at the spot where the spillway started collapsing. Was this damage observed by DWR before February 7th, and what was done to address this issue?
- How much water was flowing through the main spillway at the time of failure? What is the spillway's maximum flow?
- DWR stopped all releases after the damage was discovered on February 7th and eventually started releasing reduced flows. These releases were not enough to keep lake levels below the emergency spillway, and on February 11th water overtopped the emergency spillway. On February 10th DWR had predicted the emergency spillway would likely not have to be used. What led to the decision not to operate the spillway earlier and at higher capacities? Why was DWR unable to predict that the emergency spillway would have to be used? Would an emergency fix have been possible while releases were stopped?
- Please provide a timeline of operation and water releases of the gated spillway from February 7th – February 15th. Please provide an explanation for any changes in flow.
- When/what time was the critical erosion of the emergency spillway first noticed? Whom was this reported to? When were local agencies notified of a potential danger?
- What are the Department's protocols for an emergency situation like the one at Oroville?
- The Federal Energy Regulatory Commission (FERC) has asked that the Department create an Independent Board of Consultants (BOC) and a separate independent team to investigate the cause of the main spillway failure and to determine if such failure could occur again. Please provide copies of the Department's communication with FERC regarding this request. What is the timeline for the BOC's review and the forensic analysis?


Repairs and Future Operation

- With a large snowpack and the potential for more storms, how does the Department propose to manage flows this coming year before the spillway can be repaired? What restrictions does the Department face with respect to flood management and what is the maximum level the Department may lower lake levels to make room for spring runoff?

- What kind of communication structure is in place to inform local officials and the public about dam operations?
- To date, what repairs have been done to secure the emergency spillway? What is the cost of these repairs? How confident is the Department that the emergency spillway would remain stable in the event of another overflow?
- We understand the Department may receive cost recovery from FEMA. To the extent that this funding doesn't cover repair costs, does the Department anticipate that the State Water Contractors will pay for the emergency repair work as well as the repair to the main spillway?
- Is there a timeline and/or cost estimate for reparation of the spillway? Will the spillway have to be relocated?
- What active steps is the Department taking to ensure the safety of downstream residents and the operational integrity of Oroville Dam/spillway? What is being done to prevent this type of dam crisis in the future?
- Will there be a review and inspection of other critical State Water Project Infrastructure? Are there other state operated dams/reservoirs that could be similarly vulnerable to what happened at Oroville?

Thank you for your attention to this request. We understand the Department is still evaluating many aspects of this situation and may not be able to provide comprehensive answers for each item, in which case we would request the Department give a timeframe for providing a response. We request an initial response by May 5th so that we may review materials prior to any legislative oversight hearings on these matters. Please contact my office at (916)-319-2003 if you have any questions regarding this request.

Sincerely,



Eduardo Garcia
Chair, Assembly Water, Parks & Wildlife



James Gallagher
Vice-Chair, Assembly Water, Parks & Wildlife

cc: Assemblymember Susan Eggman, Chair, Assembly Accountability and Administrative Review Committee
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