



Briefing on Division of Safety of Dams Regulations

Background

In the wake of the Lake Oroville spillway incident of February 2017, Governor Brown announced a four-point plan to bolster dam safety and flood protection, including expedited Proposition 1 flood funding, a redirection of prior-year deferred maintenance funding to emergency response actions, seeking increased federal funding to improve dam safety, and changes to state law that would bolster dam safety planning and inspections. Those provisions include:

- 1) Requiring the Department of Water Resources (DWR) to classify dams based on risk;
- 2) Requiring dam owners to prepare emergency action plans by January 1st of 2018, 2019, or 2021, based on the risk designation made by DWR;
- 3) Requiring dam owners to provide inundation maps associated with the unique failure scenarios of the dam and critical appurtenant structures; and
- 4) Explicitly enhancing the DWR's enforcement authority to include civil penalties and property liens in addition to levying restrictions on reservoir levels to ensure safe operation.

Senate Bill (SB) 92, passed in June 2017, implemented the dam safety provisions. SB 92 made changes to several sections of the Water Code for inundation maps and Emergency Action Plans (EAPs) (§6160-6162), annual fees (§6307), and new enforcement (§6428-6432). Altogether, the various provisions strengthened dam safety and established new requirements, including improved coordination between the Department and the California Office of Emergency Services (CalOES).

SB 92 also included a one-time loan to DWR of \$6.5 million from the General Fund for increased activities associated with these new provisions of law. The loan is to be repaid through increased dam safety fees.

New Requirements for Dam Safety

Prior to SB 92, EAPs were not required and DWR's Division of Safety of Dams (DSOD) did not regulate inundation maps, but encouraged dam owners to prepare for emergencies. A dam inundation map delineates the area that would be flooded by a hypothetical dam breach or failure. It includes downstream effects and shows the probable path of water released due to the failure of a dam or from abnormal flood flows released through a dam's spillway and/or other appurtenant structures.

SB 92 requires DSOD to re-classify jurisdictional dams as extremely high, high, significant or low risk, and to require inundation maps and EAPs for all jurisdictional dams, except low hazard dams. Inundation

maps and EAPs are now required for approximately 1,000 dams. The dam owner will create the inundation map and submit it to DSOD for review and approval of the map. The approved maps will then be posted publicly on DWR's website.

CalOES will coordinate emergency response drills with dam owners and local emergency management agencies. The dam owner will be required to update the EAP regularly in accordance with federal guidelines and update the inundation maps every ten years or sooner if there is a change in dam status or change in downstream risk.

DSOD staff previously briefed the Commission on DWR's dam safety program, new requirements for dam safety, and proposed regulations for inundation maps, annual fees, and new enforcement at the Commission's February 21, 2018 meeting.

At this meeting, Sharon Tapia, Chief of the DSOD, will provide an overview of the contents of the inundation map and annual fee regulations and provide an update on the timeline and progress for completing each regulation. This is an informational item.

Contact

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