RESOLUTION NO. 2020-03

A RESOLUTION OF THE YUBA COUNTY WATER AGENCY BOARD OF DIRECTORS
ESTABLISHING DAM SAFETY PHILOSOPHY AND ADOPTING AN OWNERS DAM SAFETY PROGRAM

BE IT RESOLVED by the Board of Directors of Yuba County Water Agency as follows:

1. Findings. The Board finds and determines as follows:

a. The Agency owns and operates New Bullards Bar Dam, Log Cabin Dam, and Our House Dam as part of its Yuba River Development Project, which is regulated by the Federal Energy Regulatory Commission (FERC) and the California Division of Safety of Dams (DSOD). In addition, the Agency owns and operates Lake Francis Dam, which is only regulated by DSOD. FERC has and continues to designate New Bullards Bar Dam, Our House Dam, and Log Cabin Dam as high hazard potential dams, while DSOD updated Lake Francis Dam’s hazard potential to significant. Beginning in 2012, FERC requires dam owners to prepare, adopt and implement an Owners Dam Safety Program in accordance with the FERC regulations.

b. The Board recognizes that dam safety is appropriately the first and foremost responsibility of the Agency as a dam owner and that the Agency is the first line of defense against dam failures and safety incidents. The Agency acknowledges and accepts its responsibility to safely operate and manage its dams. The Agency desires to continuously improve its dam safety efforts toward a more robust and focused dam safety program in order to safeguard public safety, the environment, and the Agency’s hydroelectric and flood control facilities.

c. The Power System Manager has directed the preparation of an Owner’s Dam Safety Program (ODSP) in accordance with the FERC regulations, standards and requirements.

2. Agency Dam Safety Philosophy. The Board establishes the following dam safety principles:

a. Because of the hazards associated with the Agency’s ownership and management of New Bullards Bar Dam, Our House Dam, Log Cabin Dam, and Lake Francis Dam, dam safety must be and is the highest priority of the Agency. The Agency Board directs that all Agency officers, employees, and contractors must make safety their highest priority in their work and services for the Agency and implement all reasonable steps to ensure that the dams are safely operated and maintained.

b. The Board commits to provide the resources and funding necessary to ensure dam safety. In preparing annual budgets, the General Manager is directed to ensure, in consultation with the Power System Manager, that there is full and adequate funding and staffing for dam safety related programs, maintenance, improvements, and other expenditures.

c. Open communication with respect to the Agency’s dam safety program is encouraged. Dam safety related information (including lessons learned, potential problems, or concerns) should be appropriately shared internally and externally, consistent with applicable laws. Communication of a
potential safety problem or concern with a dam facility or with project operations is especially encouraged and supported at all levels of the Agency. The Agency will support, and the Board will not tolerate retaliation against, any person who communicates a potential safety problem or concern.

3. Program Adoption and Implementation.
   a. The Board adopts the ODSP in the form as presented at this meeting. The Board authorizes the General Manager or his or her designee to periodically update and make minor revisions to the ODSP. The adoption and full implementation of the Program is intended to maintain safe dams and prevent dam failures.

   b. This resolution supersedes Resolution 2012-13.

   c. The Agency Power System Manager is primarily responsible for the implementation of the Program. The Power System Manager is directed to:
      • submit a copy of the approved Program to FERC,
      • communicate and implement the Program throughout the Agency
      • monitor and ensure that all Agency dam-related officers, employees, and contractors are familiar, trained, and fully compliant with the Program,
      • annually review the Program to assure that it reflects the Agency’s current staffing and organizational structure and incorporates any lessons learned, new information, changes in dam safety practices, and any audit findings, and recommended changes as may be appropriate, and
      • report to the General Manager regarding any appropriate Program changes, modifications, funding, or resource needs to fully implement the Program.

   d. The General Manager is directed to:
      • closely oversee the Power System Manager’s implementation of the Program,
      • ensure that the Program is fully and properly implemented throughout the Agency and its operations, and
      • report to the Board of Directors regarding any appropriate Program changes, modifications, funding, or resource needs to fully implement the Program.

PASSED AND ADOPTED by the Board of Directors of the Yuba County Water Agency on the 4th day of February, 2020 by the following vote:

AYES: Fletcher, Hastey, Bradford, Leahy, Lofton, Mathews, Vasquez
NOES: None