

**DEPARTMENT OF WATER RESOURCES**

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March 24, 2017

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, Northeast  
Washington, D.C. 20426

Dear Secretary Bose:

The Department of Water Resources (DWR) is in receipt of National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) letters dated February 24 and 28, 2017 sent to the Federal Energy Regulatory Commission (FERC) regarding the Oroville Spillway incident. These letters were in regard to NMFS' concerns about potential effects of operations at the Oroville facilities, associated with the Oroville Dam spillway emergency, on fishery resources in the Feather River. While we continue our emergency and recovery to protect public safety, DWR appreciates the technical recommendations that were included in the February 24 letter on ways to minimize potential harm from changes in Feather River flows, dredging operations, and other emergency activities at Oroville Dam. We believe those considerations were already reflected in the coordination and planning efforts that took place immediately following damage to the spillway resulting under the multiagency Unified Command structure. We appreciate NMFS's participation in that effort. DWR also appreciates NMFS' acknowledgement of these efforts in its February 28 follow-up letter to FERC.

While this letter is focused on actions related to the river and fisheries, DWR underscores it must continue to emphasize public health and safety as a main focus going forward. Our expectation is that other state and federal agencies who may have missions primarily focused on natural resources and fisheries understand and acknowledge the need to have prioritized health and safety back in February and now going forward. The correspondence from NMFS to FERC did not affect DWR's ability to focus on health and safety or the ongoing collaboration between our agencies.

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In this very dynamic situation, DWR is taking all measures, to the maximum extent possible, to protect surrounding downstream communities, emergency responders at Oroville Dam, levee systems, downstream Feather River fisheries, and the millions of Californians who depend upon Lake Oroville for flood control and water supply. DWR will continue to act in close partnership with multiple agencies in a unified command structure to help minimize damage to the environment as we manage Lake Oroville inflows with damaged spillways this winter and spring. As those emergency operations continue, and as the multiagency emergency recovery team determines the best way to repair or replace spillways for next winter, we request the direct, ongoing participation of the NMFS in the Oroville Spillway Unified Command. Participation is critical to assist DWR's continuing its effort to mitigate the impact of this emergency on Feather River fisheries.

Please feel free to contact me at (916) 653-7007 if you have any questions or comments.

Sincerely,



William A. Croyle  
Acting Director

cc: (See attached list.)

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