

FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
Division of Dam Safety and Inspections
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February 20, 2020

In reply refer to:
Project No. 5737

VIA USPS First-Class Mail

Mr. Christopher Hakes
Deputy Operating Officer
Dam Safety and Capital Delivery Division
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

Re: Interim Risk Reduction Measures - Dam Safety Directives

Dear Mr. Hakes:

We have received your January 28, 2020 submittal, and other recent submittals, regarding interim risk reduction measures for the Anderson Dam Seismic Retrofit Project. In that letter, you state that continuing to follow the current 592-foot reservoir restriction provides the best balance between earthquake protection, water supply, and environmental protection.¹ Specifically, you state that continuing to operate the reservoir at this elevation protects downstream areas in the event of an earthquake and/or significant precipitation, maintains existing emergency water supplies in the event of a system outage or drought, avoids the risk of landslides that are possible when the reservoir is lowered further, and maintains water for downstream environmental protection including protection for steelhead, a federally-listed endangered species.

As clearly outlined in our January 14, 2020 letter, we do not concur that the current reservoir restriction appropriately balances the competing issues at this project. It is unacceptable to maintain the reservoir at an elevation higher than necessary when it can be reduced, thereby decreasing the risk to public safety and the large population

¹ All elevations in this letter refer to North American Vertical Datum of 1988.

downstream of Anderson Dam. Until full remediation is completed, the dam safety risk at this project is unacceptably high. Your actions to date do not demonstrate an appropriate sense of urgency regarding the interim conditions at the project.

Based on the continuing risk to the public, I am directing you to maintain the reservoir no higher than elevation 565 feet effective immediately. You indicated in our February 12, 2020, telephone discussion that this elevation provides approximately 32,000 acre-feet of storage, which should help maintain about 20,000 acre-feet of storage for emergency water supply purposes through the end of summer. You must take all appropriate measures to maintain and quickly lower the reservoir to elevation 565 feet if the reservoir rises in the event of significant inflow.

Further, since our primary concern is the winter rainy season, which begins in November, I am directing you to begin further lowering of the reservoir to elevation 488 feet (deadpool) no later than October 1, 2020. Once begun, you must lower it safely to elevation 488 as quickly as you can. Again, you must take all appropriate measures to maintain and quickly lower the reservoir to deadpool in the event of significant inflow once the elevation is reached. In 2013, the Board of Consultants identified potential reservoir rim instability as a potential issue during a construction drawdown. As part of the process to prepare for the full drawdown, you must assess and address this potential now.

The above directives and schedule prioritize the downstream protection of residents and property by decreasing the potential risk this winter with an additional restriction of the reservoir and next winter with a full drawdown of the reservoir to deadpool, while giving you until October to secure alternative emergency water supplies and work with Commission staff and federal, state, and local resource agencies to minimize environmental impacts.

In your January 28 letter, you recommend designing and constructing the proposed low-level outlet as soon as possible. We agree that this structure would be an appropriate risk reduction measure by allowing you to more reliably and quickly draw down the reservoir after an earthquake and/or during significant precipitation. Therefore, you should begin working on the design for this effort immediately. Final authorization for construction will be provided by the Commission's San Francisco Regional Engineer once final plans and specifications for these works have been completed, reviewed by the Board of Consultants and Commission staff, and found to be acceptable. Within 30 days from the date of this letter, provide a plan and schedule to the Regional Engineer for preliminary and final designs and for an overall construction schedule.

Combined, the above dam safety directives and initiation of efforts to design and construct the proposed low-level outlet works will provide increased interim protection for residents and property downstream while still providing time to secure alternative

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water supplies and minimize environmental effects. In the meantime, you should continue to work with all haste to design and secure the necessary permits and complete the design for the larger Anderson Dam Seismic Retrofit Project.

Commission staff will contact you, as well as federal, state, and local resource agencies, shortly to discuss how best to comply with federal statutes and regulations, including, but not limited to, the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act, and Clean Water Act, in light of the above dam safety directives.

Thank you for your attention to this letter. If you have any questions, please contact me at (202) 502-6314 or Mr. Frank L Blackett at (415) 369-3318.

Sincerely,

David E. Capka, P.E.
Director
Division of Dam Safety and Inspections

cc:

Ms. Sharon Tapia, Chief
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