



SUPPLEMENTAL BENEFITS FUND

STEERING COMMITTEE

REGULAR QUARTERLY MEETING

Oroville City Hall – Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

JULY 26, 2023

2:00 PM

AGENDA

*This meeting may be broadcast remotely via audio and/or video conference at the following addresses:
Cole & Huber, LLP, 2261 Lava Ridge Court, Roseville, CA 95661, (916) 223-3434 Recordings - All meetings are
recorded and broadcast live on cityoforoville.org and YouTube.*

PUBLIC ACCESS AND PARTICIPATION

To view the meeting or provide comment, please see the options below. All comments emailed will be provided to the Council Members for their consideration.

To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYl85UBfYqT7IbQ/>
2. Join the by Zoom Meeting
<https://zoom.us/j/98955919326?pwd=VTdwMHY0R0JCRjM4NWgzVJlDkjaUT09>
Meeting ID: 989 5591 9326 Passcode: 419394
3. Join by telephone (audio only): Telephone: 1-669-900-6833
Meeting ID: 989 5591 9326 Passcode: 419394

To Provide Comment to the Council:

1. Email before the meeting by 12:00 PM your comments to publiccomment@cityoforoville.org
2. Attend in Person

If you would like to address the Committee at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, please submit the form prior to the conclusion of the staff presentation for that item. The Committee has established time limitations of three (3) minutes per speaker on all items. **(California Government Code §54954.3(b)). Pursuant to Government Code Section 54954.2, the Committee is prohibited from taking action except for a brief response from the Committee or staff to statements or questions relating to a non-agenda item.**

CALL TO ORDER

ROLL CALL

Committee Members (voting): David Pittman (Chairperson), City of Oroville; Krysi Riggs, City of Oroville; Shannon DeLong (Vice Chair), FRRPD; Tracy Johnstone, City of Oroville, Sonny Brandt, FRRPD,

Advisory Members (non-voting): Committee Members Eric See, Adnrew Baumbauer (alternate) - DWR; Jonathan Young - SWC, Steve Rothert, Dave Steindorf (alternate) - American Rivers; Mark Grover, Claudia Knaus (alternate) - Chamber of Commerce; Aaron Wright – California State Parks

PLEDGE OF ALLEGIANCE

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time to address the Committee about any item not listed on the agenda. If you wish to address the Committee on an item listed on the agenda, please follow the directions listed above.

STEERING COMMITTEE ADVISORY MEMBERS AND STAFF COMMENTS

- **DEPARTMENT OF WATER RESOURCES ADVISOR REPORT** (Eric See)
- **STATE WATER CONTRACTORS' ADVISOR REPORT** (Jonathan Young)
- **CALIFORNIA DEPARTMENT OF STATE PARKS REPORT** (Aaron Wright)
- **OROVILLE AREA CHAMBER OF COMMERCE REPORT** (Mark Grover)
- **AMERICAN RIVERS REPORT** (Dave Steindorf)
- **SBF PROGRAM SPECIALIST WRITTEN REPORT** (Bob Marciniak)

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES

The SBF Steering Committee may approve the minutes of April 26, 2023.

RECOMMENDATION

Approve the minutes of April 26, 2023

2. QUARTERLY FINANCIAL UPDATE

The Committee will receive a year to date financial update.

RECOMMENDATION

Informational only, accept the information.

PRESENTATIONS / UPDATES

3. Basics of the Settlement Agreement and Appendix B - Bob Marciniak

REGULAR BUSINESS

4. REQUEST FROM THE OROVILLE DOWNTOWN BUSINESS ASSOCIATION TO EXTEND SBF GRANT A-3373

The Oroville Downtown Business Association has requested that SBF grant A-3373 be extended to December 2023 to allow the ODBA to complete items previously approved in the original grant that was issued April 28, 2021, and matured on July 1, 2023.

RECOMMENDATION

Approve ODBA extension request to December 29, 2023, or (2) Deny the extension request, or (3) Provide direction to staff.

CORRESPONDENCE

1. SBF Letter to FERC
2. Email from Eric See regarding DWR Oroville completed projects.
3. Letter from SWC to FERC dated June 23,2023

SBF CHAIRPERSON CALL FOR AGENDA ITEMS

The SBF Chairperson will request agenda items from the Steering Committee, SBF Advisors, and SBF Staff for the October 25, 2023 Regular Quarterly Meeting.

ADJOURNMENT

The meeting will be adjourned. The next regular quarterly meeting of the Supplemental Benefits Fund Steering Committee will be held on Wednesday, October 25, 2023 at 2:00 p.m.

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.



SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE REGULAR QUARTERLY MEETING

Oroville City Hall – Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**APRIL 26, 2023
MINUTES**

This agenda was posted on January 20, 2023. This meeting was recorded and may be viewed at cityoforoville.org or on YouTube.

CALL TO ORDER – The meeting was called to order by Chairperson Pittman at 2:00

PLEDGE OF ALLEGIANCE – Led by Chairperson Pittman

ROLL CALL

PRESENT: Committee Members (voting): Sonny Brandt, FRRPD, David Pittman, City of Oroville; Shannon DeLong, FRRPD; Krysi Riggs, City of Oroville; Tracy Johnstone, City of Oroville

ABSENT: Committee Members: none

PRESENT: Advisory Members (non-voting): Eric See - DWR; Mark Grover – Oroville Area Chamber of Commerce, Jonathan Young –SWC & Aaron Wright, California State Parks

ABSENT: Dave Steindorf - American Rivers

STAFF: Consultant Bob Marciniak, Assistant City Clerk, Jackie Glover

OTHERS: Victoria Anton, Acting General Manager FRRPD

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES

The SBF Steering Committee may approve the minutes of January 25, 2023

RECOMMENDATION

Approve the minutes of January 25, 2023

2. QUARTERLY FINANCIAL UPDATE

The prior quarterly and year to date revenues and expenditures is provided for informational purposes. All financial records of the SBF are maintained by the Finance Department of the City of Oroville, SBF Fund Administrator.

RECOMMENDATION

Accept the information.

Hearing no discussion a motion was made by Sonny Brandt and seconded by Krysi Riggs to approve the Consent Calendar. The motion passed.

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time to address the Committee about any item not listed on the agenda. If you wish to address the Committee on an item listed on the agenda, please follow the directions listed above.

There were no speakers.

REGULAR BUSINESS

1. SELECTION OF A PARKS & TRAILS AD HOC COMMITTEE

The Chairperson will select one representative from FRRPD and the City of Oroville SBF voting members.

RECOMMENDATION

Establish the ad hoc committee and appoint the members.

Chairperson Pittman appointed Sonny Brandt (FRRPD) and Krysi Riggs (City of Oroville) to the ad hoc committee and asked Consultant Bob Marciniak to facilitate the meetings. A summary report of any Parks & Trails ad hoc committee meetings will be provided at each quarterly meeting of the SBF. After discussion it was determined that this committee was not necessary as it does not fall under any of the guidelines of the SBF and will not meet. It was discussed that the idea of following on all parks and trails should possibly be a function of the Oroville Recreation Advisory Committee (ORAC) or its successor.

2. DRAFT LETTERS TO SBF SUPPORTING AGENCIES

The Committee will receive information regarding draft letters to the SBF supporting agencies.

RECOMMENDATION

This is an informational item. Discuss letter content and provide direction to staff.

After discussion staff was directed not to mail the letters but instead prepare a letter to FERC asking for consideration to approve the Oroville Project No. 2100 long term pending license which when approved will allow funds to flow to the SBF for projects and administration.

STEERING COMMITTEE ADVISORY MEMBERS AND STAFF COMMENTS

- **DEPARTMENT OF WATER RESOURCES ADVISOR REPORT** (Eric See)
- **STATE WATER CONTRACTORS' ADVISOR REPORT** (Jonathan Young)
- **OROVILLE AREA CHAMBER OF COMMERCE** (Mark Grover)
- **CALIFORNIA DEPARTMENT OF STATE PARKS** (Aaron Wright)
- **AMERICAN RIVERS** (Dave Steindorf)
- **SBF PROGRAM SPECIALIST WRITTEN REPORT** (Bob Marciniak)

After the reports were presented, committee member, Kristi Riggs asked that these reports be presented after the Consent Calendar to allow for discussion prior to the Regular Business of the agenda.

SBF CHAIRPERSON CALL FOR AGENDA ITEMS .

Mr. Marciniak was directed to prepare a presentation for the SBF Steering Committee about the Settlement Agreement and Appendix B.

ADJOURNMENT

Chairperson Pittman adjourned the meeting at 3:24 p.m. The next Regular Meeting of the Supplemental Benefits fund Committee will be on, Wednesday, July 26, 2023 at 2:00pm in the Council Chambers of Oroville City Hall.

APPROVED:

ATTESTED:

Chairperson David Pittman

Assistant City Clerk Jackie Glover

Supplemental Benefits Fund (SBF)
Budget to Actual Expense Analysis 2022-2023

Account Title	Budget	YTD Actual	Budget Variance
Advertising	500	255	245
Office Supplies	2,000	199	1,801
Other Supplies	3,000	-	3,000
Grants	690,400	248,663	441,737
Outside Services	9,600	9,600	-
Interfund Transfers	5,000	5,000	-
Totals:	710,500	263,717	446,783

**Supplemental Benefits Fund (SBF)
Revenues and Expenditures
Fiscal Year 2022-2023**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Revenues													
DWR Stimnt Proceeds							2,500		135,000	2,906			-
Interest			2,188										142,594
Total Reven.	\$ -	\$ -	\$ 2,188	\$ -	\$ -	\$ -	\$ 2,500	\$ -	\$ 135,000	\$ 2,906	\$ -	\$ -	142,594
Expenses													
Office Supplies	16	19	5	12	3	3	69	36	33	1	5		199
Grants			18,031	147,258	7,078	75,000			560		736		248,663
Advertising							255						255
Outside services	800		1,600	800	800	800	-	1600	800	800	800	800	9,600
Cost Allocation						2,500						2,500	5,000
Total Expenses	\$ 816	\$ 19	\$ 19,636	\$ 148,070	\$ 7,878	\$ 78,303	\$ 324	\$ 1,636	\$ 1,393	\$ 801	\$ 1,541	\$ 3,300	263,717

SBF Steering Committee Class 101

Presented by Bob Marciniak on July 26, 2023





BASICS OF A COMPLICATED AGREEMENT ...

SETTLEMENT AGREEMENT
FOR LICENSING OF THE OROVILLE FACILITIES
FERC PROJECT No. 2100



The original license ...

- On February 11, 1957, the Department of Water Resources (DWR) was issued a 50-year license to construct and operate the Oroville facilities (P-2100).
- The original license expired on January 31, 2007 and P-2100 is currently operating under an annual license that automatically renews each year until a new license is issued.

Many meetings & studies ...

- During relicensing, a diverse group of agencies and stakeholders scoped issues, designed a \$27 million suite of studies, reviewed reports, proposed measures, and discussed potential solutions for project impacts. Using relevant information from this effort, DWR filed an Application for New License with supporting environmental documentation on January 26, 2005.



Signing of the Settlement Agreement

- On March 26, 2006, DWR and an overwhelming majority of stakeholders successfully concluded negotiations and signed a Settlement Agreement that has been estimated to provide approximately \$1 billion in environmental, recreational, cultural, and other benefits over a proposed 50-year new license term.



The Stakeholders ... in alphabetical order

- Alameda County Flood Control
- Alameda County Water District
- American Rivers
- American Whitewater
- Antelope Valley-East Kern Water District
- Berry Creek Citizens Association
- California Department of Boating & Waterways
- California Department of Fish & Game



The Stakeholders ... in alphabetical order

- California Department of Parks & Recreation
- California Department of Water Resources
- California State Horseman's Association
- California State Horsemen's Region II
- Castaic Lake Water Agency
- Central Coast Water Authority
- Chico Paddleheads
- Citizens for Fair & Equitable Recreation



The Stakeholders .. in alphabetical order

- City of Oroville
- Coachella Valley Water District
- County of Kings
- Crestline-Lake Arrowhead Water Agency
- Desert Water Agency
- Empire West Side Irrigation District
- Feather River Low Flow Alliance
- Feather River Recreation & Parks District



The Stakeholders ... in alphabetical order

- International Mountain Bicycling Association
- Kern County Water Agency
- Kon Kow Valley Band of Maidu
- Lake Oroville Bicyclist Organization
- Littlerock Creek Irrigation District
- Metropolitan Water District of Southern California
- Mojave Water Agency
- Napa County Flood Control & Water Consv. District



The Stakeholders ... in alphabetical order

- National Marine Fisheries Service
- Oak Flat Water District
- Oroville Area Chamber of Commerce
- Oroville Downtown Business Association
- Oroville Economic Development Corporation
- Oroville Parks Commission
- Oroville Recreation Advisory Committee
- Oroville Redevelopment Agency



The Stakeholders .. in alphabetical order

- Oroville Rotary Club
- Palmdale Water District
- San Bernardino Valley Municipal Water District
- San Gabriel Valley Municipal Water District
- San Geronimo Pass Water Agency
- Santa Clara Valley Water District
- Solano County Water Agency
- State Water Contractors, Inc.



The Stakeholders ... in alphabetical order

- Town of Paradise
- Tularn Lake Basin Water Supply District
- United States Department of the Interior
- Plus two individual signers
 - Arthur G. Baggett, Jr.
 - DC Jones
- Butte County participated in the various meetings & negotiations but withdrew prior to signing the SA



More key dates of the SA

- February 1, 2007 - FERC issued notice authorizing continued project operations.
- May 18, 2007 - FERC issued the Final Environmental Impact Statement with recommended alternatives accepting most of the Settlement Agreement proposals.
- April 9, 2007 - U.S. Fish and Wildlife Service issued the Terrestrial Biological Opinion.
- November 20, 2007 - Effective date for DWR and PG&E Habitat Expansion Agreement.
- May 2007 - DWR issued Final EIR
- December 15, 2010 - State Water Resources Control Board (SWRCB) issued the Water Quality Certification pursuant to Section 401 of the Clean Water Act.
- December 5, 2016 - National Marine Fisheries Service issued the aquatic Biological Opinion for anadromous fish.





Key points of the Settlement Agreement (SA)

- Signed March 26, 2006
- Signed by over 50 municipalities, agencies & individuals
- The SA was for the purpose of resolving all issues that have or could have been raised by the parties in connection with FERC's order issuing a New Project License





Table of Contents of the Settlement Agreement

(8 specific sections with 42 pages)

- Section 1: Introduction
- Section 2: Purpose of the Settlement Agreement
- Section 3: Compliance with Legal Responsibilities and Reservations of Rights
- Section 4: Settlement Agreement Commitments and Implementation
- Section 5: Dispute Resolution
- Section 6: Withdrawal from the Settlement Agreement
- Section 7: General Provisions
- Section 8: Execution of the Settlement Agreement



Exhibits & Appendices of the Settlement Agreement (7 appendices with 110 Pages)

- Appendix A: Protection, Mitigation & Enhancement Measures Recommended to be included in the New Project License
- Appendix B: Measures Agreed to Among the Parties but not to be included in the New Project License
- Appendix C: Ecological Committee
- Appendix D: SWRCB Collaborative Process Participation Statement
- Appendix E: Forest Service Draft 4E Conditions
- Appendix F: Draft Agreement for Habitat Expansion
- Appendix G: List of Authorized Representatives



Key points of the Settlement Agreement

- Multiple workshops held seeking public input
- Signatories of the SA agreed to uphold all of the terms & conditions
- All signatories are bound to the terms of the SA provided the New Project License is not inconsistent with the SA



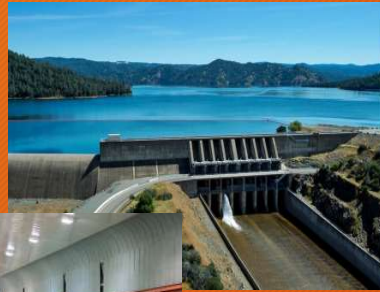


Key points of the Settlement Agreement

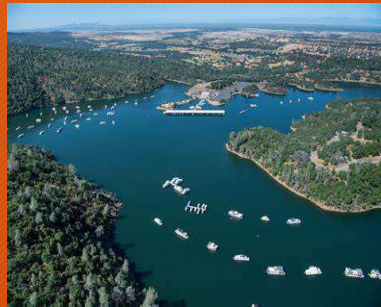
- Protection, Mitigation and Enhancement Measures are made a part of the SA
- Biological Opinion must be consistent with the SA
- A Habitat Expansion Agreement provides for protection of existing fish species



License Management



Recreation Management



Environmental Management



Historic Properties Management Plan



Key points of the Settlement Agreement





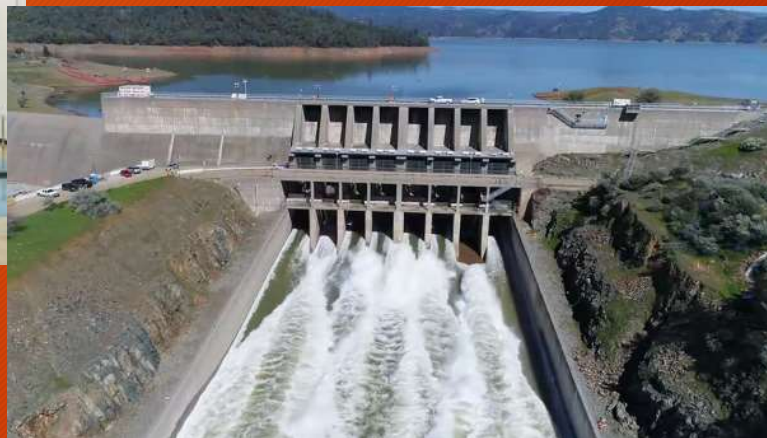
Importance

- License Management



Relevance

- The SA proposes enhanced stakeholder committees to provide advice to DWR



Significance

- For the life of the approved new license. Adds protective measures to ensure that ...
- “promises” are “commitments”



Importance

- Environmental Management



Relevance

- The SA calls upon DWR to manage water flows & temperatures, increase habitat & provide for other related actions benefiting salmon, steelhead, riparian plants & wildlife.

Significance

- Creates a time-line for implementing & maintaining these items.



Importance

- Historical Properties Management Plan



Relevance

- The SA calls upon DWR to manage important historic and cultural resources with continuing input from Native Americans & other interested parties.

Significance

- An establishment of a curation facility & expansion of DWR's site stewardship program.



Importance

- Recreation Management



Relevance

- The SA calls upon DWR to provide a new Recreation Management Plan that responds to recreation demand & addresses community interest in realizing the benefits of a robust & high quality recreation experience.

Significance

- The Project Settlement Benefits Plan (SBF) allows the local region to plan & build projects which provide supplemental benefits outside of the project boundary.



Supplemental Benefits Fund Partners Appendix B of the Settlement Agreement



- Department of Water Resources (DWR)
- State Water Contractors (SWC)
- City of Oroville (City)
- Feather River Recreation & Park District (FRRPD)

Purpose of Appendix B of the Settlement Agreement



Allow the benefits of the Oroville Facilities to be extended into the local communities in the vicinity of the FERC boundary in a manner consistent with DWR’s authority to provide such benefits through operation of the State Water Project (SWP).

Appendix B of the Settlement Agreement



- Measures agreed to among the parties but not to be included in the New Project License
 - Establishes the City of Oroville as the SBF Fund Administrator
 - Establishes the SBF Steering Committee as the sole decision-maker, through majority vote of its members, to adopt the Fund Strategic Plan and select levels of funding for approved projects

DWR Commitment to Establish & Maintain the SBF Fund



- Fifty year term: \$1,000,000 per year
- Forty-five year term \$900,000 per year
- Forty year term \$800,000 per year
- Any license term less than forty years, DWR shall use its discretion to determine the annual payment, if any, which will be less than those listed above



DWR to provide “Good Faith” up-front funds to the SBF pending license approval

- \$11,270,000 of which \$5,200,000 was committed to establish & build the first two phases of Riverbend Park
- The balance of \$6,070,000 to be used for establishing the Fund Strategic Plan, projects & administration



SWC & the SBF Steering Committee “Grant Funds Partnership”



- SWC agree to develop, explore, work with the Fund Administrator & provide a staff resource in an amount not to exceed fifty percentage time of one FTE
- The staffing, or funding, will be in effect until five years prior to the expiration of the new license

Reasoning behind the “grant writer clause”



- Funds provided to the SBF from DWR are “un-escalated annual payments”
- The intent was to assist the SBF in securing matches for approved projects



If there had been an “escalated” clause this is what today's annual payment would have been

\$1,000,000 in 2007 would have been equal to
\$1,470,809.25 in 2023



CRITICAL COMPONENTS OF THE SBF



- Regional Fund Strategic Plan



- SBF Mission Statement



- SBF Project Priority Map



- Feather River Consolidated Master Plan





REGIONAL FUND STRATEGIC PLAN (RFSP)

- A requirement of Appendix B of the Settlement Agreement
- The RFSP was approved on April 27, 2010 by the
- SBF Steering Committee



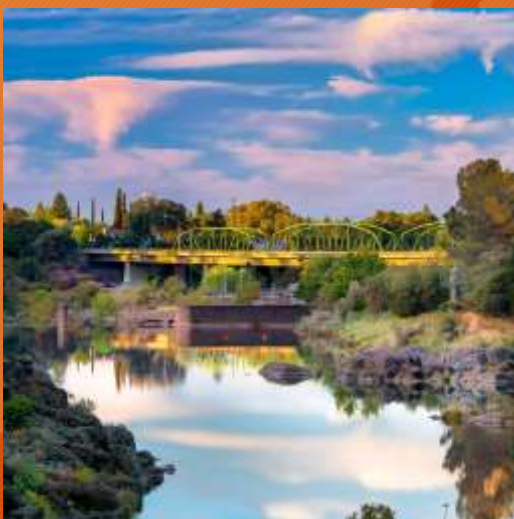
REGIONAL FUND STRATEGIC PLAN (RFSP)

- \$350,000 was provided to hire a consultant to work with SBF staff to write the plan
- The actual consultant cost was \$173,050
- The intention of the RFSP is to be a reference document for the SBF Steering Committee & a reference document for SBF grant applicants



SBF MISSION STATEMENT

“Investing in recreational and related projects with a nexus to the Feather River to improve the quality of life and stimulate economic development in the Oroville Region”



SBF DEFINITION OF “NEXUS”



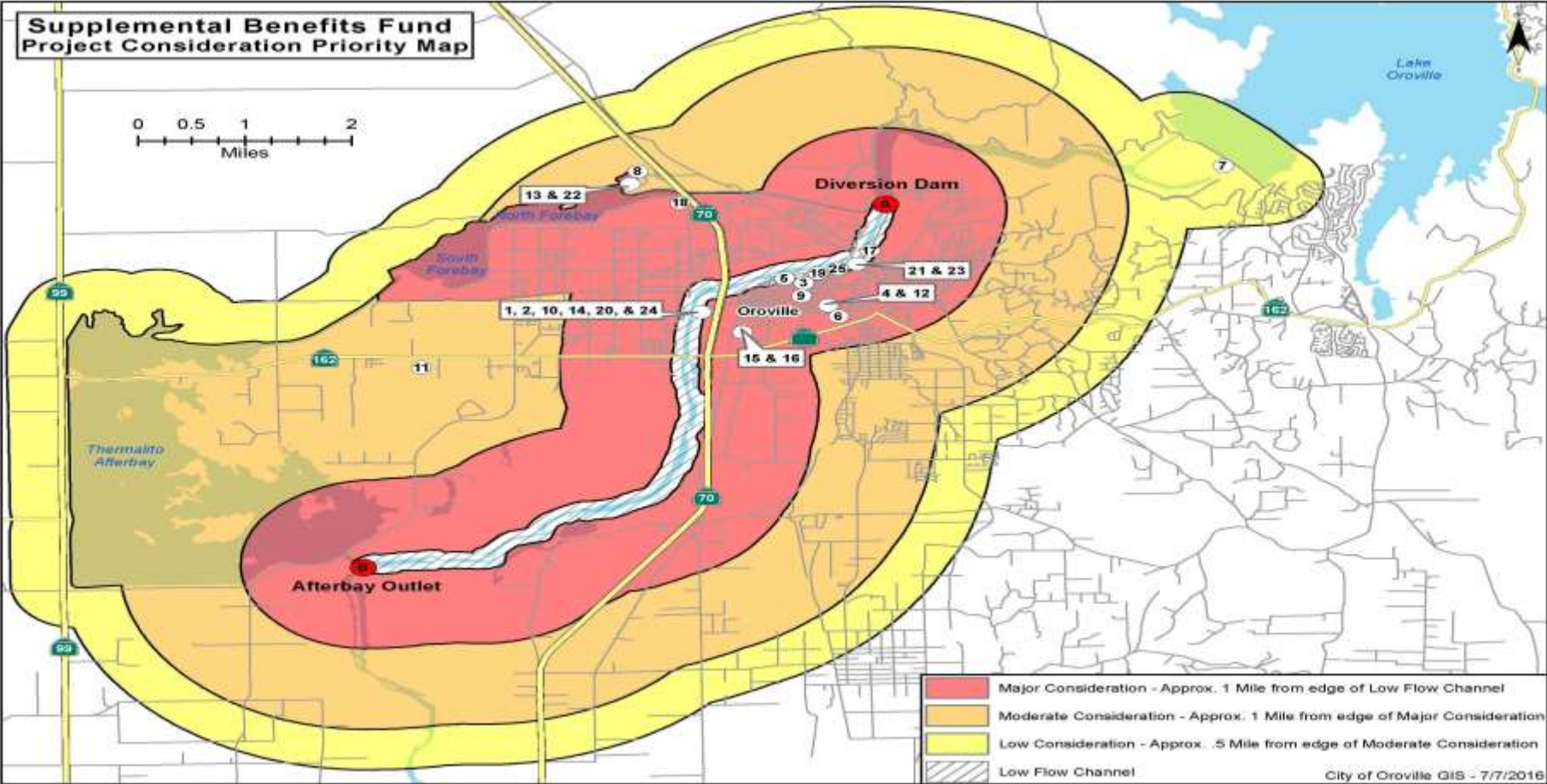
Nexus is defined as the relationship of a project or program and/or connection with the Feather River, specifically in the area of the low flow channel:

- On or in sight of the Feather River, or
- Activities related to the Feather River, and
- Within the geographic boundary of the SBF Priority Map





SBF PROJECT PRIORITY MAP



FEATHER RIVER CONSOLIDATED MASTER PLAN

Approved, October 4, 2017



The Feather River Consolidated Master Plan was originally envisioned by the SBF Steering Committee as a way: to “consolidate” into a single document all the best ideas from existing Oroville plans and includes future river-related projects, that might best improve the quality of life and stimulate economic development in the greater Oroville Region.

FEATHER RIVER CONSOLIDATED MASTER PLAN



Six distinctive “Reaches”

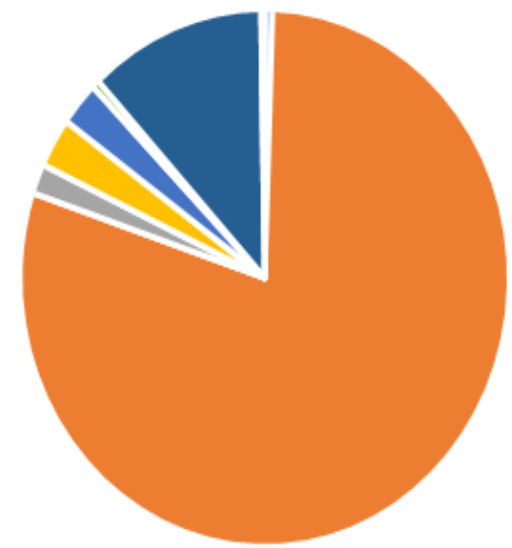
- Diversion Pool
- Fish Barrier Pool
- Historic Downtown
- Riverbend Park
- Oroville Wildlife Area
- Thermalito Forebay





How have the “Advance” DWR funds of \$11,270,000 to the SBF been used ...

SBF Funds Received
2007-2013



- Small Projects
- Large Projects
- Event Coordinator
- Chamber
- Studies
- Other
- Admiistration
- Unencumbered

- Small Projects .5%
- Large Projects 79.6% *
- Event Coordinator 1.8%
- Oroville Chamber 3.0%
- Studies 2.7%
- Administration 11.7%
- Other .5%
- Unencumbered .2%
- Total \$11,270,000 100.0%
- *Includes \$5,200,000 for Riverbend Park

& sixteen years later we continue to wait for FERC to issue the license for the Oroville Project No. 2100



Questions ???????



SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE STAFF REPORT

TO: SBF CHAIRPERSON AND COMMITTEE MEMBERS

FROM: BOB MARCINIAK, MCS/SBF PROGRAM SPECIALIST
BRIAN RING, FUND ADMINISTRATOR

RE: REQUEST FROM OROVILLE DOWNTOWN BUSINESS
ASSOCIATION (ODBA) TO EXTEND THE MATURITY OF SBF
GRANT A-3373

DATE: JULY 26, 2023

SUMMARY

The Oroville Downtown Business Association has requested that SBF grant A-3373 be extended to December 2023 to allow the ODBA to complete items previously approved in the original grant that was issued April 28, 2021 and matured on July 1, 2023.

DISCUSSION

The original amount of the awarded grant was \$55,000.00 and to date improvements and event funding's total \$42,951.12. The request is to extend the grant for the remaining funds of \$12,048.88. The entry arches, lighting and painting have been completed. The improvements, to date, have assisted in making the alley more inviting. The final improvement to make the alley esthetically inviting is for it to be repaved which is the responsibility of the City of Oroville.

FISCAL IMPACT

None/funds have previously been allocated.

RECOMMENDATION

- (1) Approve ODBA extension request to December 29, 2023, or (2) Deny the extension request, or (3) Provide direction to staff

ATTACHMENTS

Letter from the ODBA
Disbursement log
Specific Objectives of the original SBF grant
Alley picture



June 1, 2023

Dear Supplemental Benefits Fund Steering Committee,

The Downtown Oroville Board of Directors and Business owners would like to thank you for the funds you have provided for the Miners Alley Revitalization Project. Your support has equipped us to make significant investments in the future health of Downtown, which has already and will continue to, have a lasting impact on our community. Thank you!

As you may be aware, we are projected to have unused funds at the end of our current contract. We're requesting an extension of our contract to December 2023.

Overall, we have had a lot of positive feedback regarding updates to Miners Alley, from both business owners, residents, and visitors. It's allowed us to begin to distinguish the region of Downtown and create a welcoming environment for guests.

Thank you for your consideration of granting us a contract extension for the Miners Alley Project. We're on track to continue to foster a safe and welcoming environment in the heart of our community.

Sincerely,

Downtown Oroville Board of Directors

Oroville Downtown Business Association

PO Box 2458
Oroville, CA 95965

Agreement # A-3373

Approved: 04/28/2021
Expires: 1-Jul-23

Begin: 07/01/2021

Date	Amount	Comments
2/15/2018	55,000.00	Beginning balance
8/16/2021	-10,836.04	ODBA Invoice # 1037
8/19/2021	-5,894.50	1038
10/27/2021	-6,559.48	1040
9/2/2022	-18,031.05	1046
7/6/2023	-1,630.05	0.0000001

Balance: 12,048.88

1. Project Description

Miners Alley Revitalization Project

This project intends to renovate Miners Alley (Huntoon to Downer) and make it a usable and unique special event space. If you consider Downtown Oroville to be the heart of Oroville, then Miners Alley is rightfully the heart of the heart of Oroville. A number of our historic Gold Rush era buildings back into Miners Alley, which of itself is an important and unique historic resource.

Specific objectives for the revitalization of Miners Alley include:

- Clean and add a fresh coat of paint and unified estetic to adjacent buildings.
- Add gooseneck lighting to attract attention, create ambience and add safety
- Install a hanging system for temporary art installations and shows.
- Fund 8-12 events in the alley such as live music, art shows, and history talks.
- Fold-out tables, standing heaters, and shade.
- Event coordinator for facilitating alley focused events.
- Decorative renovation to fencing along the alleyway.
- Protect pedestrians and seating areas in the alley from cars by using bollards or other physical features. This will allow the city to temporarily close alleys to traffic during special events with decorative, pedestrian-accessible gates.



Twentieth-Century Miners Alley Views

4. Project Selection Criteria

a. ability to attract matching funds

Please quantify the amount of matching funds, or value, of the non-SBF funding as compared to the total project cost. The matching funds amount should be expressed as a dollar and percentage value. Please note that the matching value may include donated time, materials, or other in-kind donations, that are used to complete the project. Please provide documentation to support the matching estimates

Confirmed funds: **\$6,000 14%**
 Downtown Oroville receives mandatory and optional dues from member businesses. These dues are allocated towards marketing and beautification efforts such as this

Estimated funds: **\$ 9,600 27%**
 City of Oroville Arts Commission grant currently under review which includes funds for live performances which would work in tandem with this grant if approved

Confirmed in-kind value: **\$ 0 % 0**

Estimated in-kind value: **\$ 2,543 7%**
 Downtown Oroville operates primarily through a group of dedicated volunteer board members and community members. We estimate a total of 100 volunteer hours will be dedicated to the implementation of the scope of this grant which is valued at \$25.43 per hour

Comments

Downtown Oroville has funds for marketing and beautification from our BID dues which can be leveraged to support this project. In addition, Downtown Oroville recently submitted a grant for the City of Oroville Arts Commission for live performances at events totaling \$9,600 which can partially be used for this space.

Project Budget

Item	SBF Funding Request	Other Funding
Painting	\$5,000	
Gooseneck Lighting and Supplies	\$14,736	
Art Hanging System & Artwork	\$4,000	
Event Costs (8-12)	\$6,000	\$9,600
Tables & Other Equipment	\$3,000	
Event Coordinator & Volunteer Time	\$4,800	\$2,543
Marketing		\$3,500
Beautification & Maintenance		\$1,500
Decorative Fencing	\$3,000	
Street Bollards	\$2,500	
Miners Alley Arches (4)	10,000	
Unanticipated costs	\$1964	
Total	\$55,000	\$17,143





**Supplemental Benefits Fund
City of Oroville Fund Administrator
1735 Montgomery Street
Oroville, California 95965**

**SBF Voting Committee Members
City of Oroville: David Pittman (Chairperson), Krysi Riggs, Tracy Johnstone
Feather River Recreation & Park District: Shannon DeLong (Vice Chairperson), Sonny Brandt**

May 25, 2023

Chairman Willie L. Phillips
Commissioner James Danly
Commissioner Allison Clements
Commissioner Mark C. Christie
Federal Regulatory Energy Commission
888 First Street NE
Washington, DC 20426

Re: Oroville Ca Project No 2100

Dear Chairman Phillips and Commissioners,

No one anticipated that seventeen years after the signing of the Oroville Settlement Agreement for the relicensing of the Oroville Facilities it would still remain without final approval from FERC. The Settlement Agreement triggers multiple and substantial on-going habitat improvements in and near the Feather River and Lake Oroville by the California Department of Water Resources (DWR). Additionally, based on license approval, DWR could provide up to one million dollars annually to Oroville an underserved community.

The Oroville Supplemental Funds (SBF) is a measure agreed to among the parties, but not included in the new project license for the Oroville Facilities FERC Project 2100, that is intended to provide funding to the Great Oroville Region for recreation and economic stimulus. DWR as part of Appendix B of the Settlement Agreement did provide good faith up-front funds in the amount of \$11,270,000 to be used to fund the SBF

and allow benefits to the Oroville Community. Attachment A displays how those funds, which have now been fully released, have been used.

We understand and appreciate that there have been extenuating circumstances ranging from FERC's lack of a quorum, delays with the Biological Report originally to be done by December 13, 2007, but actually taking nine years to complete. Then in 2017 the failure of the Oroville Spillway. The continued approval delays only exasperate the true beneficiaries, the citizens of California.

The long-term funding to the SBF is at a standstill until the License for Oroville Project No 2100 is approved by FERC. We encourage FERC to bring this long delay to closure by approving the new license for the Oroville Facilities Project No 2100.

Sincerely,

David Pittman
Chairperson

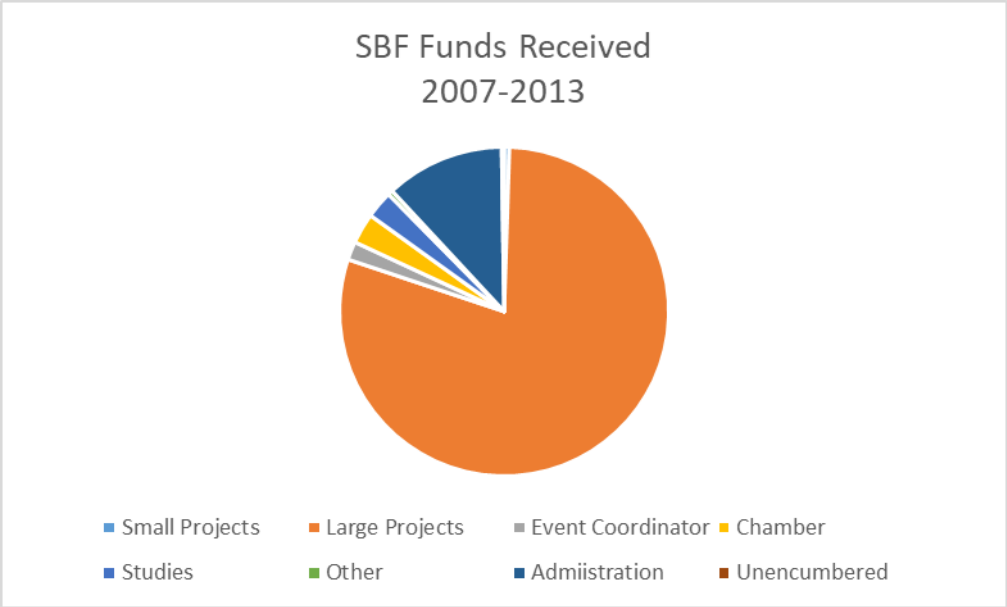
Cc:
Senator Diane Feinstein
Senator Alex Padilla
Congressman Douglas LaMalfa
SBF Steering Committee
City Council City of Oroville

Attachment A

Attachment A

Supplemental
Benefits Funds
Received
2007-2013

Small Projects	58,135
Large Projects	8,971,998
Event Coordinator	203,500
Chamber	337,272
Studies	302,814
Other	53,533
Administration	1,315,837
Unencumbered	26,911
Total SBF Funds	11,270,000



Bob Marciniak

From: See, Eric@DWR <Eric.See@water.ca.gov>
Sent: Wednesday, July 12, 2023 4:22 PM
To: Bob Marciniak
Cc: David Pittman; Bambauer, Andrew@DWR
Subject: RE: SBF DWR Information
Attachments: List of DWR Projects 2001-2006, and 2006-Present_BMarciniak_7-12-23.xlsx

ATTENTION: This message originated from outside the **City of Oroville**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hi Bob, I have attached the list that I was talking about, which lists out the \$88 million of projects since 2001 which is when the Relicensing process got underway. I'm sure there's some things that I missed here or there but I don't want to hold off sending this to you any longer. I tried to group them by timeframe. As you will see some of these were items from the future Recreation Mgmt Plan, but many were not. Those projects are still waiting on the shelf for the issuance of the new FERC license, which will then trigger their implementation. But let me know if you still want those comments on your attached list and I can have staff work on that.

Note that this doesn't include the tens of millions that DWR spent between 1994 – 2000, following the Recreation Plan revision that occurred with FERC on 9/22/94. That 1994 FERC order is the one that established ORAC, and required the construction of the Floating Campsites, new Equestrian Campground, 41-mile Brad Freeman Bicycle Trail, new Lime Saddle Campground, several Boat Ramp extensions, new parking lots, Feather River Fish Hatchery Expansion, new facilities at the Afterbay, Forebay, and so on. It took us 6 years to build all that stuff. It also required the hiring of fish biologist for Lake Oroville, and since DWR had already seen that coming, they actually hired that individual on March 15, 1993, to get ready for the upcoming FERC order. It was me.☺

Also not that this list is the stuff that DWR was involved in, there have been other projects implemented by the Dept. Parks and Recreation as well. I haven't listed most of those but I did capture a few.

Lastly, I wanted to mention that DWR is implementing a \$2.4 million Feather River salmon spawning gravel restoration project that will start in a few weeks. Not sure how to classify this project because it is not part of our FERC program, the project is not a requirement, but DWR agreed to implement the project on behalf of the California Natural Resources Agency who is administering Proposition 68 Grant Funding. Back in 2021, they had some remaining funds and they wanted to spend then on an environmental improvement project. DWR had expertise in doing salmon spawning gravel restoration, and it helps our river, so we agreed to implement the project and it's finally here. It's not a FERC project but it's good for the community and I am excited that it is about to go to construction.

Eric See, Manager
 FERC License Coordination Branch
 Oroville Field Division
 California Dept. Water Resources
 460 Glen Drive
 Oroville, CA 95966
 530-534-2324

From: Bob Marciniak <bmarciniak@cityoforoville.org>
Sent: Tuesday, July 11, 2023 11:42 AM

LIST OF DWR PROJECTS - FERC PROJECT NO. 2100, FERC RELICENSING THROUGH 2022

Estimate of DWR Recreation Projects 2001 - 2022: \$ 88,405,000

Project	Costs	Description of Project	Timeline	Notes
INTERIM PROJECTS COMPLETED DURING THE RELICENSING PROCEEDINGS 2001 - 2006				This was an ongoing process that evolved over time. There were projects completed during the "interim" period while the Settlement Agreement was being developed
Enterprise Boat Ramp	\$ 100,000	Provided a vault toilet building	Pre-2006	
Saddle Dam Trailhead Access	\$ 100,000	Constructed a Gravel Trailhead Parking Area for Equestrians (trailers, etc.)	Pre-2006	
Saddle Dam Trailhead Access	\$ 100,000	Provided a new vault toilet building	Pre-2006	
Lake Oroville Scenic Overlook (SR 162 at bridge)	\$ 10,000	Replaced cyclone fence with auto safety barrier	Pre-2006	
Lake Oroville Scenic Overlook (SR 162 at bridge)	\$ 5,000	Provided 2 new interpretive signs	Pre-2006	
Trails in Diversion Pool/Low Flow Area	\$ 10,000	Developed a non-motorized Sewim Bo Trail from the Old bath house (Nature Center) to the Diversion Dam	Pre-2006	
Trails in Diversion Pool/Low Flow Area	\$ 100,000	Provided new picnic tables (some ADA compliant), shade ramadas, erosion control, and interpretive signs along the Sewim Bo Trail	Pre-2006	
North Thermalito Forebay	\$ 200,000	Expanded Aquatic Center into a new building	Pre-2006	
Model Aircraft Flying Facility	\$ 5,000	Provided new paving at the runways	Pre-2006	
Model Aircraft Flying Facility	\$ 5,000	Regraded and regravelled the parking area	Pre-2006	
Model Aircraft Flying Facility	\$ 10,000	Constructed aircraft staging tables and installed new picnic tables with shade ramadas	Pre-2006	
Model Aircraft Flying Facility	\$ 100,000	Provided new vault toilet building, bulletin/information board, and fencing	Pre-2006	
Loafer Creek Complex	\$ 100,000	Equestrian-related improvements – new paved access road to equestrian campground, feeder boxes, 50' round pen	Pre-2006	
Riverbend Park	\$ 5,200,000	Funding for planning, design, and construction of site. Eventually this was considered to be the first phase of the Supplemental Benefits Fund	~2002 - 2006	
Rabe Road Shooting Range	\$ 5,000	Re-graded and regravelled the access road and parking area	Pre-2006	
Rabe Road Shooting Range	\$ 5,000	Added targets and a safety berm	Pre-2006	
TOTAL INTERIM PROJECTS \$	6,055,000			

Project	Costs	Description of Project	Timeline	Notes
FERC Settlement Agreement – Appendix B Projects (2006 ~ 2023)				These projects were the result of the Settlement Agreement being signed in March 2006
Project Supplemental Benefits Fund (2006 - 2023)	\$ 6,070,000	The SBF is for projects to occur in the City of Oroville and immediate vicinity. Payments are made to City of Oroville who is the SBF Fund Administrator. A total of \$11,270,000 in SBF funding has been provided so far. Following the \$5.2 million Riverbend Park funding (2002 - 2006), \$6,070,000 was provided during the second phase between 2006 - early 2023	2006 - Present	
Feather River Whitewater Boating Opportunity Feasibility Study	\$ 200,000	DWR initiated and funded a non-motorized whitewater boating opportunity and recreation feasibility study to assist the SBF committee in determining whether to fund the construction and operation of such a project	Circa 2008	SA Appendix B101, project completed circa 2008
Fuel Load Management (to reduce threat of wildfire, thru 2022)	\$ 1,500,000		2012 - Present	SA Appendix B102, DWR did early implementation of this, developed the plan and is currently implementing actions
Feather R. Salmon Spawning Gravel Improvement (2014 Project)	\$ 2,000,000	Added 8300 cubic yards of salmon spawning gravel to the Feather River.	2013 -2014	SA Appendix B105, this project was completed in 2014.
Develop Oroville Wildlife Management Plan	\$ 100,000		2012 - 2013	SA Appendix B106, this relates to SA-Appendix A Article A115

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Item 2.

Reconnaissance Study on Flow/Temperature to Support Anadromous Fish	\$ 4,000,000	Reconnaissance Study for potential modification of the Oroville Facilities to lower water temperatures in the Feather River and hatchery for the benefit of Chinook salmon and steelhead.	2006 and ongoing	SA Appendix B108. DWR completed the first phase recon study, but has completed additional efforts that will contribute to SA Appendix A108. About \$3 million through 2018 and ~\$1 million since
Riparian/Floodplain Improvement Screening Analysis	\$ 350,000	DWR has done some work on this program, it will be integrated with future Lower Feather River Habitat Improvement Program.	2007 - 2012	SA Appendix B109, still a work in progress. The Appendix B requirement does not have a specific timeline, and it refers to line related Appendix A106
Oroville Wildlife Area Funding (Thru 2022)	\$ 26,200,000	Funding for OWA (law enforcement, staff, maintenance, operations, etc.)	2006 - Ongoing	SA Appendix B108
TOTAL FERC SETTLEMENT APPENDIX B PROJECTS	\$ 40,420,000			

Project	Costs	Description of Project	Timeline	Notes
"Additional" Projects, Not Specific to Settlement Agreement				
Oroville Dam Overlook DUA	\$ 500,000	Provided picnic tables, shade ramada, interpretive panel, turbine runner	2013	These recreation improvements were completed between 2008 - 2016
Bidwell Stage 3 Boat Ramp & Parking Lot	\$ 3,000,000	Constructed new Ramp and Parking Lot in 2008; Ramp extended to 660' in 2015	2008 and 2015	Early implementation of a project from Settlement Agreement Appendix A Article A127
Trails	\$ 10,000	Open an existing access road to bicycle use, south of the Loafer Creek Equestrian Campground	Circa 2008-12	Cooperative with DPR
Trails	\$ 50,000	Constructed a Potter's Ravine North Fork Shoreline Trail extension (approx 2 miles)	Circa 2008-12	Cooperative with DPR
Trails	\$ 75,000	Constructed a new trail from Lime Saddle Campground to Lime Saddle Marina/BR (approx. 3.5 miles for hiking and biking)	Circa 2008-12	Cooperative with DPR
South Thermalito Forebay	\$ 50,000	Provided improved landscaping and day use facilities including 10 picnic tables and shade trees	2016	Cooperative with DPR
Trails in the Thermalito Forebay area	\$ 50,000	Constructed a North Forebay Loop Trail (approx. 1 mile in length)	2015	DPR "Rattlesnake Trail"
Monument Hill Improvements	\$ 25,000	Provided new entrance to boat ramp parking area to improved traffic flow.		
Community Events (4th of July Fireworks, Salmon Festival, Feather Fiesta Days, etc.)	\$ 1,200,000	Participate with community on 4 th of July Fireworks, Salmon Festival, Feather Fiesta Days, etc. This accounting covers 2005 - present day.	Ongoing	The cost is a rough estimate. DWR has been involved with these events for many years prior to 2006
TOTAL	\$ 4,960,000			

Project	Costs	Description of Project	Timeline	Notes
SPILLWAY EMERGENCY - "RECREATION OFFSET" PROJECTS (2017-22)				
Loafer Creek Boat Ramp Parking Lot Expansion	\$ 300,000	Clearing, grading, gravel.	2017	These projects were constructed to offset the temporary recreation closures that occurred between 2017 - 2019, due to the Spillway Emergency and subsequent construction
Boat Ramp Shuttle Service	\$ 100,000	Temporary service to facilitate faster launching and recovery at Bidwell, Lime Saddle Boat Ramps.	2017 - 2019	Shuttles ended after boat ramp projects were completed
Bidwell Canyon Stage 1 Boat Ramp Expansion	\$ 2,210,000	Added 2 new lanes to Boat Ramp #1	2018	
Bidwell Canyon Stage 2 Boat Ramp and Parking Lot Expansion	\$ 8,250,000	2 new boat ramp lanes, 2 new boarding float lanes, 30 additional vehicle/trailer spaces (for a total of 80) pave the entire boat ramp.	2019	
New Bidwell Canyon Marina Parking Lot	\$ 1,680,000	Construct 50 vehicle/trailer spaces and 50 single vehicle spaces.	2018	
Bidwell Canyon Saddle Dam Trailhead Expansion	\$ 1,690,000	Expanded size of parking area, and added improvements (picnic tables, shade ramadas, horse watering trough).	2017-18	
Saddle Parking Lot Expansion	\$ 2,050,000	Constructed 60 new boat ramp/marina parking spaces (vehicle with trailer).	2018	
Low Water Access Pathways	\$ 1,300,000	Improved marina foot access at low water levels.	2019	Partial completion, future levels needed for completion

Item 2.

New Loafer Point Boat Ramp Facility	\$ 19,390,000	New 2-stage boat ramp on Loafer Point with parking lots at each stage.	2022
Total Spillway Recreation Offset Projects	\$ 36,970,000		

June 23, 2023

Chairman Willie L. Phillips
Federal Energy Regulatory Commission
888 First Street,
Northeast Washington, DC 20426



Subject: FERC Project P-2100 Request for 50-year License Issuance

Chairman Phillips and FERC Commissioners,

The State Water Contractors (SWC) have been an active participant in the relicensing of the Oroville Facilities, P- 2100, since the inception of this relicensing process some 23 years ago. As the Federal Energy Regulatory Commission (Commission) is aware from past filings, the SWC is entirely comprised of and represents 27 of the 29 public water agencies (Contractors) that hold contracts with the California Department of Water Resources (DWR) to participate in and receive water from the State Water Project (SWP). Some of these Contractors have participated through the SWC as well as individually in the relicensing process.

The SWP provides water for drinking, commercial and agricultural uses to 27 million Californians and 750,000 acres of farmland. Our members pay all required costs associated with the operations and maintenance of the SWP, including the Oroville Facilities which consist of the Oroville Dam and Reservoir, Edward Hyatt Powerplant, Thermalito Facilities, and Feather River Fish Hatchery. The 50-year license for these facilities expired on January 31, 2007.

In 2006, DWR, the SWC and dozens of other stakeholders, including local communities, Native American tribes, and state and federal fishery agencies negotiated a Settlement Agreement (Agreement) to support the issuance of a new 50-year license for the P-2100 facilities. As part of this agreement, a Supplemental Benefits Fund (SBF) was established to empower a steering committee selected by the community to extend the benefits of a new license to the community outside of, but complementary to actions taken in the FERC project boundary.

The SBF was particularly important to the local community. Upon execution of the Agreement, the SBF fund of in excess of \$60 million was created and an initial amount in excess of \$5 million has been released to begin providing immediate benefits to the local community prior to issuance of the new license. As noted in a letter to the Commission from members of the SBF,¹ we are now sixteen years since the expiration of the original license and those funds are nearly exhausted. Without the issuance of a new license the SBF will be unable to continue providing funding for beneficial projects.

DIRECTORS

Robert Cheng
President
Coachella Valley Water District

Laura Hidas
Vice President
Alameda County Water District

Jacob Westra
Secretary-Treasurer
Tulare Lake Basin Water Storage District

Brad Coffey
Metropolitan Water District of Southern California

Thomas Pate
Solano County Water Agency

Ray Stokes
Central Coast Water Authority

Matthew Stone
Santa Clarita Valley Water Agency

Peter Thompson, Jr.
Antelope Valley-East Kern Water Agency

Craig Wallace
Kern County Water Agency

General Manager
Jennifer Pierre

SWC FERC Project P-2100 Request for 50-Year License Issuance
June 23, 2023
Page 2

The Commission has been actively involved since 2017 as a result of the spillway incident. The Commission required DWR to establish a "Board of Consultants" to oversee the repair/replacement of the spillway. That work has been performed and the spillway has withstood all tests. The Board of Consultants has complimented DWR and the construction contractors regarding the quality of work.

Since 2007, the Oroville Facilities have been operating pursuant to annual licenses. This has meant that fishery enhancement measures, river improvements, recreational expansion projects, cultural resource improvements and community benefits (including the SBF post license payments) have not been implemented. Under the license, a recreational advisory committee will be advising those components that fall under its jurisdiction and a fishery advisory community committee will similarly advise on the components that fall under its jurisdiction. It is now time to issue the new license.

To ensure the forgoing critical work is undertaken as soon as possible, the SWC requests the Commission issue a 50-year license term for P-2100 that will ensure multiple fishery, recreational and cultural benefits, including sustained funding for the local community through the SBF.

Sincerely,



Jennifer Pierre
General Manager

CC:
Commissioner Mark C. Christie
Commissioner Allison Clements
Commissioner James Danly
SBF Steering Committee