

# Council Business Meeting

December 21, 2021

<b>Agenda Item</b>	Dam Safety Program Resolution – Owners Dam Safety Program	
<b>From</b>	Scott Fleury PE	Public Works Director
<b>Contact</b>	<a href="mailto:Scott.fleury@ashland.or.us">Scott.fleury@ashland.or.us</a>	541-552-2412

## **SUMMARY**

Before the Council is a resolution recognizing the importance of a Owners Dam Safety Program (ODSP). The resolution and ODSP document are attached for reference. Hosler Dam is regulated under the Federal Energy Regulatory Commission (FERC) Part 12 requirements and as such a ODSP document is required that formally develops the safety program.

## **POLICIES, PLANS & GOALS SUPPORTED**

### **Council Goals:**

Essential Services

- Water

Value Services

- Emergency Preparedness

### **Department Goals:**

- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community
- Evaluate all city infrastructure regarding planning management and financial resources

## **PREVIOUS COUNCIL ACTION**

The Council has taken numerous previous actions to support the FERC Part 12 program and the safety of Hosler Dam. Actions have included authorizing contractual work for independent inspections, approvals of budgets to support maintenance and improvement projects.

## **BACKGROUND AND ADDITIONAL INFORMATION**

The City of Ashland as the owner and operator of a Federal Energy Regulatory Commission (FERC) high hazard dam, is required to develop, maintain and improve a “Owners Dam Safety Program” (ODSP) document. The ODSP is considered the most important factor in maintaining safe dams and preventing dam failures. A dam safety program that is well documented, reviewed annually, and up-to-date sends a message, to all affected parties up to the highest level of authority both within and outside an owner’s organization, that dam safety is important. Recognizing that each organization and situation is unique, an ODSP should be specifically tailored to the particular situation considering the portfolio of dams, dam types, and the associated life safety and financial risks.

Every five (5) years FERC requires an independent audit of the ODSP document. In 2020 the City’s ODSP was audited by GEI Consultants and they made recommendations for improvement. FERC has required the City to update the ODSP incorporating the recommendations. A primary recommendation was to ensure acknowledgement of the Council on the importance of a dam safety program through approval of a resolution.

### **ODSP Audit Recommendations:**

1. City Council acknowledgement via resolution of the ODSP document
2. Clearly delineate staff functions associated with dam safety program (**complete with 2021 ODSP update**)
3. Update the Dam Safety and Surveillance Monitoring Report (DSSMR) to incorporate primary components of the Dam Safety and Surveillance Monitoring Plan (DSSMP) (**in progress, complete January 2022 with DSSMR submittal**)
4. Establish a more formal training program (**complete with 2021 ODSP update**)
5. Continue to perform realistic functional exercises of the Dams Emergency Action Plan (EAP) (**Completed August 25, 2021**)
6. Index and co-locate all dam safety information in a centralized electronic file system (**complete 2021**)
7. Identify and train additional employee on Chief Dam Safety Engineer roles and responsibilities (**ongoing**)

### **FISCAL IMPACTS**

The only fiscal impacts for approval of the resolution include necessary staff time to develop the documentation and update the ODSP document. Ongoing fiscal impacts include necessary appropriations through the budget process to support the dam safety program.

### **STAFF RECOMMENDATION**

Public Works Staff recommends approval of the Owners Dam Safety Program Resolution

### **ACTIONS, OPTIONS & POTENTIAL MOTIONS**

1. I move to approve a resolution titled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON ESTABLISHING A DAM SAFETY PHILOSOPHY AND ADOPTING AN OWNER'S DAM SAFETY PROGRAM".
2. I move to take no action.

### **REFERENCES & ATTACHMENTS**

Attachment #1: Owners Dam Safety Program Resolution 2021-24

1 **RESOLUTION NO. 2021 - 24**

2 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHLAND,**  
3 **OREGON ESTABLISHING A DAM SAFETY PHILOSOPHY AND**  
4 **ADOPTING AN OWNER’S DAM SAFETY PROGRAM**

5 **RECITALS:**

6 **A.** The City of Ashland owns and operates Hosler Dam as part of its water and electric systems.  
7 Regulatory oversight for the project is provided by the Federal Energy Regulatory Commission (FERC).

8 **B.** Hosler Dam is considered a high hazard dam by FERC.

9 **C.** The City of Ashland’s Dam Safety Program operates under the Owner’s Dam Safety Program (ODSP)  
10 in accordance with FERC regulations, standards and requirements

11 **D.** The Public Works Department is primarily responsible for the implementation of the dam safety  
12 program as guided by the ODSP and FERC requirements.

13 **THE CITY OF ASHLAND RESOLVES AS FOLLOWS:**

14 **SECTION 1.** The Ashland City Council recognizes that dam safety is appropriately the first and foremost  
15 responsibility of the City as a dam owner and the City is the first line of defense against dam failures and  
16 safety incidents. The City acknowledges and accepts its responsibility to safely operate and  
17 manage Hosler Dam. A focused and robust dam safety program will safeguard public safety, the  
environment, and the City’s hydroelectric and water treatment plant facilities.

18 **SECTION 2.** The Ashland City Council commits to provide the resources and funding necessary to  
19 ensure dam safety. The annual Public Works budget shall account for funding and staffing necessary for  
the dam safety program.

20 **SECTION 3.** The Ashland City Council adopts the ODSP document included in exhibit A, which is  
21 attached and hereto and incorporated herein by this reference. The ODSP shall be updated by City staff as  
22 necessary.

23 **SECTION 4.** This Resolution takes effect upon signing by the Mayor. This resolution was duly PASSED  
24 and ADOPTED this \_\_\_\_\_ day of **(Month)** 2021.

25 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

26  
27 ATTEST:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

\_\_\_\_\_  
Melissa Huhtala, City Recorder

SIGNED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Julie Akins, Mayor

Reviewed as to form:

\_\_\_\_\_  
Katrina L. Brown, City Attorney

**Exhibit A**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

# OWNER'S DAM SAFETY PROGRAM (ODSP)

---

HOSLER DAM  
REEDER GULCH HYDROELECTRIC PROJECT  
FERC Project No. 1107 OR

December 2021 Update



EXPIRES: 12/31/21

Prepared by Scott Fleury PE  
Public Works Director  
City of Ashland, Oregon

---

## Table of Contents

<b>1 INTRODUCTION</b> .....	<b>3</b>
<b>2 TERMS AND DEFINITIONS</b> .....	<b>3</b>
<b>3 DAM SAFETY POLICIES, OBJECTIVES, AND EXPECTATIONS</b> .....	<b>4</b>
<b>4 RESPONSIBILITIES FOR DAM SAFETY</b> .....	<b>6</b>
4.1 Program Management .....	6
4.2 Authority of the Chief Dam Safety Engineer .....	7
4.3 Staff Responsibilities for Dam Safety .....	8
<b>5 DAM SAFETY TRAINING PROGRAM</b> .....	<b>10</b>
<b>6 COMMUNICATION, COORDINATION, REPORTING, &amp; REPORTS</b> .....	<b>11</b>
6.1 Internal Communication and Reports .....	11
6.2 External Communication and Reports .....	12
<b>7 RECORD KEEPING AND DATABASES</b> .....	<b>12</b>
7.1 Inspection Reports, Training Plans, and Other Records .....	12
7.2 External Correspondence .....	13
<b>8 SUCCESSION PLANNING</b> .....	<b>13</b>
<b>9 CONTINUOUS IMPROVEMENT</b> .....	<b>14</b>
<b>10 AUDITS AND ASSESSMENTS</b> .....	<b>14</b>
<b>11 REFERENCES</b> .....	<b>15</b>
<b>APPENDICES</b> .....	<b>15</b>



## 1 INTRODUCTION

Both Hosler Dam and the hydroelectric facilities at the Water Treatment Plant (WTP) are regulated by the Federal Energy Regulatory Commission (FERC). The Owner's Dam Safety Program (ODSP) for Hosler Dam is intended to ensure that the dam Owner's (City of Ashland's) relevant employees, agents, and consultants have complete awareness and understanding of all necessary dam safety measures and requirements. This ODSP is established to provide a framework of procedures and documentation related to dam safety and regulatory compliance for the City of Ashland (COA). The requirements of this program apply to COA's hydroelectric project licensed by the FERC titled **The Reeder Gulch Project No. P-1107** and takes precedence over other COA programs and procedures related to dam safety and regulatory compliance for City-owned hydroelectric plants. Appropriate procedures and documents related to dam safety and regulatory compliance shall be routed through the Chief Dam Safety Engineer to ensure compliance with this program.

This ODSP states the policies and expectations of the City Council, the City Manager and its Public Works and Electric Departments regarding dam safety and regulatory compliance for FERC licensed facilities and defines the dam safety-related duties of COA's employees, agents, and consultants.

## 2 TERMS AND DEFINITIONS

**Assessment** – A documented routine review conducted to evaluate the performance or effectiveness of an activity. (FERC ODSP Assessment Evaluation Parameters 6/29/2007)

**Chief Dam Safety Engineer** – The engineer with responsibility and authority to ensure the Owner's ODSP is fully implemented and to ensure high standards are maintained for dam safety and regulatory compliance. The Chief Dam Safety Engineer is a point of contact for non-emergency regulatory communications from COA to FERC and reports directly to the Public Works Director.

**Dam** – An engineered barrier constructed to contain a body of water, or control the flow or level of water.

**Dam Safety Inspection** – Regularly scheduled monitoring performed in accordance with the current Dam Safety Surveillance and Monitoring Plan (DSSMP) and using an inspection plan and/or checklist (e.g. Hosler Dam Visual Inspection Form or Hosler Dam Visual Observation Checklist). These inspections will be performed by operations personnel, the dam safety staff, or other qualified consultants.





**FERC** – The Federal Energy Regulatory Commission.

**FERC Part 12 Inspection** – A formal inspection at five-year intervals to be conducted by the approved FERC Independent Consultant in conjunction with the Chief Dam Safety Engineer.

**FERC Independent Consultant** – A third party consultant contracted to perform the FERC Part 12 Inspection.

**Independent Consultant** – A third-party consultant contracted to perform specific duties in addition to the FERC Part 12 Inspection.

**Modification(s)** – Activities that change the physical features or design of the project, or the way physical features are operated, from the state reflected in the plans or drawings or other documents filed with FERC.

**Project** - Hosler Dam and Reeder Gulch Hydroelectric Project Licensd as FERC Project No. 1107 OR

### 3 DAM SAFETY POLICIES, OBJECTIVES, AND EXPECTATIONS

It is the COA's policy and priority to maintain safe and compliant operation of our facilities. City of Ashland employees and consultants shall implement this policy in the conduct of their work assignments.

- City of Ashland's employees, agents, and consultants shall operate its FERC licensed facilities consistent with the commitment of COA and its subsidiaries to good stewardship and responsible behavior.
- This shall include an awareness by COA's employees that they are entrusted with the responsibility and privilege to operate COA's generating plants in a safe, reliable, and efficient manner. Further, this shall include an awareness by COA's employees that COA's daily operating practices must always place public safety, personnel safety, and environmental compliance above all other performance goals of COA.

Production or other business objectives shall not be allowed to compromise dam safety or regulatory compliance. This policy has been detailed in a signed document entitled *City of Ashland Dam Safety Philosophy* which shall be presented in employee training and available for review at the Water Treatment Plant, the City's Services Center at 90 North Mountain, and at the office of the Public Works Director in the Community Development building at 51 Winburn Way. See Appendix 1 for a copy of this document.

COA shall also incorporate this policy into the daily operations of its FERC licensed facilities through regular and as-needed discussions and training sessions.



This ODSP implements commitments to FERC to maintain compliance with FERC dam safety and regulatory requirements. Proposed changes to the requirements of this program shall be communicated in writing to the FERC Regional Engineer for review and written acceptance prior to implementation.

The objective of the ODSP for FERC licensed facilities is to assure continuing safe and compliant operation through the following program initiatives:

- Clearly communicate policies and expectations regarding dam safety and regulatory compliance.
- Implement organizational changes if necessary, to assure compliance with FERC requirements for dam safety.
- Define protocols for communications and for reporting dam safety issues.
- Define the authority of the Chief Dam Safety Engineer.
- Provide a comprehensive Dam Safety Training Plan. See Section 5 below.
- Require Assessments to ensure compliance and to achieve an ongoing focus on dam safety and regulatory compliance. See Section 10 below.
- Create and implement a Dam Safety Surveillance and Monitoring Plan (DSSMP).  
See Section 4.1 below.

The City of Ashland expects that its employees, agents, and consultants performing services for a FERC licensed facility will fully comply with all of FERC's dam safety related requirements.

- These include the requirement to use sound and prudent engineering practices in any action relating to the design, construction, operation, maintenance, use, repair, or modification of such projects (18 C.F.R. 12.5).
- These also include the requirement to notify FERC about the following, in the manner specified in the cited regulations:
  - Any condition affecting the safety of a project or project works (18 C.F.R.12.10); and
  - Any modification to the project or project works (18 C.F.R. 12.11).
- They further include the requirement to comply with all additional items specified in the license applicable to each FERC approved project.



- The COA will communicate these requirements to the applicable employees, agents, and consultants in training sessions by providing a copy of this ODSP to them and discussing it with them in training sessions and otherwise as needed. The Chief Dam Safety Engineer or designee is authorized to determine the proper level of training required of such employees, agents or consultants based on Personal judgment as to the relevant factors, including but not limited to the following: prior experience, background, expected services to be performed for COA, and the impact of such services on dam safety and compliance with FERC regulations.
- The performance evaluations for management and supervisory employees in the dam safety organization and in the hydroelectric operating organization will place emphasis on accountability for dam safety and regulatory compliance. Other normally expected job performance areas such as personal contributions, leadership, teamwork, cooperation, communications, and self-identification of problems, will also be evaluated.

## 4 RESPONSIBILITIES FOR DAM SAFETY

### 4.1 Program Management

The Chief Dam Safety Engineer, Dam Safety Staff, and Plant Operations Staff, shall develop and implement program elements, including but not limited to:

- Chief Dam Safety Engineer (or designee) independent review and approval of proposed modifications.
- Standardized forms to document dam inspections.
- Qualifications for dam inspection personnel.
- A formal DSSMP which meets FERC requirements, as described in the letter from the FERC Regional Engineer provided in Appendix 3. The monitoring component of the DSSMP shall include detailed descriptions of inspections to be performed by the following personnel:
  - Facility Operations and Maintenance personnel
  - Facility Management personnel
  - Hydroelectric Engineering and Dam Safety personnel
  - Independent consultants performing FERC Part 12 inspections and other inspections as necessary

The inspection program documentation shall outline the frequency and type of inspections to be performed by the personnel included above. The inspection program documentation shall also outline the instrumentation monitoring and assessments that will be part of the inspections.



- An instrumentation calibration program.
- Risk assessment to prioritize issues identified during inspections.
- Training per the Dam Safety Training Plan (Section 5).
- Retention of records.

The City Manager, Ashland City Council, and the Public Works Director provide the necessary policies, directives, and resources to assure safe and compliant operation of the FERC licensed facilities. Senior management understand the risks involved with dam ownership, and is committed to providing the resources necessary to ensure the safety of the public as well as that of the City employees and operators of the facility.

Operations personnel, Public Works personnel, or others who propose a modification affecting dam safety shall obtain independent review and approval by the Chief Dam Safety Engineer before implementation.

A flow chart illustrating the decision-making process for identifying and resolving dam-related safety issues, such as whether and how to make a proposed Modification, is attached in Appendix 2.

Current dam safety senior management staffing consists of:

- Ashland City Council:
  - Julie Akins, Mayor
  - Tonya Graham
  - Shaun Moran
  - Gina DuQuenne
  - Paula Hyatt
  - Stefani Seffinger
  - Steve Jensen
- City Manager: Gary Milliman
- Public Works Director: Scott Fleury, PE
- Deputy Public Works Director: Vacant
- Chief Dam Safety Engineer: Scott Fleury, PE



## 4.2 Authority of the Chief Dam Safety Engineer

The Chief Dam Safety Engineer shall be empowered with the following authority:

- Order necessary corrective action if dam safety is in question. This authority includes the issuance of an oral or written stop work order for operational activities or an order for a plant shutdown, if necessary to place an affected dam in a safe condition.
- To remove any doubt, the Chief Dam Safety Engineer shall have the authority to direct any COA employee, agent, or consultant to take any action which in his judgment is necessary to ensure dam safety, including action to shut down the operation of the Reeder Gulch Project.
- Conduct unannounced facility inspections.
- Review and approve proposed modifications or changes to a dam structure, operating system, control system, or critical maintenance or operations procedures before implementation. This review and approval may be delegated to a qualified person or persons; however, the Chief Dam Safety Engineer maintains overall accountability for the review process.
- Approve dam safety instrumentation design for each applicable installation.
- Request the use of external resources from consultants to assist with internal Assessments performed by the Chief Dam Safety Engineer or Dam Safety Staff, if needed. Issue contracts for additional external assessments performed by third party consultants as required in Section 10 of this ODSP to augment the regular FERC five-year inspection cycle.
- Create and enforce a schedule for assessments to evaluate compliance with the ODSP and to assure that required Audits and Assessments are completed in a timely and effective manner.

## 4.3 Staff Responsibilities for Dam Safety

The Chief Dam Safety Engineer shall perform the following duties and responsibilities:

- Report directly to the Public Works Director. The Public Works Director reports, independently of operations, to the City Manager.
- Provide updates of dam safety and compliance matters to the Public Works Director and appropriate operational management.
- As necessary, notify the Public Works Director regarding issues that could affect public safety or safe dam operations. In the event that the Public Works Director is unavailable, the Chief Dam Safety Engineer shall notify one or more of the following personnel as necessary: The City Manager, Fire Chief, and the Police Chief. The Chief Dam Safety Engineer shall be provided full protection from any



reprisal for making the notifications or reports.

- Take necessary corrective action when dam safety is in question, issue an oral or written stop work order for operational activities or a plant shutdown order if necessary to place an affected dam in a safe condition.
- Communicate relevant information with FERC and respond to FERC requests and requirements on a timely basis.
- Participate in FERC Operational Inspection, the annual formal inspection conducted by a FERC inspector. The FERC inspection should also be supported by the Operations Staff and the Dam Safety Staff.
- Supervise correspondence related to dam safety and regulatory compliance between COA and FERC, except for immediate notifications required by Emergency Action Plans (EAP). The hydroelectric plant management may need to contact FERC on operational issues.
- Work collaboratively with the hydroelectric plant management and staff to ensure dam safety and regulatory compliance.
- Provide oversight of engineering and operational activities related to dam safety, independent of the day-to-day operations.
- Ensure a Dam Safety Training Plan is developed and implemented, as described in this program.
- Ensure Emergency Action Plan drills for each facility are evaluated for effectiveness, and implement improvements to the EAP if needed.
- Review and comment on annual updates to the EAP.
- Direct the creation, implementation, and maintenance of a DSSMP for all FERC licensed facilities. Refer to Section 4.1 for additional details.
- Conduct unannounced facility inspections, as deemed appropriate.
- Designate a qualified alternate to act in his or her absence, with the concurrence of the Public Works Director.
- Assess the implementation and effectiveness of the ODSP. These assessments will include the effectiveness of the Dam Safety Staff and operational activities.

Operations personnel for the Reeder Gulch Project shall perform the following duties and responsibilities:

- Work as a team with the Chief Dam Safety Engineer and Dam Safety Staff to ensure dam safety and regulatory compliance.



- Maintain Emergency Action Plan and coordinate required drills.
- Initiate correspondence related to dam safety and regulatory compliance through the Chief Dam Safety Engineer or Public Works Director, except as required by the EAP.
- Perform dam operations, maintenance, and inspection duties assigned by Public Works Director or designee.
- Notify the Chief Dam Safety Engineer before a project modification is made. Notify the Chief Dam Safety Engineer if a condition is identified which potentially affects dam safety.
- If shutdown of equipment or the plant is warranted due to safety or asset preservation issues, make that decision in a prompt manner, independent of any business objectives or requirements.
- Immediately implement any stop work order for operational activities or plant shutdown order that is issued orally or in writing by the Chief Dam Safety Engineer.

## 5 DAM SAFETY TRAINING PROGRAM

A Dam Safety Training Plan shall be implemented for personnel involved in the operation or modification of hydroelectric facilities on a level appropriate to the assigned responsibilities. The Dam Safety Training Plan shall include training for management, operations, maintenance, engineering, consultants, and contractors as needed and appropriate based on interaction with project.

Comprehensive dam safety training for new operators, engineers and dam safety staff will begin within one week of being hired, and shall include the following features:

- General and site-specific training focused on dam safety awareness and regulatory compliance.
- Presentation of policies regarding dam safety and regulatory compliance.
- Review of Potential Failure Modes (PFMs) and the risks associated with each mode.
- Recognition of potential dam safety deficiencies, including design basis events for each facility.
- Inspection and monitoring reporting.
- Qualification standards for personnel conducting inspections, consistent with the nature and complexity of assigned duties.



- Personnel training records.
- Review of Emergency Action Plans.

Training will continue on an annual basis for employees with responsibilities related to dam safety. Subject matter will vary according to identified training needs and modifications to the facility and/or operational procedures, but shall include the following features:

- General training focused on dam safety awareness.
- Review of policies regarding dam safety and regulatory compliance.
- Recognition of potential dam safety deficiencies, including, but not limited to, design basis events.
- Review of Emergency Action Plans.

Effectiveness of the Dam Safety Training Plan shall be one of the subjects of internal Assessments and external Audits. Findings and corrective actions from these Assessments and Audits shall be included in the annual written report to FERC described in Section 6.2.

In establishing and maintaining training programs, the Chief Dam Safety Engineer shall consider and make use of all appropriate materials, such as FERC's Part 12 regulations and its *Engineering Guidelines for the Evaluation of Hydropower Projects*, as well as opportunities to attend seminars, conferences, and FERC training programs. Training program elements are more explicitly outlined below for critical staff associated with the Dam Safety Program.

### **Critical Dam Safety Training Program Elements**

All employees associated with the Dam Safety Program will be aware of or be trained specifically using the information and tools defined below. A dam safety training matrix is detailed in appendix 6.

#### **City of Ashland Documentation:**

Standard Technical Information Document (STID)  
 Potential Failure Modes Report (PFM)  
 Potential Maximum Flood Report (PMF)  
 Owners Dam Safety Program (ODSP)  
 Chief Dam Safety Engineer Report (CDSE)  
 Dam Safety and Surveillance Monitoring Plan and Report (DSSM(R)(P))  
 FERC Part 12 Independent Inspection Report

#### **Emergency Action Plan:**

Annually the City will hold an EAP Seminar to review the EAP with City staff, first responders and others as required to ensure understanding of the EAP document. Documented training actions associated with the EAP will be detailed in the required annual EAP status report.





Every five (5) years the City will hold a Functional Emergency Action Plan exercise (FEAP). An After-Action Report will be submitted to FERC as required. Prior to the FEAP, the City will host a tabletop exercise prior as an additional training step.

**FERC Documentation:**

Chapter 6 – Emergency Action Plans

Chapter 9 – Instrumentation and Monitoring

Chapter 11 – Arch Dams

Chapter 14 – Dam Safety Monitoring Performance Program (appendix J & K - DSSMR(P))

Chapter 15 (draft) – Supporting Technical Information Document

**Federal Emergency Management Agency (FEMA)**

Homeland Security Exercise and Evaluation Program (HSEEP)

Incident Command System (ICS)

- ICS 100 – Introduction to the Incident Command System
- ICS 200 – Basic Incident Command System for Initial Response
- ICS 300 – Intermediate ICS for expanding incidents
- ICS 700 – NIMS an Introduction

**Training Options:**

Bureau of Reclamation Seminar on Safety Evaluation of Existing Dams (SEED)

FERC- Emergency Action Plan Design Course

Association of Dam Safety Officials trainings

FEMA Training Aids for Dam Safety

## 6 COMMUNICATION, COORDINATION, REPORTING, & REPORTS

### 6.1 Internal Communication and Reports

Personnel in the Electric Department, Public Works Department, and other support personnel shall notify the Chief Dam Safety Engineer a minimum of 90 days before a proposed p modification is made. Additionally, operations supervisory personnel shall immediately notify the Chief Dam Safety Engineer or other Dam Safety Staff if a condition is identified which potentially affects dam safety.

The following communication requirements shall be implemented by the hydroelectric organization:

- COA employees and consultants engaged in hydroelectric operations or supporting activities shall report issues related to dam safety and regulatory compliance to their immediate supervisor.
- Supervisors and managers shall take immediate action if necessary to address issues related to dam safety and regulatory compliance. Additionally, they shall promptly notify the Chief Dam Safety Engineer or other Dam Safety Staff within 24 hours.



- Any employee or consultant may document or orally convey concerns to the Chief Dam Safety Engineer and shall be provided full protection from any reprisal for communicating such concerns.

The Chief Dam Safety Engineer shall report directly to the Public Works Director, and not to the organization routinely responsible for production.

The Chief Dam Safety Engineer shall regularly report dam safety and regulatory compliance issues to the Public Works Director, who in turn reports independently of operations to the City Manager.

The Chief Dam Safety Engineer is required to notify the Public Works Director regarding issues that could affect public safety or safe dam operations. If the Public Works Director is unavailable, the Chief Dam Safety Engineer shall notify one or more of the following personnel as necessary: Deputy Public Works Director, City Manager, Fire Chief, and/or Police Chief.

The Chief Dam Safety Engineer shall report dam safety and regulatory compliance issues and conduct meetings with senior management at least annually or more often if deemed necessary by the Chief Dam Safety Official.

## 6.2 External Communication and Reports

The Chief Dam Safety Engineer shall supervise non-emergency regulatory reporting of dam safety issues. Except for those immediate communications required by emergency plans, communications related to dam safety and regulatory compliance between COA and FERC shall be routed through the Chief Dam Safety Engineer. External communications with Emergency Management Agencies shall be made by the Chief Dam Safety Engineer, unless an emergency demands immediate response. If the situation threatens public safety or the safety of facility operators, then the staff person reporting the situation may be instructed to contact Emergency Management Agencies after reporting to management.

The Chief Dam Safety Engineer shall provide an annual written report to the FERC Regional Engineer, or present the report in person at the discretion of FERC, regarding the status and compliance of the subject facilities.

## 7 RECORD KEEPING AND DATABASES

### 7.1 Inspection Reports and Other Records

Records generated by inspection procedures, training, and other support activities shall be retained at the FERC licensed facility in the custody of the Chief Dam Safety Engineer or retained as digital records. Other records include drawings, specifications, design reports, safety program reports, and compliance history. The retention period for these records will vary, and will be stored as specified by the originating procedures and programs.



The following documents are kept in hard copy at both the Water Treatment Plant and the Public Works office in the Community Development Building:

- Hosler Dam EAP (revised annually)
- Monthly Inspection and Monitoring Reports (e.g. Visual Observation Checklist) (retained for life of project)

The following documents are filed with the Department of Public Works, both in digital form and in hard copy. Hard copies of the listed documents are stored in the Community Development Building:

- Owner's Dam Safety Program document (retained until revised)
- Hosler Dam EAP (revised annually)
- DSSMP (revised as needed)\*
- Annual EAP Status Report (retained for life of project)
- Potential Failure Modes Analysis report (retained until revised)\*
- Independent Consultant Safety Inspection Report (retained for life of project)

\*The DSSMP and PFMA reports are contained within the STID document

The following documents are kept in digital files on the City server:

- City of Ashland Emergency Operations Plan (revised as needed)
- Supporting Technical Information Documents (STID) (revised as needed)

The Chief Dam Safety Engineer is responsible for the upkeep of the Potential Failure Modes Analysis report, the Independent Consultant Safety Inspection Report, and the STID in their most current forms.

## 7.2 External Correspondence

All correspondence between the COA and FERC related to hydropower projects shall be kept in the custody of the Chief Dam Safety Engineer in hardcopy, or retained as digital records, for the life of the facility and then for ten years thereafter.

## 8 SUCCESSION PLANNING

If the Chief Dam Safety Engineer position becomes vacant due to reorganization or loss of staff, the Public Works Director shall designate a qualified staff member to the Chief Dam Safety Engineer position, and provide him or her with the proper training **prior** to the position being vacated. If such a vacancy occurs unexpectedly, without ample time to train



a successor, or if no such qualified staff member exists, the City of Ashland shall hire a qualified consultant to perform the duties of the Chief Dam Safety Engineer on a temporary basis until the COA is able to fill that position. The consultant resume will be submitted to FERC for approval.

The City of Ashland shall maintain a full and appropriately-sized staff of engineers, facility operators and maintenance workers to run the facility, conduct and report on inspections, generate technical documents and correspondence, and address any issues that may arise. If the City anticipates a Water Treatment Plant Operator position or any other position with duties involving dam safety becoming vacant, the City shall plan to fill that position with a qualified candidate and provide an overlap of time sufficient to train the new employee completely in their dam safety-related duties before the exiting employee leaves. It should be the intent of the City to provide seamless transition of dam safety duties and responsibilities during personnel changes. If such a position becomes vacant unexpectedly, the City shall seek to fill the position and train the new employee as soon as practicable.

## 9 CONTINUOUS IMPROVEMENT

This ODSP is a living document and as such shall be periodically reviewed to assure that it reflects the current staffing and organizational structure of the City of Ashland, and incorporates the lessons learned from ongoing implementation of the program. Potential Failure Modes and state-of-the-art practices related to dam safety and operation shall be reviewed, and new information should be incorporated into the ODSP where appropriate. Information gathered from dam safety monitoring and operating history, knowledge gained from staff training and the study of case histories of incidents and failures, as well as findings from assessments of the ODSP shall be considered when reviewing the ODSP and determining whether improvements can be made to the program.

## 10 AUDITS AND ASSESSMENTS

The Chief Dam Safety Engineer and other Dam Safety Staff will routinely conduct internal assessments. These assessments will focus on operational compliance and the implementation and effectiveness of the Owner's Dam Safety Program.

The Chief Dam Safety Engineer will be responsible for performing internal assessments and reporting the results of those assessments to the Director of Public Works. Such internal assessments are to occur annually, or as needed based on changes to staffing or protocol. The Chief Dam Safety Engineer may also issue contracts for additional independent external assessments (Audits) of COA's compliance with the ODSP. External assessments shall be conducted once every five years to augmenting the regular FERC five-year inspection cycle, and a report and summary of the external assessment shall be



submitted to FERC by the Chief Dam Safety Engineer. These assessments may include the following:

- Review of operating and maintenance records for each facility to determine if proper notification procedures were followed.
- Review of Dam Safety Surveillance and Monitoring Reports (DSSMR) for each facility to verify compliance with the FERC-approved DSSMP.
- Review of training records to verify that dam safety training is being provided in accordance with the plan.
- Interviews, examinations, or other methods to evaluate the effectiveness of training.
- Interviews of dam safety staff, facility managers, staff engineers, and hydro plant technicians to determine their understanding of the ODSP and the implementation of their respective responsibilities.

## 11 REFERENCES

2013 FERC Part 12D Independent Inspector's Report  
2018 FERC Part 12D Independent Inspector's Report  
Current Dam Safety Surveillance Monitoring Plan  
Supporting Technical Information Document Rev. #5 April  
2021

## APPENDICES

Appendix 1, City Manager's Dam Safety Policy  
Appendix 2, City's Resources Dedicated to Dam Safety  
Appendix 3, Regional Engineer's letter 2021  
Appendix 4, Chief Dam Safety Engineer's resume  
Appendix 5, City of Ashland Safety Policy  
Appendix 6, Dam Safety Training Program Matrix



## Appendix 1

### City of Ashland Dam Safety Philosophy

City of Ashland employees are entrusted with the responsibility and privilege to operate the Reeder Gulch hydroelectric facility in a safe, reliable, and efficient manner for the benefit of the residents of Ashland. Our daily operating practices must always place public safety, personnel safety, and environmental compliance above all other performance goals.

City management has the authority and responsibility to implement this standard throughout the organization.

---

Gary Milliman  
City Manager Pro Tem  
(541) 488-6002  
[Gary.milliman@ashland.or.us](mailto:Gary.milliman@ashland.or.us)

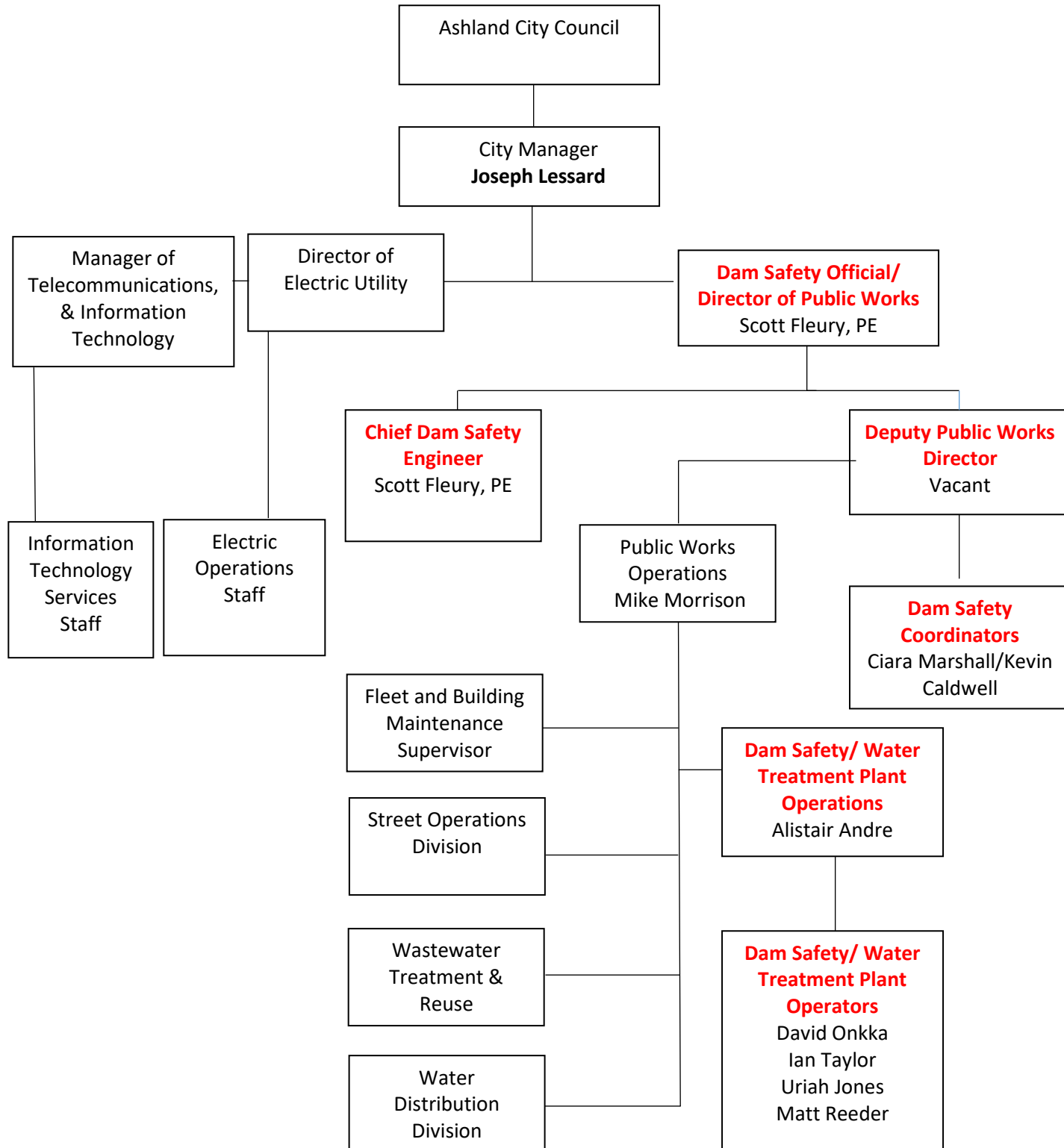


## Appendix 2

2021

-City of Ashland-

Resources dedicated to Dam Safety



### Appendix 3

FEDERAL ENERGY REGULATORY COMMISSION  
Office of Energy Projects  
Division of Dam Safety and Inspections - Portland Regional Office  
805 SW Broadway, Suite 550  
Portland, Oregon 97205  
(503) 552-2700

4/19/2021

Dear Licensee/Exemptee:

Subject: Annual Letter – Reminder of Responsibilities

This letter is intended to remind you of your obligations and responsibilities as the holder of a license or exemption from the Federal Energy Regulatory Commission (FERC) for a hydropower facility. This letter contains new information that may impact your project although we acknowledge that it also contains many of the same reminders each year. These reminders focus on some of the most important aspects of our dam safety program that require your attention. We strongly encourage you to read it carefully in its entirety, including the enclosures and the referenced FERC website links, in order to understand your dam safety, public safety, and security responsibilities.

This letter will be sent to you each year primarily by email. Please reply to [PRO\\_AnnualLetter@FERC.GOV](mailto:PRO_AnnualLetter@FERC.GOV) (and copy the FERC project engineer(s) assigned to your project(s), if possible) with a signed copy of the "Annual Letter Acknowledgment" to acknowledge you have received and read this letter. Please do not formally file the acknowledgement letter with the Commission.

We provide this letter to all who have been issued licenses or exemptions for hydropower facilities, regardless of project size. Not all aspects of this letter are equally applicable to all recipients and therefore, this letter should be shared with your Chief Dam Safety Engineer or Chief Dam Safety Coordinator, if different from the addressee. This letter should also be shared with everyone involved in your dam safety program, including senior management. It is your responsibility, and the responsibility of your dam safety group, to be familiar with the terms and conditions of your license or exemption and to operate your project in compliance with those requirements. This will enable you to apply this letter, as appropriate, to your projects. Please contact our office if you have any questions about the applicability of a specific requirement to your projects.





### Highlighted Items for 2021

**COVID 19 Response.** We were unable to perform all of our normal dam safety inspections in 2020 due to the Covid-19 Pandemic. During this time, we asked many of our licensees to respond to questionnaires and/or we relied upon licensees and exemptees to perform their own dam safety inspections. For 2021, we are evaluating which projects will be inspected by each Regional Office once Commission staff can resume normal travel. As of the date of this letter, we do not have a schedule for returning to normal operations. Please continue to reach out to your Regional Engineer with any questions about dam safety inspections and/or other dam safety matters. Below, we provide information on how to submit documents and filings with the Commission and with the Regional Offices during this time (*See How to Transmit Dam Safety and Public Safety Documents to the Commission*). We wish to thank all of our licensees and exemptees for working with us during this difficult time.

**Part 12 Regulation Update.** On July 16, 2020, the Commission issued a Notice of Proposed Rulemaking (NOPR) proposing to amend 18 CFR Part 12 governing the safety of hydropower projects licensed by the Commission under the Federal Power Act. These regulations are intended to promote the safe operation, effective maintenance, and efficient repair of licensed hydropower projects and project works to ensure the protection of life, health, and property in surrounding communities. In general, the NOPR proposes to revise the regulations to: incorporate two tiers of project safety inspections by independent consultants, define the requirements of an independent consultant team, codify existing guidance requiring certain licensees to develop an Owner's Dam Safety Program and a Public Safety Plan, update existing regulations related to public safety incident reporting, and make various minor revisions. In addition to the proposed regulation changes, the Commission also issued four proposed draft chapters to our Engineering Guidelines. The chapters include:

Chapter 15 – Supporting Technical Information Document  
Chapter 16 – Part 12D Program  
Chapter 17 – Potential Failure Mode Analysis  
Chapter 18 - Level 2 Risk Analysis

A 60-day public comment period was opened to receive comments on the proposed regulation changes and proposed new Engineering Guideline chapters. The public comment period closed in late September 2020.

The proposed regulation revisions are included in the NOPR as a rulemaking (RM) docket (RM20-9) and are available on FERC's eLibrary system at [www.ferc.gov](http://www.ferc.gov). Each of the draft chapters of the Engineering Guidelines are also available on eLibrary under separate Advisory Docket (AD) notices (AD20-20 through AD20-23). The NOPR and four AD notices have also been published in the Federal Register.



**Security Branch.** The Security Branch will continue to evaluate physical and cybersecurity at FERC licensed and exempted projects, in remote and on-site capacities. While the Security Branch has several team members, the Branch utilizes [D2SISecurityBranch@ferc.gov](mailto:D2SISecurityBranch@ferc.gov) for the majority of its correspondence. The Security Branch asks that all inbound and outbound correspondence is encrypted and/or attachments are password protected (with the password provided via telephone call, separate email, or alternate communication) with the subject line referencing the project number(s). As a reminder, security documents **must not be submitted to eLibrary** – those documents required as part of FERC's *Security Program for Hydropower Projects*, will be reviewed in the field or in an agreed-upon remote capacity. While not an exception to this filing rule, the Annual Security Compliance Certification (required for Security Group 1s & 2s and due December 31<sup>st</sup> each year) should be emailed to the Security Branch with the appropriate Regional Engineer copied on the email. When submitting dam safety and other licensing/compliance correspondence to the Commission, do not mix security related information including, but not limited to, security features (e.g., cameras), security procedures (e.g., guards and response), cyber network connectivity, and law enforcement response times.

**Annual Emergency Action Plan (EAP) Requirements.** There are several annual requirements for EAPs discussed in Enclosure 2 of this letter. Several of these items have historically been handled in face-to-face meetings (i.e., annual seminars, training sessions for drills, and distributing updates/EAP reprints). If face-to-face meetings are not possible due to the pandemic, these items should be handled through virtual meetings to the extent possible.

There may be issues with providing hard copies of documents (e.g., updates, reprints) to certain parties during the pandemic. For EAP submissions to the Commission, see the *How to Transmit Dam Safety and Public Safety Documents to the Commission* section below. At a minimum, documents provided to plan holders should be provided as searchable PDF files and hard copies should be distributed when possible. You should ensure the PDF files are of such quality that the documents are legible, especially the inundation maps. You may also want to confirm the preference for all parties to receive hard copies in addition to the electronic versions. We highlight that hard copies still serve a purpose during emergencies when there is a loss of power.

We note that some licensees use automated notification systems in their EAPs. These systems are also being used to perform the call-down tests during annual drills. The use of these systems during drills should include a procedure for all parties to acknowledge receipt of the message to determine the system's effectiveness. We also recommend that all EAPs, that rely on automated notification systems, include a procedure to ensure responders can confirm the message is accurate; can receive more detailed information if needed; and can ask for additional information soon after



receiving the initial notification. This can be done by holding a virtual meeting or phone conference with all parties soon after the initial notifications go out. You should consider testing this procedure during the annual drill.

**Employees and Incident Reporting.** This is a reminder that Part 12.10(b) requires you to report, *for your employees and contractors under your employ*, any serious injuries and deaths in the same manner those injuries/deaths are reported for the general public. Most such employee incidents, that happen at the project, would be considered project-related and would require a written report describing the cause, location, and any remedial actions taken or proposed to avoid or reduce the chance of similar accidents pursuant to 12.10(b)(1)-(4). This requirement is separate from any reporting obligations to the Occupational Safety and Health Administration.

**Change of Ownership.** This is a reminder that the new owner of a FERC-regulated hydropower project (or of a Corporation that owns a project) assumes all dam safety responsibilities and liabilities and all non-compliance liabilities from the previous owner. Before acquiring a project and/or seeking a license or exemption transfer, we advise the prospective buyer to perform all needed due diligence to identify any outstanding dam safety and compliance issues from the current owner. In general, scheduled and required dam safety work must be completed on time with few exceptions made due to a change in ownership. Should you decide to sell and/or transfer one of your projects, please inform the prospective buyer of the above information.

**Prior Commission Authorization.** Modifications and changes to your projects require prior coordination with the Regional Engineer. Any activities that require engineering analyses, modifications to existing structures, or ground-disturbing activities of any kind (e.g., clearing, grubbing, excavation, or repeated off-road travel) are subject to review for potential dam safety and environmental impacts. Therefore, you are required to coordinate these activities with us prior to performing the work. This does not include replacement in-kind of motors, pumps, or similar items that are considered routine operation and maintenance, unless you are removing or altering potentially historic or culturally significant items. We require a minimum of 60 days to review final plans and specifications for the proposed work, although initial communication with this office will provide a better understanding of what's involved for us to perform our review. See additional information in items No. 11 and 12 in Enclosure 2.

**Natural Disasters.** Floods, fires, major storm events, and earthquakes often impact projects. If one of your projects is damaged by a natural disaster, we ask you to notify the Regional Engineer immediately, similar to any significant dam safety incident covered under item No. 5 in Enclosure 2.



## How to Transmit Dam Safety and Public Safety Documents to the Commission

**Electronic Submittal of Documents.** All dam safety and public safety documents you submit to the Commission should be filed electronically using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. The one exception is Security related documents which are addressed in the Security Branch section of this letter.

Documents should be in a searchable format with a linked Table of Contents to enable navigation to each section of the document. The cover letter or first page of the filing should indicate "Electronically Filed." When eFiling dam safety and public safety documents, including items addressed to the Director of Dam Safety in Washington, DC, always choose Hydro: Regional Office and the regional office that corresponds to your project from the eFiling menu. See No. 15 of Enclosure 2 for additional information regarding document labeling and uploading documents under the correct security classification tab during eFiling. Please refer to our [Hydropower Filing Guide](#) for additional information on filing hydropower documents. For assistance with any of our online systems please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

There are some cases where your submission cannot be eFiled because the file types are not accepted by eFiling, the files cannot be divided into 50 mb or less, or the data package is too large. In these cases, anything that can be eFiled must be eFiled and the remaining parts of the submission can be transmitted using one of four methods:

email, 2) file transfer site provided by you, 3) file transfer site (using SharePoint) provided by FERC, or 4) mailing a CD, DVD, or external drive to the Office of Energy Projects in Washington DC. Any transmittal of files that does not occur through eFiling must be coordinated with the project engineer.

**What if I cannot Submit Documents Electronically?** If you cannot submit documents electronically because you do not have access to the internet, you must notify the project engineer of your submission and send one copy of all dam safety and public safety documents to the Secretary of the Commission's Office to be posted to eLibrary at the appropriate address. NOTE: Address blocks on the letters to the appropriate Commission staff may remain as is.

Packages sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Packages sent via any other carrier must be addressed to:

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.



**Hard Copies Are Not Required During 100% Telework.** The Commission remains on 100% telework status due to the ongoing Covid-19 Pandemic. Requirements for sending hard copies are suspended during this time.

This guidance for submitting documents to the Commission is valid until FERC reconstitutes and staff returns to offices. We do not have a timeline for when that will occur. When the Commission reconstitutes, we will issue further guidance regarding: 1) any need for hard copies of documents submitted during 100% telework and; 2) any need for hard copies going forward after reconstitution.

### Reminder of Responsibilities

In addition to the above, to assist you in ensuring compliance with FERC damsafety regulations, Enclosure 2 includes a summary of common requirements, primarily from Title 18, Parts 8 and 12 of the Code of Federal Regulations, as well as a number of administrative requirements that are often overlooked. Please review Enclosure 2 along with your license or exemption to ensure that your operations comply with all requirements.

Throughout the year, we host workshops and training courses that may be of interest to you. A schedule and description of upcoming workshops and courses can be accessed at the following website:

<https://www.ferc.gov/industries-data/hydropower/dam-safety-and-inspections/meetings-workshop-and-conferences>

Thank you for your attention to this letter. Please call me at 503-552-2700 if you have any questions about the enclosed information or about your projects in general.

Sincerely,



Douglas L. Johnson, P.E. Regional Engineer

Enclosures  
Acknowledgement of Receipt of Annual Letter  
Reminder of Responsibilities



ANNUAL LETTER ACKNOWLEDGEMENT

Please acknowledge your receipt of this annual letter by email using the following email address: [PRO\\_AnnualLetter@FERC.GOV](mailto:PRO_AnnualLetter@FERC.GOV) and if possible, copy the FERC project engineers assigned to your projects.

(Please Print)

Project No(s). 1107 - OR

I, SCOTT FLEURY P.E., PUBLIC WORKS DIRECTOR  
(name) (title)

of CITY OF ASHLAND  
(organization)

acknowledge receipt of this annual letter dated 4/19/2021, outlining this organization's responsibilities under the jurisdiction of the Federal Energy Regulatory Commission (FERC). This letter has been provided to all those responsible for implementing the dam safety program within our organization. They have acknowledged that they have read and understand the contents of this letter and/or will contact FERC with any questions. Note: digital signatures are acceptable.

  
(Signature)

4/20/2021  
(Date)



## REMINDER OF RESPONSIBILITIES

### ANNUAL REQUIREMENTS

**Spillway Gate Operation.** See 18 CFR §§ 12.44(b) and (c), and 12.13 for periodic requirements and verification. If any of your projects include spillway gates, please ensure that you are correctly measuring and documenting the current and voltage for each electric motor during load testing *and provide a time plot of the yearly readings*. You must submit a notarized “Annual Spillway Gate Operation Certificate” by December 31 of each year or as arranged with the Regional Engineer. Please ensure that you are using our latest form, which may be downloaded from the following website:

[Annual Spillway Gate Operation Certificate \(Word\)](#) [Annual Spillway Gate Operation Certificate \(PDF\)](#)  
[Testing and Reporting on Spillway Gate Operations](#)

Please note that we will not provide a formal response to future annual spillway gate operation certificates unless we have comments or find that the submittal does not satisfy the requirements of 18 CFR Section 12.44.

**Emergency Action Plans (EAPs).** There are a number of annual requirements regarding EAPs, including performing exercises. Please note our comments in the main body of this letter regarding the use of automatic dialers during your annual exercise. By December 31 of each year, you must submit an EAP Status Report regarding these requirements for each of your projects that require an EAP. Chapter 6 of our Engineering Guidelines explains what should be included in the Status Report. Please note that the Chief Dam Safety Engineer or Chief Dam Safety Coordinator must always be included in the sequence on the notification flow chart. For your convenience, the items to be included in the EAP Status Report are listed below:

The dates you performed an annual comprehensive review of the EAP.

The dates annual updates to the EAP, and if applicable, the Radiological Emergency Response Plan, were sent to plan holders. You may submit any updates to your EAP along with the EAP Status Report.

Updates must include documentation of consultation between your staff and the Emergency Management Agencies (EMAs) which occurred during the year.

A list of EAP recipients. Please note that a list along with your EAP Status Report is sufficient. Updated acknowledgement forms from each EMA do not need to be submitted.

The date of the last full reprint of the EAP for all plan holders.

The dates of your last annual seminar and a brief description of what was discussed.

The dates of your last drill/training/call-down test, including any lessons learned.



A brief description of the project's emergency equipment and the date tested.

The date and results of the most current Sudden Failure Assessment. This must include an explanation of any response time enhancements implemented or changes in downstream population that would affect the Sudden Failure Assessment results.

The dates and descriptions of any public education outreach provided during the year and who received this outreach. This includes public education that was provided by local EMAs.

A table indicating all parties who: (1) received EAP revisions and/or annual updates, (2) participated in the annual seminar, and (3) participated in the annual drill and/or were contacted during the call-down test.

If the EMAs involved with your project have Geographical Information System (GIS) capabilities, your EAP inundation maps should be based on GIS data. Guidance on GIS inundation map files can be obtained at:

<https://www.ferc.gov/tips-developing-and-submitting-gis-inundation-map-files>

Training for EAP exercises is available from FERC each year. Please contact the regional office to find the date and location of the next training session.

For a project previously exempted by this office from filing an EAP, you are still required to:

perform a field reconnaissance to determine if there have been any changes to upstream or downstream conditions affecting the determination that no reasonably foreseeable project emergency would endanger life, health, or property;

develop, maintain, post, and annually verify a contact list of people and organizations such as local EMAs and upstream and downstream dam owners who would be called during flood events, if the dam is in danger of failing, or has failed; and

submit an annual report documenting your field reconnaissance along with a request to continue your EAP exemption.

Your emergency contact list and a statement that you have verified the accuracy of the information on the list should be submitted with your annual report.

Please note that we will not respond to future annual EAP exemption requests unless we have comments or find that your submittal does not satisfy the requirements of 18 CFR Section 12.21(c).





**Dam Safety Surveillance and Monitoring Plan (DSSMP) and annual Dam Safety Surveillance and Monitoring Report (DSSMR).** Reference 18 CFR § 12.41 and Chapters 9 and 14 of our Engineering Guidelines. Please see this website:

<https://www.ferc.gov/industries-data/hydropower/dam-safety-and-inspections/eng-guidelines>

DSSMPs must include all instrumentation and monitoring activities for features located within the FERC project boundary of each project. This includes conveyance structures such as flumes, penstocks, canals, and any other conveyance features. For some projects, visual observation may be the only monitoring possible, which may be appropriate and sufficient for the project.

The DSSMR, together with any update to the DSSMP, should be submitted annually on a schedule previously arranged with the Regional Engineer. If possible, data tables and plots should be accompanied by a searchable electronic version using Microsoft Excel.

As a reminder, a table must be included in your annual DSSMR submittals relating all instrumentation to applicable Potential Failure Modes. Review Appendices J and K of Chapter 14 of our Engineering Guidelines for more information. These documents are located at:

<https://www.ferc.gov/sites/default/files/2020-04/chap14.pdf>

**Note:** Your DSSMR submittals must include a statement from your Chief Dam Safety Engineer or Chief Dam Safety Coordinator stating that your dams are safe for continued operation. If the Chief Dam Safety Engineer or Coordinator cannot make a clear statement that the dam is safe for continued operation, then a Justification for Continued Operation plan and schedule is required. This plan should include interim measures to reduce risk until remediation is complete and the dam is judged to be safe for continued operation.

**Hydropower Security Program.** All licensees/exemptees with developments designated as a Security Group 1 or 2 must file an Annual Security Compliance Certification (ASCC) with the Security Branch and include a courtesy copy to the appropriate Regional Engineer. Guidance on content of the ASCC and its filing, as well as templates, were presented in an November 4, 2020 Webinar and are available here:

<https://www.ferc.gov/media/2020-annual-security-compliance-certification-new-template-and-cyber-asset-designation>



## REPORTING REQUIREMENTS

**Project Safety and Public Safety Related Incidents.** See 18 CFR §§ 12.10(a), 12.10(b), and 12.3(b)(4). When a project safety condition or public safety incident is discovered, you must:

Call the Regional Engineer as soon as practicable;  
Follow up with a summary email to the Regional Engineer; and  
Submit a written report within 10 days of the incident or as directed by the Regional Engineer.

It is imperative that you notify the Regional Engineer immediately of any condition, event, or action at a project that compromises the safety, stability, or integrity of any project works or that otherwise affects life, health, property, or public safety. This includes, for example, any damage to the project as a result of fires, floods, or earthquakes including any damage that requires action to prevent additional damage and/or that requires action to restore the project to an operational status. In addition to significant events such as the above, you should report any other abnormal incidents that could impact the safety of the project if left unaddressed, for example, gate mis-operation, mechanical failures that impact water releases or retention, abnormal trends in instrumentation, and any other event that requires your action to prevent a deteriorating condition that could impact your project. Your Chief Dam Safety Engineer or Chief Dam Safety Coordinator should be proactive in instrumentation review and evaluation. If you are uncertain whether an emerging, ongoing, or completed event constitutes a reportable incident, you should contact the Regional Engineer.

Any deaths or serious injuries within your FERC project boundary should also be reported immediately to the Regional Engineer, who will work with you regarding the specific reporting requirements based upon the occurrence. This applies to the general public as well as your staff and contractors hired to perform work on your project.

***Any activation of the EAP, including activation of the Non-Failure or High Flow Conditions, is considered a safety-related incident*** (see Chapter 6 of our Engineering Guidelines) and requires filing a 12.10(a) report. Your incident report or subsequent correspondence should include your analysis of the incident and your specific plans for any necessary project improvements or additional prevention measures.

**Project Conditions.** Aberrant conditions, including those mentioned above, encountered during new construction, project modifications, or geotechnical work should be reported immediately after discovery or while attempting to control the situation in accordance with 18 CFR § 12.10(a).

**Emergency Modifications.** See 18 CFR, § 12.11(b)(1). You must report any project modifications taken to respond to emergency conditions as soon as practicable.



## OTHER RESPONSIBILITIES

**Instrument Readings during unusual or extreme loading events.** Acquiring instrumentation readings during unusual loading events, like a flood or post-earthquake, is important to help evaluate the performance of your dams. However, personnel safety should not be compromised and should always be considered when surveilling and monitoring structures and instrumentations during and after these events. These readings should be immediately reported to this office if they are found to be reaching or exceeding threshold and/or action levels.

**Excavations and Investigations.** Your plans for any proposed ground-disturbing activities within your FERC project boundary must be submitted for our review at least 60 days prior to commencement. Ground-disturbing activities include anything that could have dam safety implications and/or that could impact any cultural, biological, or historic features. This could include clearing and grubbing, excavations, or repeated off-road travel.

**Drilling Guidelines.** Our drilling guidelines entitled, *Guidelines for Drilling in and Near Embankment Dams and their Foundations*, provide guidance for drilling in or near any dam as well as for trenching, test pits, and similar activities. The guidelines should be referenced when performing any type of exploration activities near any FERC-licensed project. These guidelines are available on our website at:

<https://www.ferc.gov/sites/default/files/2020-04/guidelines.pdf>

If you have any questions about whether a proposed activity requires our review and authorization, please contact the FERC staff engineer assigned to your project.

**Drawdowns and Dewatering.** See 18 CFR § 12.4(b). All *non-emergency drawdowns* of a reservoir, canal, or forebay that would be inconsistent with the operational requirements and/or terms and conditions in your license or exemption require prior authorization. Documentation of consultation with appropriate federal, state, and local resource agencies must be included in your drawdown request. The request for an extended drawdown (exceeding four weeks) should be made through the Commission's Division of Hydropower Administration and Compliance (DHAC) with a courtesy copy emailed to the Regional Engineer. Emergency drawdowns to protect life or property must be reported to our office in accordance with 18 CFR § 12.10(a).

**Conveyance Feature Draining/Dewatering.** Requests to dewater tunnels, conduits, or penstocks as part of normal operation and maintenance activities must also be submitted to the Regional Office **for review and comment at least 60 days prior to initiation**. If emergency conditions exist (e.g., mechanical failures, storm damage, etc) that result in the immediate need to drain a conveyance feature, you must notify this office in accordance with 18 CFR § 12.10(a).



**Plan Review.** See 18 CFR, § 12.11(b)(2). Your plans for any proposed modifications to, or major maintenance of, any of your projects must be submitted for review and acceptance at least 60 days prior to initiation. Larger and more complex projects can require substantially more than 60 days for us to review and provide comments. Therefore, you are encouraged to contact this office as soon as possible to discuss upcoming projects to minimize any delays. You are also responsible for obtaining all necessary permits from other federal, state, and local agencies to perform proposed work, as well as consulting with DHAC, as needed.

**Review and Submittal of Consultant Reports.** Each cover letter transmitting a consultant's report must include a statement that the report has been reviewed by you, your Chief Dam Safety Engineer or Chief Dam Safety Coordinator, and/or your staff. The cover letter must also provide either your concurrence or disagreement with the consultant's findings and/or recommendations. When you agree that urgent actions are necessary, you must include your proposed plan and schedule for these actions in the cover letter. Any dissenting opinion should be fully justified. All reports submitted on behalf of your consultants **should be signed** by the individuals who performed the work discussed in the reports.

**Extension of Time Requests.** If you are unable to meet a due date, you must submit a written request for an extension of time that includes an explanation of why the due date could not be met and your plan and schedule for completing the required action. Your extension of time request should be submitted sufficiently far in advance of the due date (typically 30 days) for us to review and make a decision on your request.

**Critical Energy Infrastructure and Privileged Information.** Documents containing Critical Energy/Electric Infrastructure Information (CEII), per 18 CFR § 388.113 and <https://www.ferc.gov/legal/ceii-foia/ceii.asp>, should include the label **CUI//CEII** centered in the top header of each page of the document. Documents containing information that 18 CFR § 388.112 recognizes as privileged should include **CUI//PRIV** centered in the top header of each page of the document. Documents containing both CEII and privileged information should contain **CUI//CEII//PRIV** centered in the top header of each page of the document. Any document containing CUI must be uploaded under the corresponding security tabs during eFiling. If a document contains both CUI and PRIV material, it should be uploaded under the Privileged tab.

In accordance with the Commission's Information Governance Policy, please designate all security documentation as **CUI//CEII//PRIV** centered in the top header and **Security Sensitive Material Do Not Release** centered in the footer of each page of the document. **Security documents must not be submitted to eLibrary** – those documents required as part of FERC's *Security Program for Hydropower Projects*, will be reviewed in the field or in an agreed-upon remote capacity. While not an exception to this filing rule, the Annual Security Compliance Certification (required for Security Group 1s & 2s and due December 31<sup>st</sup> each year) should be emailed to the Security Branch with the appropriate Regional Engineer copied on the email. When submitting dam safety and



other licensing/compliance correspondence to the Commission, do not mix security related information including, but not limited to, security features (e.g., cameras), security procedures (e.g., guards and response), cyber network connectivity, and law enforcement response times.

**Contact Information.** Any changes to your dam safety point of contact (e.g., Chief Dam Safety Engineer or Chief Dam Safety Coordinator), including contact names, addresses, phone numbers, and/or email addresses should be promptly reported to our office so that we can contact your staff in the event of an emergency. If the primary contact for your organization changes, you must also file a change of contact form located at the following web address:

<https://www.ferc.gov/how-submit-and-or-update-contact-information>

**Owner's Dam Safety Program (ODSP) and Chief Dam Safety Engineer.** If you have filed an ODSP, please remember that your ODSP is a living document that should be updated when organizational and project personnel changes occur. You are reminded that your ODSP should undergo an external audit every 5 years. Prior to conducting an audit of your ODSP, please submit a statement of qualifications of the proposed auditor for our review and acceptance. A copy of the final audit report should be submitted for our review and comment. In addition, please notify this office immediately upon the designation of a new Chief Dam Safety Engineer or Chief Dam Safety Coordinator. The Chief Dam Safety Engineer or Coordinator should be well-versed in dam safety and should have received regular training, for example, attendance at dam safety training courses and involvement in professional dam safety organizations such as the United States Society on Dams (USSD) and the Association of State Dam Safety Officials (ASDSO). Qualifications and training should be well documented on the individual's resume.

**Risk-Informed Decision Making (RIDM).** FERC continues to advance RIDM measures. Draft RIDM guidelines have been posted on our website at:

<https://www.ferc.gov/industries-data/hydropower/dam-safety-and-inspections/risk-informed-decision-making-ridm-3>

A number of pilot projects have been initiated and are in various stages of completion. There are still opportunities to request participation in the pilot project studies. If you are interested in participating in a risk pilot project study, please reference our draft guidelines and contact the Regional Engineer for more information.

RIDM training opportunities are available by ASDSO, USSD, and other professional organizations. We encourage you to attend risk training courses offered by the dam safety profession.

**Supporting Technical Information Document (STID).** Documents should be in a searchable format with a linked Table of Contents to enable navigation to each section of the document. The STID summary report should be eFiled by selecting Hydro:



Regional Office and the Regional Office that corresponds to the project. As indicated in our Engineering Guidelines, all reference documents referred to in the STID, and sometimes in the PFMA report, should be included with the STID. This can include large documents such as construction records and photographs. Researching your files and including this information will provide critical support for your current analyses and evaluations, and may eliminate the need for, or reduce the scope of, any additional investigations and/or analyses to confirm the safety and adequacy of your water-retaining structures. If the reference materials cannot be eFiled, please contact the project engineer to discuss options for transmitting the STID reference materials to the Commission.

The pages of the STID should be numbered and the STID should have a usable table of contents to find any related document. Ideally, the printed copy has page tabs delineating each section as noted in the table of contents. The electronic PDF table of contents must contain hot links to each section.

**Inoperative Projects.** You must report a project or project feature that is inoperable or in poor condition. Your report must contain a plan and schedule for restoring the project or project feature to a safe operational condition. See Federal Power Act, Section 10(c).

Also, 18 CFR § 6.4 states that if generation from the project is *discontinued for a period of three years*, the [Commission](#) will deem it to be the intent of the licensee or exemptee to surrender the license or exemption, and not less than 90 days after public notice, may at its discretion terminate the license or exemption.

**Public Safety.** Most projects are required to install and maintain public safety devices and develop and submit a Public Safety Plan (PSP). Periodic internal review of your PSP should be performed due to possible changes in project operations or public use.

You must notify this office of any plans to remove a safety device at least 10 days in advance, unless the device's removal is a periodic occurrence that has been previously accepted by the Regional Engineer. Also, the Regional Engineer should be expeditiously notified of any damage to, or loss of, any public safety device and provided with a schedule for the device's return to service. See 18 CFR, § 12.42.

Please review your current public safety measures for all project operations, including the operation of spillway gates. Downstream conditions should be reviewed, and adequate public safety measures should be implemented in order to warn anyone who could be in danger due to project operations. Any PSP that has not been updated within the past 10 years must be reviewed for any changes and resubmitted in its entirety with any changes that may have occurred. See our public safety guidelines located at:

<http://www.ferc.gov/industries/hydropower/safety/guidelines/public-safety.pdf>

**Records.** You must maintain permanent project records. Design drawings such as Exhibits F or L, instrumentation data, and your operational history records must be maintained at your projects. See 18 CFR § 12.12.



**Erosion and Pollution.** You are required to prevent or minimize soil erosion, sedimentation, or any form of water or air pollution. An Erosion and Sediment Control Plan is typically required by a license article. Any construction activity involving ground disturbance should have an Erosion and Sediment Control Plan.

Project operators must also be aware of state requirements regarding hazardous liquids or other materials, as well as those of the U.S. Environmental Protection Agency. You should assist owners of public marinas and private docks in minimizing pollution and should advise them to report any incidents to the appropriate local, state, and federal agencies, as well as to FERC. A Spill Prevention and Pollution Control Plan may also be required, by letter from this office, or as a license article, for construction or major maintenance activity.

**Personal Safety.** We will continue to reach out to you before conducting inspections to discuss site-specific hazards that may be encountered as well as safety equipment requirements necessary to observe all project features and important operating equipment. This could include mandated training or Personal Protective Equipment (PPE). FERC provides its employees with PPE and would prefer that only FERC-issued PPE be used by FERC employees to conduct inspections. At the beginning of each inspection day, all parties should participate in an on-site safety meeting to review any safety issues or processes as part of the day's inspection activities.





## SCOTT A. FLEURY, P.E.

Scott serves as the Public Works Director for the City of Ashland (City). He is responsible to plan, direct, and supervise the activities and operations of the Engineering, GIS, Project Management, Facilities, Utilities, Water Conservation and all other non-operational divisions within the Public Works Department. His span of responsibility includes managing the license and permit requirements of the City's FERC licensed Reeder Gulch Project and maintenance and repair of the project's concrete arch dam and associated facilities.

### EDUCATION

B.C. Mechanical  
Engineering California  
State University at  
Chico 2001

### REGISTRATIONS

Professional Engineer  
84357PE OR

### AFFILIATIONS

American Public  
Works Association

Rotary International

### EXPERIENCE

20 Years

Since joining the City in 2006, Scott has been involved in projects related with the water system and its Reeder Reservoir raw water source, water treatment plant, and associated pipelines. After becoming the Engineering Services Manager in 2012, Scott has been directly involved with the FERC project studies and reports, including a PMF evaluation and PMFA update that evolved from the 2013 Part 12 review. After becoming Deputy Public Works Director in September 2017, Mr. Fleury assumed supervision of the RH2 contract to provide FERC license required reporting and the CDSE services. In 2020 Mr. Fleury was promoted to Public Works Director and continues to assume responsibility for the Dam Safety Program. Mr. Fleury led the City's role in the 2018 Part 12 review and has been the City's primary contact for FERC license communications. Scott is supervising the City project managers that are conducting the projects now addressing needed upgrades to the Reeder Gulch project.

### REPRESENTATIVE EXPERIENCE

#### Project Manager – 2018 FERC Part 12 Review

Scott served as project manager for the FERC license required project review by an Independent Consultant starting in August 2018. Scott obtained the consultant, led the City's participation in the review, and managed the City's response to the review. Scott is now supervising the various projects that are addressing the repair and upgrading of the project facilities to accommodate comments provided by the consultant and FERC staff as an outcome of the Part 12 review.



### **Project Manager – Hosler Dam Erodibility Evaluation Update**

Scott supervised the contract and work product produced by AECOM for the evaluation of erodibility of the earth materials below the full length of Hosler Dam. The study was an expansion of an earlier evaluation performed as part of AECOM's investigative work from their 2013 Part 12 review of the City's FERC project. The study report date is February 2019.

### **Project Manager – Probable Maximum Flood Study**

Scott was the managing engineer for this November 2017 study by AECOM. The study was in response to FERC review comments that directed the inclusion of new weather change parameters to include thunder storm related events. The study increased the PMF by nearly 2000 CFS for summer storm cell activity.

### **Project Manager - Hosler Dam PFMA Supplement 1**

Scott was the managing engineer for the December 2016 work by AECOM to provide a revision to the 2013 Part 12 revision to the Reeder Gulch Project's Potential Failure Mode Analysis. The re-evaluation of the PFMA's was done as a result of new information provided since the 2013 Part 12 review and, specifically, to account for the results of a 2015 erodibility study.

### **Project Manager - Hosler Dam Safety Improvements**

Scott is the managing engineer for the Dam Safety Improvement project meant to resolve PFM Category I derived for Hosler Dam. The project is current finalizing the preliminary engineering phase and construction is expected to begin in 2022.

## **REPRESENTATIVE TRAINING**

Stability Analyses and Assessments for Concrete Arch Dams by Association of State Dam Safety Officials – March 2018.

2019 Safety Evaluation of Existing Dams Seminar by U.S. Bureau of Reclamation – May 2019

2019 Emergency Action Plan Exercise Design Course – August 2019

2021 Emergency Action Plan Exercise Design Course – June 2021

## Appendix 5

Policy # 2019.04.01

**ORIGINATING DEPARTMENT:** Administration

**SUBJECT:** Safety Policy

**PURPOSE:** This sets forth the City's policy as it relates to safety in the workplace

**STATEMENT OF POLICY:**

The safety, welfare, and health of our employees is one of our highest priorities. Every reasonable effort shall be made to maintain a safe work environment. No job will be considered so important and no deadline so urgent that we cannot take time to perform our work safely.

The City has a loss prevention program in place that emphasizes the integration of safety and health measures into each job task so that safety and job performance become inseparable. The City has an active safety committee responsible for assisting management in promoting safe working conditions.

Safety orientation for new hires and transferred employees, timely and appropriate training, management/employee safety committee, an active self-inspection program, proper mechanical guards, and personal protective equipment are some of the tools we use to maintain a safe work environment. Our goal is to reduce risk and strive for a goal of zero workplace injuries.

**Safety Policy Goals**

This safety policy is intended to:

- Demonstrate the City of Ashland's commitment to employee health and safety;
- Reduce or remove risk to the health, safety and welfare of all employees, elected officials, contractors, community members and anyone else who may be affected by City operations;
- Create a work environment in which all work activities are done as efficiently as they can be performed, while being performed safely.



**Management's Role in Safety:**All supervisors/managers at the City will:

- Promote safe work practices and foster a safe work environment at all times;
- Provide employees with the proper Personal Protective Equipment (PPE) to perform job tasks in a safe manner;
- Provide the appropriate level of training and supervision necessary to make sure that all workers know how to properly and safely perform job tasks;
- Ensure equipment and facilities are maintained properly;
- Demonstrate concern for the safety and welfare of all employees, citizens, elected officials, contractors or visitors to City facilities;
- Routinely observe work being performed by subordinates and correct or revise work procedures to reduce risk;
- Educate and share information regarding changes or updates to work practices, training, or equipment to ensure all employees are informed of the safest current work practices;
- Hold employees who violate safety policies or who perform work in an unsafe manner accountable;
- Investigate any workplace accidents promptly and review with involved parties. Discuss what could be done to prevent future accidents or reoccurrence.
- Commit to continual improvement and performance through effective safety management.
- Not retaliate against any employee raising a concern about safety in the workplace.

**Employee Safety Responsibilities:**All employees of the City of Ashland will:

- Take responsibility for personal health and safety, and that of others in the workplace;
- Report any unsafe work practices or conditions to a supervisor or manager immediately;
- Remove hazard by taking equipment or tools out of service when damaged or not in proper working order;
- Not take shortcuts when performing work that could result in an increased risk of injury;
- Wear personal protective equipment and clothing as required;
- Comply with all directives from management regarding health and safety;
- Not misuse, manipulate or interfere with anything provided for health and safety;
- Report all accidents, incidents or near misses that occur on the job immediately, no matter how trivial;
- Report all known or observed hazards to their supervisor or manager.



**Policy Requirements:**

Management is firmly committed to a policy enabling all work activities to be carried out safely, and with all possible measures taken to remove (or reduce) risks to the health, safety and welfare of employees, elected officials, contractors, citizens, authorised visitors, and anyone else who may be affected by our operations.

The City of Ashland is committed to ensuring compliance with all applicable federal, state and industry-specific standards for safety and health in the workplace. Employees will be held accountable for complying with all safety requirements based on the work they are performing.

**Application of this policy:**

Safety is the responsibility of everyone working for the City of Ashland. A safe work environment requires the co-operation of all employees at all levels in the organization. Suggestions to improve safety are always encouraged. This policy applies to all City operations, programs and functions, including those situations where workers are required to work off-site.

**Approved:**

  
Kelly Madding, City Administrator

Date: 7/17/19

**Reviewed as to form:**

  
David Lohman, City Attorney

Date: 7/18/19



## Appendix 6

Employee	Documentation Information					Trainings				
	Owners Dam Safety Program	Emergency Action Plan	Standard Technical Information Documents*	FERC Documentation**	FEMA (ICS)***	Bureau of Reclamation (SEED)	FEMA	ASDSO	FERC Emergency Action Plan Course	FERC Courses
<b>Public Works Engineering and Administration</b>										
Director of Public Works	X	X	X	X	X					
Deputy Director of Public Works	X	X	X	X	X					
Chief Dam Safety Engineer	X	X	X	X	X	X	X	X	X	X
Senior Project Manager	X	X	X	X	X	X	X	X	X	X
Water Resources Technician	X	X	X	X	X					
Public Works Administrative Analyst	X	X			X					
<b>Public Works Operations Management</b>										
Public Works Superintendent	X	X	X		X					
Water Distribution Supervisor	X	X			X					
Water Treatment Plant Supervisor	X	X	X		X					
Wastewater Treatment Plant Supervisor	X	X			X					
Wastewater Collections Supervisor	X	X			X					
Street Department Supervisor	X	X			X					
Maintenance and Safety Supervisor	X	X			X					
<b>Public Works Operational Staff</b>										
Operational Staff (Water, Wastewater, Streets)	X	X	X		X					
<b>Electric Department Management</b>										
Director of Electric Utility	X	X			X					
<b>Electric Department Operational Staff</b>										
Electrician	X	X			X					
<b>Emergency Responder Staff</b>										
	X	X			X					
<b>Part 12 Independent Consultants</b>										
	X	X	X	X						
<b>Dam Project Engineering Consultants</b>										
	X	X	X	X						

\*Note: The STID includes PMF, PFMA, DSSMP, DSSMR, CDSE documents

\*\*Note: FERC Documentation includes

\*\*\*Note: Minimum ICS includes 100 and 700 level courses