

# Staff Report

for the Board of Directors' Meeting of November 17, 2017

**TO:** Board of Directors  
**FROM:** Greg Jones, Assistant General Manager *GJ*  
**DATE:** November 15, 2017  
**SUBJECT:** **Scotts Flat Security Gate**

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## **ADMINISTRATION**

### **RECOMMENDATION:**

Provide direction regarding the Scott's Flat Spillway gate, and authorize the General Manager to execute the necessary budget adjustments and contract documents.

### **BACKGROUND:**

In August, 2017, NID installed fencing and a gate across the top of and along the edge of the Scott's Flat Spillway in an effort to safeguard the District against regulatory concerns as well as public health & safety hazards.

The Scott's Flat facility is subject to regulatory control by both the Department of Safety of Dams (DSOD) and the Federal Energy and Regulatory Commission (FERC). Recently, the Scotts Flat Spillway was included on DSOD's priority re-evaluation list, giving additional regulatory analysis to the facility's security and operational constraints.

In light of the increased regulatory scrutiny and the health & safety liability risks around undeterred access and activities on the spillway, as discussed at the WHO Committee's October 18<sup>th</sup> meeting, NID staff took action in an attempt to mitigate the risk. The public was notified by a press release and articles were published in the Union, YubaNet and on KNCO radio.

At the October 18<sup>th</sup> WHO Committee, the public attended to voice their concerns regarding the newly installed gate. Among the community members present, many were there to represent the following groups:

- Sierra Express Bike Team
- Bear Yuba Land Trust
- Sierra Buttes Trail Stewardship
- Bicyclists of Nevada County
- Forest Trails Alliance
- Single Track Action Riders
- Fire Wise Council of Cascade Shores
- Cascade Shores Homeowners Association
- Scotts Flat Homeowners Association
- Friends of Banner Mountain

Should the Board decide to open the gate, below is a list of potential options intended to help mitigate health & safety risks associated with public access. These options were discussed in consultation between NID staff, District council and the District's insurance provider.

Should the District decide to close the gate during threats to national security, below is an option when to close the facility to public access.

<b>Option</b>	<b>Cost</b>	<b>Time</b>
<b>1. Fencing along the top of the spillway running parallel with the eastern and western edges, including adding wingwalls to the northern and southern access points of the spillway. Fencing consistent with the current "no-climb" fencing and razor wire.</b>	\$48,000	1 Mo
<b>2. Install cameras at various locations in order for NID to access real-time monitoring of the facility. Cost includes camera installation, trenching &amp; conduit, and labor.</b>	\$126,000	5 Mo
<b>3. Install signage at various locations to educate the public</b>	\$1,000	2 Wks
<b>4. Hire Security to patrol campgrounds &amp; spillway</b>	\$20,000	2 Wks
<b>5. Close the gate during times when the US Department of Homeland Security determines terrorist threat above "Guarded"</b>	\$0	N/A

The options presented above are strictly to mitigate the District's liability around public health & safety concerns. The Board does not have jurisdictional authority over current or potential safety concerns of DSOD & FERC.

This is an interim solution. We anticipate this spillway needing to be rebuilt under the direction of DSOD in the near future, so a long-term solution must be sought. Moving forward, NID will engage with community members on a long-term solution to the connectivity of the northern and southern areas of Scotts Flat Reservoir. M&R Committee meetings in 2018 will be the appropriate location for the board, staff and the public to engage in discussion surrounding an appropriate, long-term solution mitigating both the regulatory and the public health & safety concerns.

**BUDGETARY IMPACT:**

Estimate: \$195,000

The funds for the above indicated work are not currently in the 2017 budget. Funds would need to be transferred from the Capital Reserve which currently has \$26,537,609 as of September 2017.

Attachments (2)

- Spillway View (Current)
- Spillway View (Potential)
- US DHS Threat Levels

Existing Fencing Scheme



Proposed Fencing Scheme

Complete fencing to edge of spillway

Add fencing to downstream side

Add wingwalls to prevent climbing (4 places)





# HOMELAND SECURITY ADVISORY SYSTEM

**SEVERE**

SEVERE RISK OF  
TERRORIST ATTACKS

**HIGH**

HIGH RISK OF  
TERRORIST ATTACKS

**ELEVATED**

SIGNIFICANT RISK OF  
TERRORIST ATTACKS

**GUARDED**

GENERAL RISK OF  
TERRORIST ATTACKS

**LOW**

LOW RISK OF  
TERRORIST ATTACKS