

FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
Division of Dam Safety and Inspections
888 First Street, NE Routing Code: PJ-13
Washington, DC 20426
(202) 502-6314 Office

February 17, 2026

In reply refer to:
Project No. 2246-CA

VIA Email

Mr. Willie Whittlesey
General Manager
Yuba County Water Agency
1220 F Street
Marysville, CA 95901
WWhittlesey@yubawater.org

Re: New Bullards Bar – Colgate Powerhouse Penstock Failure

Dear Mr. Whittlesey:

This letter is regarding the major structural and environmental damage that occurred to the New Bullards Bar-Colgate Penstock, New Colgate Powerhouse, and the Yuba River on February 13, 2026. The damage was the result of a significant release of water from the failure of the Colgate Penstock resulting in structural damage, erosion, and injuries at the powerhouse. This event has also led to the loss of generation and loss of primary low-level reservoir discharge capacity at the project. The Colgate Powerhouse Penstock is part of the Yuba River Project, FERC No. 2246.

You notified the San Francisco Regional Engineer of the penstock failure by phone on February 13, 2026, at 5:06 PM. You informed him that during the first filling of the newly remediated Colgate Penstock, the pipe ruptured, releasing a nearly full tunnel of water extending from the rupture location to New Bullard's Bar Dam, a distance of approximately 5 miles. You reported that personnel had to be rescued by helicopter from both your powerhouse as well as the Pacific Gas and Electric (PG&E) facility located along the Yuba River since damage occurred to the access road to these facilities cutting off all land access. You also indicated that there were injuries and an unaccounted-for individual who was located shortly after your original notification. That person suffered serious injuries and was transported to the local hospital where he currently remains.

We dispatched an engineer from the San Francisco Regional Office to visit the site on Monday, February 16, 2026. Based upon your reports, photographs, and his site visit,

the penstock failure consists of the rupture of a 15-foot diameter penstock in a section of pipe between a butterfly valve and a concrete thrust block before the pipe extends along the surface down a steep hill to the powerhouse. The erosion of the hillside resulted in an additional breach and deformation of the pipe along with damage to the access road to the powerhouse. A large amount of sediment was washed into the Yuba River, along with various debris and materials that continued down to the Englebright Reservoir, a United States Army Corps of Engineers (USACE) facility. You reported that the reservoir accommodated the full water release with no impacts to the Englebright Dam, and you had begun coordination efforts with the USACE to control the debris and oil sheen on the reservoir. Those efforts are continuing.

We understand that you have been unable to access the powerhouse to assess the damage to the powerhouse but informed us that sediment did reach the first floor of the powerhouse and did substantial damage to the switchyard. You have stated that this incident has not presented any impacts to the New Bullards Bar Dam, with no current dam safety concerns.

Based upon the information available on this incident, we have the following requirements:

1. Provide us with details on how you plan to operate New Bullards Bar Dam and reservoir with the loss of the use of the Colgate Penstock. Include details regarding the operation of the spillway gates, including the loss of potential power sources to the gates, if any, as a result of this incident and how low-level discharges will be made (routine or emergency discharges) should the reservoir level be below the ogee crest of the spillway. This evaluation should also include an evaluation of any interim risk reduction measures necessary for the safe operation of the dam.
2. You are required to perform a forensic analysis aimed at determining the root cause of the penstock failure. The forensic analysis must be performed by a fully independent third party of engineers with no previous involvement in the analysis, design, construction, and operation of the penstock structure at this project. The forensic team must review every document available on the original and remedial design, construction, and re-filling of the penstock. They must develop a full report of their work and findings to be submitted to us for our review and comment. Provide a plan and schedule to our office for our review for the forensic analysis that details the scope of the forensic analysis, the names of the proposed forensic team members, resumes of the proposed team members, a statement of independence of the team members, and a schedule to conduct the work.

3. You must convene an Independent Board of Consultants (BOC) to oversee the design and reconstruction of the damaged project features (penstock, tunnel, and powerhouse). The BOC charge should include a comprehensive evaluation and assessment of all engineering aspects of the water conveyance system from the upstream intake gate at the dam through discharge into the Yuba River. The BOC must consist of fully independent third-party engineers with no previous involvement with the New Bullards Bar Dam project.

a. The BOC shall review and assess the:

- i. Geological and geotechnical stability of the failure site.
- ii. The condition of the tunnel after experiencing the uncontrolled draining of the tunnel.
- iii. All mechanical, electrical, and structural conditions of the powerhouse, switchyard, and all other impacted portions of the project.
- iv. Any impacts to the New Bullards Bar Dam resulting from this incident. This assessment should include, but not be limited to the following:
 1. Control of the reservoir with the loss of the penstock
 2. Methods to control the spillway gates with the loss of some of the power sources to the gates.
- v. The design and reconstruction of the penstock, powerhouse, and all components required to restore the project to full operation and licensed generation capacity.
- vi. The implication of any Interim Risk Reduction Measures to be implemented to ensure the safe operation of the project until the project has been returned to full operation.
- vii. Any additional information determined by you, us, the Forensic Team, and/or the BOC members during the Board Process.

b. The BOC shall review and assess all aspects of the forensic analysis to include:

- i. Review of the plan of action describing the steps that will be undertaken for the forensic analysis, to include an analysis of the root cause and contributing causes of the penstock failure.
- ii. Project operations before, during and after the event.
- iii. A thorough review of project documents, including the Emergency Action Plan, Potential Failure Mode Analyses, Part 12D Independent Consultant Inspection Reports, and the Supporting Technical Information Documents, along with any other information deemed necessary to complete the analysis.

This review should include an assessment of the operation of the reservoir until the penstock can be restored to full operation.

- iv. Any additional information or analysis requested by the BOC.
- c. The composition of the BOC will be determined later after a more thorough evaluation and assessment of the project features have been completed.
- d. The operation of the BOC should be administered per our typical BOC process as much as possible. That process includes the following:
 - i. The operation of each BOC will be as follows:
 - 1. Formal BOC meetings will be scheduled to review and assess technical areas. The meetings should be scheduled at important milestones for the investigations and repair and construction of the penstock and powerhouse. It is anticipated that the meetings will be attended by members of the BOC, your staff and engineering consultants, and us.
 - 2. At least two weeks prior to each BOC meeting, you shall provide to the distribution list discussed below, a data package that contains:
 - a. An agenda for the meeting;
 - b. A statement of the specific level of review the BOC is expected to provide;
 - c. A list of the items to be reviewed and discussed with the BOC;
 - d. Investigations, engineering analyses, reports, and design drawings and specifications to be reviewed by the BOC;
 - e. A list of questions to be answered by the BOC, if any;
 - f. A discussion of significant events in the investigation, design or construction that have occurred since the last BOC meeting; and
 - g. A list documenting BOC recommendations, the current status and outcome of those recommendations, and the BOC report in which the recommendations were made.

The data package and all project-related correspondence should be provided to all members of the BOC and eFiled to the D2SI-San Francisco Regional Engineer.

- e. At the end of each BOC meeting, the BOC shall verbally present its conclusions, recommendations, and answers to questions posed. Within two weeks of the end of the meeting, the BOC shall provide you with a copy of the BOC meeting report. Within two weeks from receipt of the BOC meeting report, you should distribute the report and a plan and schedule to comply with the BOC's recommendations or a statement identifying a plan to resolve any issue(s).

In the event the BOC's recommendations are not implemented, detailed reasons for not doing so should be provided. We may require additional action after we review the above information. The BOC report and your plan and schedule should be eFiled to the D2SI-San Francisco Regional Engineer.

- f. The BOC shall remain in effect through the design and repair of the Colgate Penstock and Powerhouse.
 - g. The final BOC meeting is to be held one year after completion of construction of the project. The final BOC report shall assess the operation of the project and if the project is performing as intended based on engineering investigations, design report, construction reports and instrumentation performance. Within 45 days of the date of the final BOC meeting, copies of the report shall be eFiled with the D2SI-San Francisco Regional Office.
4. You must submit a combined 12.10(a) and 12.10(b) incident report following the process identified in 18CFR12.10 (a) and (b). This single report must cover the penstock failure, the activation of the EAP, and a description of the resulting rescues and how the serious injury was sustained. Note the requirements in the regulations along with the following:
- a. While you may not know the exact cause of failure when you file the report, provide the background and conditions leading up to the time of the failure.
 - b. Address the details surrounding the activation of the EAP.
5. Provide a description of the environmental effects resulting from the penstock failure and your immediate actions taken, including any notifications to

appropriate resource agencies (USACE, U.S Fish and Wildlife Service, National Marine Fisheries Service, California Department of Fish and Wildlife, State Water Resources Control Board, State Historic Preservation Office). Please include any comments or recommendations you received from the resource agencies, and your actions in response to those comments. You should include a plan and schedule to remediate the initial effects of the penstock failure and sediment discharge, such as erosion control and access road repair steps. Staff from the Commission's Division of Hydropower Administration and Compliance will contact you to discuss considerations of your license compliance and mitigation actions.

You must address comments 1, 2, 4, and 5 above within 10 days of the date of this letter. We will contact you regarding the BOC process following your responses to the forensic analysis and the filing of the incident report. File your submittal using the Commission's eFiling system at <https://www.ferc.gov/ferc-online/overview>. During eFiling make the following menu selections: **Hydro: Dam Safety; Washington, DC**. The cover page of the filing must indicate that the material was eFiled. For assistance with eFiling, contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

Sincerely,

DAVID

CAPKA

David E. Capka, PE

Director

Division of Dam Safety and Inspections

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CAPKA
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cc:

Erik Malvick - Division Manager

CA Dept. of Water Resources

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c/o Shawn.Jones@water.ca.gov