

**Report to Congress for Future Water Resources Development (WRRDA 7001) Submission
Package**

Proposal Name: Merced Feasibility Study

Submission Date: 08/27/2019

Proposal ID Number: 45170ec1-9477-4dc2-ba3c-0cd4721960d3

Purpose of Proposal: The GRR is intended to reevaluate the original Federal authorization (Flood Control Act of 1944 Public Law 534) that was updated in 1970 (Flood Control Act of 1970 (Public Law 91-611, Sec. 201, 84 Stat. 1824)). The construction of Haystack Dam on Black Rascal Creek was added to the authorization but was eliminated due to significant environmental concerns.

1. Administrative Details

Proposal Name: Merced Feasibility Study

by Agency: Sacramento District of the U.S. Army Corps of Engineers

Locations: CA

POC Name:

POC Phone:

POC Email:

Date Submitted: 08/27/2019

Confirmation Number: 45170ec1-9477-4dc2-ba3c-0cd4721960d3

Supporting Documents

File Name	Date Uploaded
MercedCo-GRR-Section 7001 - 20190816.pdf	08/27/2019

2. Provide the name of the primary sponsor and all non-Federal interests that have contributed or are expected to contribute toward the non-Federal share of the proposed feasibility study or modification.

Sponsor	Letter of Support
State of California Central Valley Flood Protection Board(Primary)	The Board and the Sacramento District project delivery team completed the Merced Feasibility Study (MFS) to be consistent with the 2017 Central Valley Flood Protection Plan and advance the vision for an integrated flood management system in the Central Valley to provide for safe, healthy, and thriving communities while protecting and restoring the environment. The plan recommended in the resulting authorization (Merced County Stream Group Authorization) did not afford the area with adequate flood protection. The Central Valley Flood Protection Board and local agencies see the need for a General Reevaluation Report (GRR) to recommend flood risk reduction projects to protect the basin. The Board confirms its intent to participate as a Non-Federal Sponsor toward the completion of a GRR to develop a recommended plan. The Board's financial support is limited to flood control only and contingent on: State legislature authorization and appropriation for construction of the project, federal authorization and appropriation for construction of the project, project benefits outweighing costs, and costs being allocated according to beneficial uses and paid by appropriate parties benefiting from those uses.

3. State if this proposal is for new feasibility study authority, a modification to an existing feasibility study authority, a modification to an existing USACE project authority, or a modification to an existing USACE Environmental Infrastructure Program authority. If it is a proposal for a modification to an existing study, project or program authority, provide the authorized water resources development feasibility study or project name.

[x] Modification to a USACE Feasibility Study Authority : Merced Feasibility Study

4. Clearly articulate the specific project purpose(s) of the proposed study or modification. Demonstrate that the proposal is related to USACE mission and authorities and specifically address why additional or new authorization is needed.

The GRR is intended to reevaluate the original Federal authorization (Flood Control Act of 1944 Public Law 534) that was updated in 1970 (Flood Control Act of 1970 (Public Law 91-611, Sec. 201, 84 Stat. 1824)). The construction of Haystack Dam on Black Rascal Creek was added to the authorization but was eliminated due to significant environmental concerns.

5. To the extent practicable, provide an estimate of the total cost, and the Federal and non-Federal share of those costs, of the proposed study and, separately, an estimate of the cost of construction or modification.

	Federal	Non-Federal	Total
Study	\$1,500,000	\$1,500,000	\$3,000,000
Construction	\$60,000,000	\$40,000,000	\$100,000,000

Explanation (if necessary)

Since the purpose of the GRR is to recommend a plan the project costs are preliminary estimates.

6. To the extent practicable, describe the anticipated monetary and nonmonetary benefits of the proposal including benefits to the protection of human life and property; improvement to transportation; the national economy; the environment; or the national security interests of the United States.

Flooding in the City of Merced would have devastating economic, social, political, and demographic consequences for the region, for the State of California, and for the federal government. The population in the area was 81,102 as of the 2013 census. Severe flooding in 1998 and 2006 resulted in approximately \$22 million dollars in unrecoverable damages. Since the purpose of the GRR is to recommend a plan the project costs and benefits have not been defined.

7. Does local support exist? If 'Yes', describe the local support for the proposal.

Yes

Local Support Description

Both the CVFPB and the City of Merced have expressed their commitment and support for the project.

8. Does the primary sponsor named in (2.) above have the financial ability to provide for the required cost share?

Yes

Primary Sponsor Letter of Support

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MercedCo_GRR_Section 7001 - 20190816.pdf

CENTRAL VALLEY FLOOD PROTECTION BOARD

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August 23, 2019

Mr. R.D. James
Assistant Secretary of the Army (CW)
U.S. Army Corps of Engineers
108 Army Pentagon
Washington, DC 20310-1000

Subject: Proposal for Merced County General Reevaluation Report to be Included in the February 2020 U.S. Army Corps of Engineers (USACE) Report to Congress for Future Water Resources Development

Dear Mr. R.D. James:

This letter documents the non-Federal support of the State of California Central Valley Flood Protection Board (CVFPB) for the inclusion of a section 7001 proposal for Merced County General Reevaluation Report (GRR). CVFPB requests the proposed appropriations for this GRR be included in the Annual Report to Congress directed in Section 7001 of the Water Resources Reform and Development Act of 2014.

This proposal has been submitted online as required at <http://www.wrrda7001proposals.us/>. The five criteria set forth in Section 7001 of Public law 113-121 are as follows:

(A) CRITERIA FOR INCLUSION IN REPORT.—The Secretary shall include in the annual report only those feasibility reports, proposed feasibility studies, and proposed modifications to authorized water resources development projects and feasibility studies that—

(i) are related to the missions and authorities of the Corps of Engineers;

The GRR will recommend improvements to reduce the risk of flooding in the City of Merced and surrounding agricultural lands to ensure that the affected urban and rural areas receive an appropriate level of flood protection from Black Rascal and Bear Creeks and their tributaries. The general authority for the GRR is in Section 209 of the Flood Control Act of 1962, Public Law 87-874.

(ii) require specific congressional authorization, including by an Act of Congress;

USACE determined that a GRR would result in a recommended plan that would require new or amended authorization of the previously authorized project. The original Merced County Stream project was authorized by the Flood Control Act of 1994 (Public Law 78-534).

(iii) *have not been congressionally authorized;*

The study's proposed alternatives have not been evaluated yet and are not congressionally authorized.

(iv) *have not been included in any previous annual report; and*

The proposal for authorization of the Merced County GRR was included in 2016 Annual Report.

(v) *if authorized, could be carried out by the Corps of Engineers.*

After a recommendation is made from the study, construction could be carried out by USACE.

The cost estimate for the GRR is \$3 million developed by USACE with an estimated federal cost of \$1.6 million and an estimated non-Federal cost of \$1.4 million.

This GRR will be developed in accordance with EC 1165-2-220, which establishes an accountable and comprehensive life-cycle review strategy for Civil Works products by providing a seamless process for review of all Civil Works projects from initial planning through design, construction, operation, maintenance, repair, replacement, and rehabilitation (OMRR&R). The EC outlines four general levels of review: District Quality Control/Quality Assurance (DQC/OA), Agency Technical Review (ATR), Independent External Peer Review (IEPR), and Policy and Legal Compliance Review. In addition to these levels of review, decision documents are subject to cost engineering review and certification (per EC 1165-2-220) and planning model certification/approval (per EC 1105-2-412).

USACE leadership to complete this GRR is appreciated and we look forward to the Chief's Report and eventual Congressional authorization of a project for the City of Merced and surrounding areas. CVFPB has been the non-Federal sponsor for the GRR and intends to provide the non-Federal cost sharing for the GRR.

Central Valley Flood Protection Board

Leslie Gallagher,
Central Valley Flood Protection Board
Executive Officer

Mr. R.D. James
August 23, 2019
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cc: James C. Dalton, Director of Civil Works
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