Proposal Name: Middle Creek Flood Damage Reduction and Ecosystem Restoration Project
Submission Date: 08/27/2019
Proposal ID Number: 2ca1d4c2-dd8b-43e6-b409-69168407d169

Purpose of Proposal: The Army Corps of Engineers is the lead agency for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, which will reconnect Scotts and Middle Creek to historic wetland and floodplain areas by acquiring the “reclaimed” land and breaching the existing levee system to direct flows into the historically flooded area. It will provide significant water quality benefits and restore large areas of tule marshes and riparian habitat. A Feasibility Study completed in 2003 determined that the most beneficial project alternative would be full restoration of the project area; the Corps approved the project in concept in 2004, and it was authorized by the Water Resources Development Act in November 2007. A few issues raised by the US Fish and Wildlife Service were resolved in 2012, clearing the way for approval of the Record of Decision, which must precede appropriations of funds for project design.
1. Administrative Details

Proposal Name: Middle Creek Flood Damage Reduction and Ecosystem Restoration Project

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: 2ca1d4c2-dd8b-43e6-b409-69168407d169

Supporting Documents

<table>
<thead>
<tr>
<th>File Name</th>
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<tbody>
<tr>
<td>MiddleCreekFRR-Section</td>
<td>08/27/2019</td>
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<tr>
<td>20190816.pdf</td>
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</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Sponsor</th>
<th>Letter of Support</th>
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<tbody>
<tr>
<td>State of California Central Valley Flood Protection Board(Primary)</td>
<td>- The Lake County Watershed Protection District has been working to acquire lands necessary for the project in preparation for the Sacramento District project delivery team to remove the Middle Creek Flood Damage Reduction Project levees from the State Plan of Flood Control as authorized in WRDA 2007. This work is consistent with the 2017 Central Valley Flood Protection Plan (Section 3.4.4) and advances the vision for an integrated flood management system in the Central Valley via restoring the floodplain at the west end of Clear Lake. The Board confirms its intent to participate as a Non-Federal Sponsor toward the completion of the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project (Project). 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.</td>
</tr>
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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 Project Authority: Middle Creek Flood Damage Reduction and Ecosystem Restoration Project
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 Army Corps of Engineers is the lead agency for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, which will reconnect Scotts and Middle Creek to historic wetland and floodplain areas by acquiring the “reclaimed” land and breaching the existing levee system to direct flows into the historically flooded area. It will provide significant water quality benefits and restore large areas of tule marshes and riparian habitat. A Feasibility Study completed in 2003 determined that the most beneficial project alternative would be full restoration of the project area; the Corps approved the project in concept in 2004, and it was authorized by the Water Resources Development Act in November 2007. A few issues raised by the US Fish and Wildlife Service were resolved in 2012, clearing the way for approval of the Record of Decision, which must precede appropriations of funds for project design.
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.

<table>
<thead>
<tr>
<th></th>
<th>Federal</th>
<th>Non-Federal</th>
<th>Total</th>
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<tbody>
<tr>
<td>Study</td>
<td>$500,000</td>
<td>$500,000</td>
<td>$1,000,000</td>
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<td>Construction</td>
<td>$27,100,000</td>
<td>$14,900,000</td>
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Explanation (if necessary)
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.

The Middle Creek Project constructed by the U.S. Army Corps of Engineers (USACE) between 1960 and 1966 consists of 14.4 miles of levees on Middle Creek and Scotts Creek, tributaries to Clear Lake. Due to significant, ongoing land subsidence, a segment of these levees, in the Robinson Lakebed area, is substandard and poses a major maintenance problem. The project will construct flow-regulating structures to recreate a diverse mosaic of vegetation and wetlands on approximately 1,650 acres. Following project-area restoration, wetlands inundation will require electric tower relocation, road realignment, and new bridge construction.
7. Does local support exist? If 'Yes', describe the local support for the proposal.

[x] Yes

Local Support Description

The local community includes a significant coalition supporting the project, because the flood control and ecosystem benefits are eagerly anticipated after over a decade of ongoing real estate acquisition. Clear Lake stands to benefit via improved water quality entering from Middle Creek. Both the CVFPB and Lake County 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?

[x] Yes
Primary Sponsor Letter of Support

(This is as uploaded, a blank page will show if nothing was submitted)
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 Middle Creek Flood Risk Reduction and Ecosystem Restoration Project to be Included in the February 2020 U.S. Army Corps of Engineers (USACE) Annual 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 the Middle Creek Flood Risk Reduction and Ecosystem Restoration Project (project). CVFPB requests this project be included in the Annual Report to Congress directed in Section 7001 of the Water Resources Reform and Development Act of 2014 as a request for appropriations to start construction.  

This appropriation request 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;  

USACE prepared a Chief’s Report in November 2004 and the project was authorized for construction in the Water Resources Development Act of 2007, Public Law 110-114, Section 1001, Paragraph 11. The Chief’s Report recommended improvements to reduce the risk of flooding in Lake County. The authorized project will degrade levees to create more frequently inundated floodplain habitat. Lake County is currently in the process of purchasing land behind levees and has received approximately $23 million in State of California funding to acquire this land. Once this is completed, federal appropriations for construction could be carried out by the Corps of Engineers.
require specific congressional authorization, including by an Act of Congress;
Congressional authorizations have been received for this project. Future appropriations will be needed.

have not been congressionally authorized;
The project was authorized for construction in the Water Resources Development Act of 2001, Section 1001, Paragraph 11: “MIDDLE CREEK, LAKE COUNTY, CALIFORNIA”.

have not been included in any previous annual report; and
The authorized project was not included in any previous annual report. Authorization occurred prior to 2014.

if authorized, could be carried out by the Corps of Engineers.
Once appropriations are received, the project can be carried out by the Corps of Engineers.

The USACE’s support in progressing the project toward federal authorization was greatly appreciated, and now this letter is requesting additional support in getting appropriations to start construction.

Lake County and CVFPB were the non-Federal sponsors for the feasibility study for this project and intend to continue to provide the non-Federal cost share for the construction phase.

Central Valley Flood Protection Board

___________________________________________
Leslie Gallagher,
Central Valley Flood Protection Board
Executive Officer

cc: James C. Dalton, Director of Civil Works
    Headquarters, U.S. Army Corps of Engineers
    441 G Street NW
    Washington, DC 20314
Curtis Lee, Engineer Geologist
Department of Water Resources
Division of Flood Management
3464 El Camino Avenue, Suite 200
Sacramento, CA. 95821

Todd Bernardy, Acting Chief, Flood Projects Office
Department of Water Resources
Division of Flood Management
3464 El Camino Avenue, Suite 200
Sacramento, CA. 95821