



COUNTY OF LAKE

Board of Supervisors

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May 25, 2021

Colonel James J. Handura
Commander and District Engineer
U. S. Army Corps of Engineers
13325 J Street
Sacramento, CA 95814-2922

SUBJECT: Middle Creek, Lake County, California
Flood Damage Reduction and Ecosystem Restoration
Non-Federal Sponsor Letter of Intent (Updated)

Dear Colonel Handura,

The Lake County Watershed Protection District, formerly known as the Lake County Flood Control and Water Conservation District, (District) is the Non-Federal Sponsor of the U. S. Army Corps of Engineer's Middle Creek, Lake County, California, Flood Damage Reduction and Ecosystem Restoration project (Project).

Project Summary

The Project addresses the threat of failure of a levee constructed by the Army Corps and completed in 1966 to divert the waters of Middle Creek and Scotts Creek into Rodman Slough and Clear Lake. The purpose of the levee was to confine the waters of Scotts Creek and Middle Creek to Rodman Slough and thereby complete decades-long local efforts to convert the historic Robinson Lake wetlands to agricultural lands. Since then, the levee has subsided over three feet in places and is in imminent danger of collapse when Clear Lake reaches flood levels. A levee failure would destroy residences, threaten lives, damage other property and prevent the agricultural use of the land.

The restored wetlands will provide critical wildlife habitat and, in addition, improve the quality of water in Clear Lake. The wetlands will act as a filter and sediment basin to capture phosphorus that otherwise flows into Clear Lake and stimulates the excessive growth of blue-green algae. The algae decays in the late summer and creates toxic health hazards and severe nuisance odors for the residents and the tourists to Clear Lake. The algae interferes with the natural biological function of the lake as well. The overall result is severe economic harm to Lake County, as recreation is the County's primary economic engine.

Time is of the essence to complete the Project, as the uncontrolled breach of the levee would destroy the ability of the wetlands to function properly in flood control, as a wildlife habitat, and as a catch basin.

In 2019 the Lake County Board of Supervisors in their capacity as Directors of the District established a subcommittee to act on its behalf. The Middle Creek Restoration Project Committee (Committee) acts to expedite the completion of the project by facilitating cooperative efforts among the U.S. Army Corps of Engineers, Tribes, the California State Department of Water Resources, other Federal, State and local agencies, Federal, State and local legislators, PG&E, CalTrans, and members of the general public. The Committee is made up of two County Supervisors, the Water Resources Deputy Director, and two members of the Middle Creek Restoration Coalition (public advocates of the Project).

Since our correspondence to you in June, 2020 the Committee has continued to work diligently as the arm of the Non-Federal Sponsor of the Project. We will continue to do so until the Project is completed.

Work Update

The District continues to fulfill its contract with State of California Department of Water Resources (DWR) acting on a grant of \$15 million for Land Acquisition, Relocation, Demolition, Hydraulic Mitigation, and the establishment of a Maintenance Trust Fund. (The District's Quarterly Grant Report is included in the attached document package.)

The District has signed contracts with two consultants, Paragon Partners Ltd and Paramount Inc. for professional services in appraisal, land acquisition, and relocation, the principle use of the DWR funding. By summer's end, three-quarters of the 1650 acres in the project zone will have been acquired.

Through consultation with the Project Manager, Section Chief, and Budget Analyst at US Army Corps - Sacramento, our District is aware of its obligations under the Water Resources Development Act of 1986 and 1996 and other requirements as described in section 8.3.2 of the *Final Integrated Feasibility Report and Environmental Impact Statement/Environmental Report* (FR/EIS/ER). The District understands that the Army Corps requires an appropriation to complete what is on the checklist to complete the Record of Decision (ROD) and appreciates Army Corps efforts for placement of the Project on the Work Plan for three consecutive years. Both the District and the citizen's coalition advocate with our Federal representatives to push for appropriation of funds. We thank our Project Manager and others at the Corps for including the Middle Creek Project in the 2020 Report to Congress on Future Water Resources Development.

Our outreach efforts have resulted in official support for the Middle Creek Project by the Blue Ribbon Committee for the Rehabilitation of Clear Lake, a body supported by the California Natural Resources Department and established by the California Assembly. A copy of the letter announcing Blue Ribbon support is attached.

Clear Lake – a national treasure

Clear Lake is a national treasure. It is the largest natural lake within the boundaries of California. It is an ancient lake that is at least 460,000 years old based on core sampling and may will be the oldest lake in North America. Clear Lake supports vast numbers of birds, fishes and other wildlife. Countless species of plants and aquatic creatures live in the lake. Clear Lake is bursting with life.

Prompt completion of this Project is critical to the long-term wellbeing of Clear Lake as we seek to restore its natural condition.

Lake County is small but mighty in its dedication to this Project. We appreciate all the assistance you can give to obtain Congressional funding for the design and construction of the Project at the earliest possible time.

Thank you for your assistance.

Sincerely,

Eddie "E.J." Crandell, Chair
Middle Creek Restoration Project
Committee
Lake County District 3 Supervisor

Bruno Sabatier, Vice Chair
Middle Creek Restoration Project
Committee
Lake County District 2 Supervisor

CC:
Congressman John Garamendi
Congressman Mike Thompson
State Assemblymember Cecilia Aguiar-Curry
State Senator Mike McGuire