



COUNTY OF HUMBOLDT

For the meeting of: 3/2/2021

File #: 21-245

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Continuing Authorities Program Section 1135 New Start Request for Redwood Creek Flood Control Project

RECOMMENDATION(S):

That the Board of Supervisors:

1. Authorize the Chair of the Board to sign the attached letter to the U.S. Army Corps of Engineers requesting a new start for a project involving the Redwood Creek Flood Control Project under Section 1135 of the Continuing Authorities Program.

SOURCE OF FUNDING:

U.S. Army Corps of Engineers; General Fund (Water Management 1100251)

DISCUSSION:

The Redwood Creek Flood Control Project was constructed by the U.S. Army Corps of Engineers from 1966 to 1968 to protect the community of Orick from floodwaters following a series of flood events. The Flood Control Project is composed of levees on each side of Redwood Creek for a total length of 3.4 miles. The County of Humboldt is the local sponsor for the Flood Control Project and responsible for operation and maintenance activities, which are funded by the Humboldt County General Fund. The Flood Control Project currently has active status within the Corps of Engineers Rehabilitation and Inspection Program, which means the Flood Control Project is eligible for levee rehabilitation assistance in the event of catastrophic flood damage.

The Corps of Engineers is authorized to plan, design, and implement certain types of water resource projects under the Continuing Authorities Program (Attachment 1). Section 1135 of the Continuing Authorities Program authorizes modifications of projects constructed by the Corps of Engineers to improve environmental quality and restoration activities where projects constructed by the Corps of Engineers contribute to environmental degradation.

Starting in 2017, a stakeholder group formed with the goal of reaching consensus on a project to address long-term issues regarding traditional land use operations, public safety, and salmonid habitat near the Redwood Creek estuary. Currently the Redwood Creek Estuary Stakeholder Group is

comprised of the Hufford and Zuber families; Northcoast Regional Land Trust; National Park Service; U.S. Fish & Wildlife Service; National Marine Fisheries Service; California Department of Fish & Wildlife; and California Trout. Attachment 2 contains a request from the stakeholder group for Humboldt County to submit a request to the Corps of Engineers for a new start under Continuing Authorities Program Section 1135. Attachment 3 contains a depiction of the proposed project concept. Attachment 4 contains a draft request letter from the Board of Supervisors to the Corps of Engineers requesting the new start. Attachments 5 through 9 contain support letters from members of the stakeholder group.

If the attached request letter is submitted to the Corps of Engineers, they would first evaluate whether there is federal interest in proceeding. If federal interest is affirmed, the Corps of Engineers would move to the feasibility study phase. The Redwood Creek Estuary Stakeholder Group would serve the lead role in further developing the project concept for the feasibility study. Public Works would communicate with the Corps of Engineers and the stakeholder group on behalf of Humboldt County and report back to the Board of Supervisors at key milestones. The Corps of Engineers would cover the initial cost of the feasibility study up to One Hundred Thousand Dollars (\$100,000.00). If the cost of the feasibility study exceeds One Hundred Thousand Dollars (\$100,000.00), Humboldt County would need to provide a fifty percent (50%) cost-share for costs above this initial amount. If a project is ultimately approved for construction, a cost-share agreement would need to be developed. The non-federal portion of the cost-share agreement would depend on contributions from state agencies and other funding sources.

Public Works has identified the following conditions for a feasible project: no increased liability for the County of Humboldt; no increased levee maintenance costs for the County of Humboldt; no increased flood risk to Highway 101 or county-maintained roads; and no increased flood risk to private property unless authorized by the landowner. The level of involvement by Public Works on the feasibility study would need to fit within the annual budget approved by the Board of Supervisors and not infringe on other commitments (e.g., levee maintenance, municipal stormwater, sustainable groundwater, sea level rise adaptation, Potter Valley Project, Trinity River Water Contract).

From 2012 through 2014, Public Works led a study to identify a multi-objective project that would enhance the Redwood Creek estuary, improve flood protection for the community of Orick, and be compatible with adjacent land use. The final report is available online at the following address: <https://humboldt.gov/DocumentCenter/View/50961/Redwood-Creek-Concept-Design-Report---final?bidId=>. At the completion of the 2014 study, there was not consensus on a project design and further efforts were put on hold. The 2014 study envisioned larger project concepts than are currently being considered by the Redwood Creek Estuary Stakeholder Group. The current project concept is focused on fishery restoration and improving drainage on pastures and roads near the estuary.

Public Works recommends that the Board of Supervisors authorize the Chair to sign the attached new start request letter to the Corps of Engineers (Attachment 4).

FINANCIAL IMPACT:

If the Corps of Engineers moves to the feasibility study phase and the cost for the feasibility study

exceeds One Hundred Thousand Dollars (\$100,000.00), the Board of Supervisors would need to approve a supplemental budget for the required cost-share, or funds would need to be secured from a non-General Fund source. Moving forward with the feasibility study is not a pre-commitment to sponsor the construction of a future project. Any decision regarding future phases would require action by the Board of Supervisors. As a result, the recommended action will not impact the Humboldt County General Fund.

STRATEGIC FRAMEWORK:

The recommended action supports the Board of Supervisors' Strategic Framework by providing for and maintaining infrastructure, seeking outside funding sources to benefit Humboldt County communities and facilitating public/private partnerships to solve problems.

OTHER AGENCY INVOLVEMENT:

U.S. Army Corps of Engineers; National Park Service; U.S. Fish & Wildlife Service; National Marine Fisheries Service; California Department of Fish & Wildlife

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to send the new start request letter for the current solicitation period and request that the project concept and/or funding plan be further developed prior to the next solicitation period. This alternative would delay progress on resolving longstanding issues involving the Redwood Creek Flood Control Project and potentially lose the opportunity for leveraging the progress made by the Redwood Creek Estuary Stakeholder Group.

ATTACHMENTS:

1. Summary of Continuing Authorities Program
2. Request from Redwood Creek Estuary Stakeholder Group (February 17, 2021)
3. Project Concept Map (September 9, 2020)
4. Draft request letter from the Board of Supervisors to the Corps of Engineers
5. Zuber support letter
6. Hufford support letter
7. National Park Service support letter
8. U.S. Fish & Wildlife Service support letter
9. California Trout support letter

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A