

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

RESOLUTION R2-2006-0061

**Resolution requesting the U.S. ARMY CORPS OF ENGINEERS TO CONFER THE
DESIGNATION OF "NATIONALLY SIGNIFICANT" TO THE NAPA RIVER/NAPA CREEK
FLOOD PROTECTION PROJECT**

WHEREAS the City of Napa has experienced 27 major floods in the past 120 years, and 4 major floods since 1990; and

WHEREAS the Napa River/Napa Creek Flood Protection Project (Project) was developed through a two year community-wide coalition process, coordinated by the Napa County Flood Control and Water Conservation District (District). The Community Coalition was a cooperative process among a broad group of stakeholders consisting of residents, businesses, political and community leaders, and environmental agencies with diverse interests in flood protection. The Project is being jointly implemented by the District and the U.S. Army Corps of Engineers (Corps); and

WHEREAS the primary purpose of the Project is to provide an economically feasible and environmentally sensitive method to protect the City of Napa from the computed 100-year flood event; and

WHEREAS the Project will achieve flood protection and ecosystem restoration by using environmentally beneficial methods, such as the creation of wetlands, marshplain and floodplain terraces, selective removal of existing levees and use of open space as the floodway, setback levees, bypass channels, biotechnical bank stabilization, and remediation of petroleum-contaminated riverbank sites; and

WHEREAS the Board approved Waste Discharge Requirements Order No. 99-074 in September 1999, for the general Project design and construction along 6.9 miles of the Napa River and 0.67 miles of Napa Creek, within the City of Napa and Napa County; and, in subsequent orders approved cleanup of petroleum-contaminated sites within the Project's footprint, which has resulted in removal of over a quarter-million cubic yards of contaminated soil; and

WHEREAS, when City of Napa flooded on December 31, 2005, in an event estimated to be the 25- year event, the Project was less than 40% complete. The constructed Project improvements caused a reduction in water surface elevations and the flood waters to recede more quickly from the City than would have occurred prior to Project initiation. However, until all Project improvements are constructed and can function as a system as designed, the City continues to be vulnerable to flooding. All ecosystem restoration components are also not complete; and

WHEREAS the estimated total cost of the Project is \$255 million. The Project is being funded through a local-federal partnership. The local share of the funding is in place as a result of a voter-approved sales tax increase for Napa County. To date, \$140 million of the local share has been spent. The federal share of Project funding for design and construction, however, has fallen far short of the original schedule and plan. To date, \$60 million of federal funds has been spent. Each year the federal budget allocation falls short of the Corps' capabilities and puts the Project further behind schedule. 2006 was the original completion date for the Project, but due to the lack of federal funds, the current estimated completion date is now 2011; and

WHEREAS the Corps employs a performance-based approach to developing its Civil Works program budget annually. Accordingly, individual Corps projects are evaluated and prioritized based on their cost-effectiveness and the significance of their environmental outputs. The significance of a project's outputs is determined based on criteria that measure scientific factors, including habitat scarcity, connectivity, special status species, and ability to be self-sustaining. Projects are ranked by the Corps, and those with the highest scores may qualify as "Nationally Significant"; and

WHEREAS projects that are categorized by the Corps as Nationally Significant typically are guaranteed a high degree of funding; and

WHEREAS the Project will create and enhance habitat that is regionally and nationally scarce including: conversion of a previously diked and grazed hayfield to an 832-acre area of high value habitat consisting of a mosaic of connected open water, tidal marshes, seasonal marshes, grass uplands and riparian forest, known as the South Wetlands Opportunity Area (SWOA); and tidal wetlands, mudflats and seasonal wetlands and floodplains along the River's edge; and

WHEREAS the Project will reestablish linear connectivity along the 6.9 mile project reach, effectively creating a movement/migration corridor between large patches of wetlands/uplands in the lower most estuarine river reaches bordering San Francisco Bay (non-project reach), and large patches of wetland/upland and riparian habitat in the project reach. Additionally, creation of the Project's marshplain terrace and floodplain terraces effectively reconnects the estuarine river reach to the freshwater river reaches. This is particularly important for steelhead, a federally-threatened species; and

WHEREAS the Project will re-establish cross-sectional connectivity between river, wetlands and uplands in the SWOA and along the entire Project reach; and

WHEREAS the Project provides essential key life requisites for steelhead, a federally-threatened species, including: restored migratory corridor (adults and smolts); restored estuarine rearing and foraging habitat (juveniles); restored flood refuge (juveniles and adults); and

WHEREAS the Project provides essential key life requisites for a State-threatened species, Mason's lilaeposis, and a State species of concern, Sacramento splittail; and potential future habitat for federally-endangered Clapper rail and the Salt marsh harvest mouse; and

WHEREAS the Project has significantly increased wildlife and fish diversity in the area. Currently 31 bird species and 22 species of fish use habitat created by the Project. Previously, the hayfields of the SWOA provided little bird and no fish habitat; and

WHEREAS the Project was designed to be self-sustaining for habitat and geomorphic function including: minimal dredging and habitat features designed to be evolving systems that take advantage of natural successional patterns, rather than relying heavily on planting; and

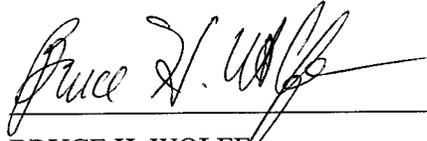
WHEREAS the San Francisco Bay estuary and its tributary Rivers, including the Napa River, are recognized as an "estuary of national significance" by the National Estuary Program established by Congress; the San Francisco Bay and its tributaries are of international importance and recognized as a site within the Western Hemisphere Shorebird Reserve Network; and the Napa River is recognized as federally and regionally important as part of the Calfed program; and

WHEREAS the California Regional Water Quality Control Board, San Francisco Bay Region

(Regional Water Board), the State of California, and the nation require model flood control projects that demonstrate the viability of flood control projects integrated with ecosystem restoration; and it is essential for this Project to receive full funding to effectively accomplish its flood protection and ecosystem restoration goals.

NOW, THEREFORE BE IT RESOLVED that the Regional Water Board requests that the U.S. Army Corps of Engineers confer the designation of "Nationally Significant" to the Project, thus enabling it to qualify for full capability funding and serve as a national and State model of flood control and ecosystem restoration.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 13, 2006.

A handwritten signature in black ink, appearing to read "Bruce H. Wolfe", is written over a horizontal line. The signature is cursive and somewhat stylized.

BRUCE H. WOLFE
Executive Officer