

**MITIGATED NEGATIVE DECLARATION
MARYSVILLE RING LEVEE IMPROVEMENT PROJECT
CALIFORNIA
PHASE 2A – SOUTH AND 2C**

Project Background

The Marysville Ring Levee (MRL) Improvement Project is a cooperative effort between U.S. Army Corps of Engineers (USACE), Central Valley Flood Protection Board (CVFPB), and the Marysville Levee District (MLD). USACE, CVFPB, and MLD are proposing levee improvements to address under seepage, through seepage, and embankment stability for the ring levee around Marysville. The MRL is part of the Yuba River Basin, California Project, authorized by the Water Resources Development Act (WRDA) 1999 (Public Law 106-53) Section 101(a)(10) and WRDA 2007 (Public Law 110-114), Section 3041.

Although the MRL was one of the original elements identified in the 1999 congressionally authorized Yuba River Basin, California Project, the MRL portion was approved to be a separable element from the Yuba River Basin, California Project. An Engineering Documentation Report (EDR) was completed in April 2010 which found that, although design changes were necessary, they did not constitute a change in the project scope, and the project could proceed to construction as an element separate from Yuba River Basin, California Project. As a result, a Project Partnership Agreement was executed and the Yuba River Basin, California Project initiated construction in 2010.

An Environmental Assessment/Initial Study/Mitigated Negative Declaration (EA/IS/MND) was adopted in 2010 and evaluated the potential effects of the proposed design refinements since the authorized 1999 Yuba River Basin, California Project. Since 2010, additional changes to the MRL Improvement Project's design and schedule have occurred. The MRL Improvement Project is now being constructed in additional phases than what was proposed in the 2010 EA/IS/MND. Phase 2 from the 2010 EA/IS/MND now includes Phase 2A (North and South), 2B, and 2C. The Draft Supplemental EA/IS discusses the modifications needed to occur to the original Phase 2 and construction-related impacts, specific to Phase 2A-South and 2C (Proposed Project). Modifications to the remaining phases will be captured in separate supplemental Nation Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) documents, if needed.

Project Description

Proposed levee improvements to the MRL were originally covered in the 2010 EA/IS/MND which recommended implementation in multiple phases. Phase 1

was constructed in 2011 and portions of Phase 4 were constructed in 2016 and 2017. To better facilitate design and construction, Phase 2 was further subdivided into Phase 2A-North, 2A-South, 2C, and 2B. Phase 2A-North is scheduled to begin construction in spring 2018. As the current phases being evaluated, this Draft MND describes improvements considered only for Phase 2A-South and 2C. Future design changes in subsequent phases will be analyzed in future environmental documentation, if needed.

Phase 2A – South:

Seepage Cutoff Wall

A soil cement bentonite (SCB) cutoff wall will be constructed on the waterside toe of the levee to address under-seepage concerns. The length of the cutoff wall will approximately span 2,600 feet (0.49 miles), have a maximum depth of 95 feet, and a minimum thickness of 2 feet. The cutoff wall in Phase 2A-South will be constructed by removing levee material from a trench and brought to a nearby location. The soil from the trench will be mixed with Portland cement and bentonite clay, then pumped back into the trench; also discussed as method (1) in the 2010 EA/IS/MND description.

Impervious Fill

During construction of the cutoff wall, a portion of the waterside levee slope embankment (approximately 27,400 square yards) will be stripped at a 4-inch depth to remove organic material; approximately 1/3 of the levee embankment will be excavated. Imported impervious fill will replace the exterior portion of the excavated embankment material to address through-seepage.

There will be up to 1.3 acres of in-kind material placed on the slope north and south of the 5th Street Bridge.

Phase 2C:

Seepage Cutoff Wall

A soil bentonite (SB) cutoff wall will be constructed through the center of the levee crown to address through-seepage and under-seepage concerns. The levee crown will be partially degraded by approximately 3 to 8 feet to establish a construction platform. The wall will be approximately 1,100 feet (0.21 miles) in length, a maximum depth of 87 feet, and a minimum thickness of 3 feet. The cutoff wall for Phase 2C will be constructed using the same method as described in Phase 2A-South above.

There will be up to 2 acres of in-kind material placed on the slope south-west of the 5th Street

Project Location

The City of Marysville is located approximately 50 miles north of Sacramento, California in Yuba County and is surrounded by 7.5 miles of levee. These levees

vary in height from 17 to 28 feet and protect the City of Marysville from flooding. Phase 2A South and 2C are located along the existing levee south of Twin Cities Memorial Bridge, north of the Yuba River, east of the Feather River, and west of J Street, 3rd Street, and F Street

Mitigation Measures

The following mitigation measures summarize the measures detailed in the Draft Supplemental EA/IS. These measures, in addition to those applicable from the 2010 EA/IS/MND, will reduce impacts to less-than-significant.

Air Quality impacts will be temporary and mitigated to less-than-significant by these measures:

- Use diesel-fueled equipment manufactured in 2010 or later, or retrofit equipment manufactured prior to 2010 with diesel oxidation catalysts; use low-emission diesel products, alternative fuels, after-treatment products, and/or other option as they become available; use of clean fuel vehicles in vehicle fleet;
- Dust particles, aerosols, and gaseous by-products from construction activities, including processing and preparation of materials, would be controlled at all times, including weekends, holidays, and hours when work is in progress. The contractor must have sufficient, competent equipment available to accomplish these tasks. Particulate control would be performed as the work proceeds and whenever a particulate nuisance or hazard occurs. The contractor would comply with all state and local visibility regulations;
- A Feather River Air Quality Management District (FRAQMD) Plan would be submitted for approval prior to commencing site activities or delivering materials to the site. This FRAQMD Plan would be checked for completeness and compliance by the FRAQMD and the Contracting Officer. If satisfactory, it will be approved and copies will be returned to the contractor for submission to the FRAQMD. If unsatisfactory, it will be returned to the contractor for resubmission. No site work would start until the FRAQMD Plan is approved or specific authorization is obtained from the contracting officer. The FRAQMD Plan would include mitigation measures and BMPs identified in the 2010 EA/IS/MND and the Draft Supplemental EA/IS/MND. After mitigation measures, any emissions over the thresholds would be reduced by the contractor by providing funds to implement an off-site mitigation program;
- Minimize the amount of concrete for paved surfaces or utilize a low carbon concrete option. Produce concrete on-site if determined to be less emissive than transporting ready mix;
- Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes;

- Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones;
- Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products utilized should be certified through a sustainable forestry program;
- Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75% by weight);
- Minimize vehicle and equipment idling time either by shutting off when not in use or reducing the time of idling to no more than 3 minutes, which would save fuel and reduce emissions. Provide clear signage that posts this requirement for workers at the entrances to the site; and
- Use SmartWay certified trucks for deliveries and equipment transport.

Climate Change impacts due to Greenhouse gases will be less-than-significant without mitigation, however the following minimization measures will be used to reduce the carbon footprint of the Proposed Project:

- Mitigation measures, as summarized for Air Quality above, will be implemented.

Biological Resource impacts will be mitigated to less-than-significant by these measures:

- A minimum setback (buffer) of 20 feet from the dripline of all elderberry shrubs would be established. This buffer area would be fenced, flagged, and maintained during construction. A qualified biological monitor would provide instruction on establishing the buffer zones for the shrubs;
- Environmental awareness training would be conducted for all construction representatives and contractor personnel before they begin work. The training would include a discussion about the Valley Elderberry Longhorn Beetle, Swainson's hawk, as well as other raptors and migratory bird species that may occur in or adjacent to the Proposed Project site, the need to avoid adversely affecting the elderberry shrub and other sensitive habitat, avoidance areas and measures to be implemented by workers during construction, possible penalties for non-compliance, and USACE contact information. A USACE biologist would provide the training at the Proposed Project site;
- When possible, protect in place all large mature trees in staging areas (larger than 13-inch diameter breast height);
- The mitigation (in acres), required for woodland habitat loss during the Proposed Project construction is currently being calculated but is not expected to change significantly from what was described in the 2010 EA/IS/MND. This mitigation acreage is a product of the updated Habitat Evaluation Procedure (HEP) analysis conducted by the U.S. Fish and Wildlife Service (USFWS) and is additional to the woodland acreage

previously mitigated for in the 2010 EA/IS/MND. Mitigation for the Proposed Project-related effects on woodland vegetation would occur at an existing USACE mitigation site as described in the 2010 EA/IS/MND. Woodland habitat has been successfully established at the site and no further monitoring is necessary;

- All off-road equipment and vehicles used for implementation of the Proposed Project are required to be weed-free. All equipment and vehicles will be cleaned of all attached mud, dirt, and plant parts prior to arriving to the Proposed Project site. This will be done at a vehicle washing station or steam cleaning facility (power or high-pressure cleaning) before the equipment and vehicles enter the Proposed Project site;
- Weed infestations identified before implementation of the Proposed Project that are within the Proposed Project site will be hand treated or “flagged and avoided” according to the species present and project constraints;
- Staging areas for equipment, materials, or crews will not be sited in weed infested areas;
- Use weed-free equipment, mulches, and seed sources. Salvage topsoil from the Proposed Project site for use in onsite revegetation, unless contaminated with noxious weeds; and
- Minimize the amount of ground and vegetation disturbance in the construction areas. Reestablish vegetation on all disturbed bare ground to minimize weed establishment and infestation.

Recreation impacts will be mitigated to less-than-significant by these measures:

- Any recreational roadways and paths will be restored to the original condition once construction has been completed;
- All areas affected by construction activities would be restored to original condition following completion of the Proposed Project;
- All closed construction areas and recreational areas will have large and identifiable closure signs to assist in public safety; and
- Closed recreational routes will have detour signs to provide recreationist an alternate route.

Cultural Resource impacts will be less-than-significant since cultural resources would be avoided or the Proposed Project would not affect those characteristics that make the resource eligible for listing in the National Register of Historic Places. In addition,

- In the event that previously unknown cultural resources are found during Proposed Project activities, work would be stopped pursuant to 36 CFR 800.13(b), “Discoveries without prior planning”, to determine the significance of the find and, if necessary, complete appropriate discovery procedures.

Public Utilities impacts will be less-than-significant since no public services would be disrupted as a result of the Proposed Project construction. Any utility line relocations would be conducted in a manner that would not affect any of the services provided. Since no effects to public utilities are expected, no mitigation beyond those outlined in the 2010 EA/IS/MND would be required.

Findings

Based on the information in the 2010 Environmental Assessment (EA)/Initial Study (IS)/Mitigated Negative Declaration (MND) (State Clearinghouse # 2010024001), the Draft Supplemental EA/IS/MND, and the administrative record for the Marysville Ring Levee Improvement Project, the Central Valley Flood Protection Board (CVFPB) finds that the Proposed Project, with mitigation measures, will not result in a significant effect on the environment. This Supplemental MND reflects the CVFPB's independent judgment and analysis.

The environmental document and other materials, which constitute the record, are located at 3464 El Camino Avenue, Room 150, Sacramento, California, 95821. In accordance with California Code of Regulations, title 14, section 15075, CVFPB staff will file a Notice of Determination with the State Clearinghouse within five days of adopting the Supplemental MND.

By: _____ Date: _____
William Edgar
President

By: _____ Date: _____
Jane Dolan
Secretary