



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT  
1325 J STREET  
SACRAMENTO CA 95814-2922

Operations and Readiness Branch

**PUBLIC NOTICE**

**REQUEST FOR PERMISSION TO MODIFY A U.S. ARMY CORPS OF ENGINEERS  
PROJECT UNDER SECTION 408**

**TITLE:** North Sacramento Streams Levee Improvement Project (19055)

**PUBLIC NOTICE COMMENT PERIOD:**

Begins: 12 August 2016

Ends: 12 September 2016

**REQUESTER:** The Sacramento Area Flood Control Agency (SAFCA) has requested an encroachment permit from the Central Valley Flood Protection Board (CVFPB) to make improvements to the Natomas East Main Drain Canal (NEMDC) East Levee, the Arcade Creek North Levee, and the Arcade Creek South Levee. In compliance with United States Code (USC) Title 33, Chapter 9, Subchapter 1, Section 408, CVFPB has requested permission from the U.S. Army Corps of Engineers (USACE), Sacramento District to modify the Sacramento River Flood Control Project (SRFCP), an existing Federally authorized flood-risk reduction project.

**LOCATION:** The project is located on approximately 2 miles of Arcade Creek between NEMDC and Marysville Boulevard, and on NEMDC south of Arcade Creek in Sacramento County, California (Figure 1).

**REQUESTER'S PROPOSED ACTION:** The project includes the repair of up to 4 miles of levee involving installation of seepage remediation features to meet embankment and foundation stability requirements; and the removal of high-hazard encroachments and vegetation along the NEMDC East Levee and the Arcade Creek North and South Levees. Improvements include cutoff walls, relief wells, drain trenches, stability berms, and erosion control. Figures 2 and 3 illustrate the location of project improvements, borrow site, staging areas, and mitigation site.

Borrow material would be obtained from the 2K Borrow Site, located on the east bank of NEMDC just south of Elkhorn Boulevard (or a commercially available borrow area). Upon completion of borrow excavation, the approximately 5.5-acre 2K Borrow Site would be graded and contoured to support the establishment of tule marsh and seasonal wetland habitats. Excavation of borrow material would leave a portion of the site approximately 6 feet below the current elevations. Borrow material would be hauled north on Sorento Road to Elkhorn Boulevard, and west across NEMDC/Steelhead Creek, before turning south on East Levee Road. Alternatively, trucks would travel down the levee slope, across a short-span temporary bridge, and proceed up a new sloping ramp to East Levee Road. Trucks would continue on East Levee Road down to a point just north of the existing Del Paso/Main Avenue Bridge over NEMDC/Steelhead Creek. At this point, haul trucks would divert off the road, down the levee slope, and pass under the bridge on an existing unpaved maintenance road. Just upstream of the Del Paso/Main Avenue Bridge, a short span temporary bridge would cross a narrow section of the low flow NEMDC/Steelhead Creek channel. From the temporary bridge crossing, trucks would continue south along NEMDC/Steelhead Creek East Levee waterside toe road to a temporary bridge crossing of Arcade Creek. South of Arcade Creek, trucks would continue on the East Levee waterside toe

road, to a new roadway and temporary bridge crossing north of El Camino Avenue. From this crossing, trucks would proceed up an existing ramp to the levee crown north of El Camino Avenue. Trucks would then cross NEMDC/Steelhead Creek on El Camino Avenue, and use the controlled crossing of the Union Pacific Railroad Tracks (UPRR) tracks. Trucks would turn left immediately east of the UPRR tracks onto an access road leading to the NEMDC/Steelhead Creek East Levee. Trucks would then proceed along the levee crown to the Arcade Creek South Levee.

As mitigation for potential impacts to woodlands and jurisdictional wetlands during construction of the Requestor's Preferred Alternative, SAFCA is proposing to create wetland, riparian woodland, and oak savannah habitat along the north bank of Robla Creek south of the Rio Linda Boulevard Bridge.

The environmental effects of the Requester's Preferred Alternative would not be significant, although some avoidance, minimization, and mitigation measures would be required.

Environmental effects of the project include:

- Temporary aesthetic effects related to construction; however, following revegetation of disturbed slopes and soil, the project site would look the same or substantially similar to existing conditions.
- Temporary and short-term air emissions during construction would exceed Sacramento Metropolitan Air Quality Management District's (SMAQMD's) thresholds of significance. Mitigation measures would reduce fugitive PM dust and equipment exhaust emissions, and include payment of fees to SMAQMD's off-site mitigation program.
- Temporary and short-term greenhouse gases would be emitted during construction. However, the project would be consistent with the State's climate-change goals related to flood-risk reduction, and purchase of carbon offset credits could also reduce effects.
- Effects on sensitive habitats and special-status plants, wildlife, and fish including the valley elderberry longhorn beetle, giant garter snake, northwestern pond turtle, Swainson's hawk, burrowing owl, white-tailed kite, northern harrier, bank swallow, purple martin, loggerhead shrike, song sparrow, tricolored blackbird, Sacramento splittail, Pacific and river lamprey, central valley steelhead, and fall-run Chinook salmon. These effects would be reduced through a combination of surveys, construction monitoring, construction practices (including physical buffers and seasonal restrictions), relocation of individuals, and habitat restoration.
- Effects on historic properties, including resources that could be potentially discovered during construction. There would be no adverse effect to historic levee segments and no mitigation is necessary as determined through the National Historic Preservation Act, Section 106 process. Potential effects on archaeological resources and human remains that could be discovered during construction (none have been identified in the project area of potential effects) would be addressed by following the provisions of 36 CFR § 800.13(b).
- Geology, soils, and effects related to seismicity, including excavation and disturbance that could result in temporary and short-term runoff or erosion during construction. These effects would be reduced through best management practices (BMPs) to prevent soil erosion and sediment transport.
- Hazardous materials effects related to use of hazardous materials (oils, solvents, gases) during construction, and activities at sites where hazardous materials may be present. These effects would be reduced through spill prevention and control planning, and worker safety training.

- Temporary and short-term hydrology and water quality effects related to materials used in construction, movement of groundwater, and construction dewatering. These effects would be reduced through construction practices and BMPs, including a dewatering plan and spill containment and contingency planning.
- Land use, agriculture, and forestry resources effects related to construction of levee improvements, including temporary and short-term construction in park lands, and loss of forest habitat. Effects would be reduced through habitat restoration and mitigation.
- Temporary and short-term noise and vibration effects related to construction. These effects would be reduced through equipment selection, work hours, and selection of locations and use of acoustic shielding for stationary equipment.
- Recreation effects related to temporary and short-term construction in park areas and areas used for recreation, including levee bike and pedestrian trails. These effects would be reduced through use of coordination with the City and County of Sacramento, detours, and notice of facility closures.
- Temporary and short-term transportation and emergency response effects related to construction traffic, hauling of borrow material, and partial road closures during construction. These effects would be reduced with coordination with the City and County of Sacramento, traffic control, and road maintenance planning.
- Effects on utilities and other public services related to construction. These effects would be reduced through Underground Service Alert searches, coordination with utility providers, worker training, and a response plan.

**AUTHORITY:** The authority to grant permission for temporary or permanent use, occupation, or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 (“Section 408”). Section 408 authorizes the Secretary of the Army to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project.

A requester has the responsibility to acquire all other permissions or authorizations required by Federal, State, regional, and local laws, ordinance, or regulations, including any required permits from the USACE Regulatory Program (Section 10/404/103 permits). In addition, an approval under Section 408 does not grant any property rights or exclusive privileges.

**EVALUATION FACTORS:** The decision whether to grant the requested permission for project modification under Section 408 will be based on several factors. That decision will reflect the national concern for both protection and use of important resources. The benefit which reasonably may be expected to accrue from the requester’s proposal must be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

**1) Impair the Usefulness of the Project Determination.** The review team will determine if the proposed alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. The decision whether to approve a request for modification would be based on a determination of no impairments.

**2) Injurious to the Public Interest Determination.** Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered

and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve the requested modification will be determined by the consideration of whether benefits are commensurate with risks associated with the proposed modification. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

**3) Environmental Compliance.** A decision on a Section 408 request is a Federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is responsible for providing all information that USACE Sacramento District identifies as necessary to satisfy all applicable Federal laws, executive orders, regulations, policies, and ordinances. NEPA and other analysis necessary to comply with other environmental statutes (e.g. Federal Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the USACE project. The Sacramento District will work with the requester to determine the requirements, which will be scaled to the likely impacts of the proposed alteration and should convey the relevant considerations and impacts in a concise and effective manner.

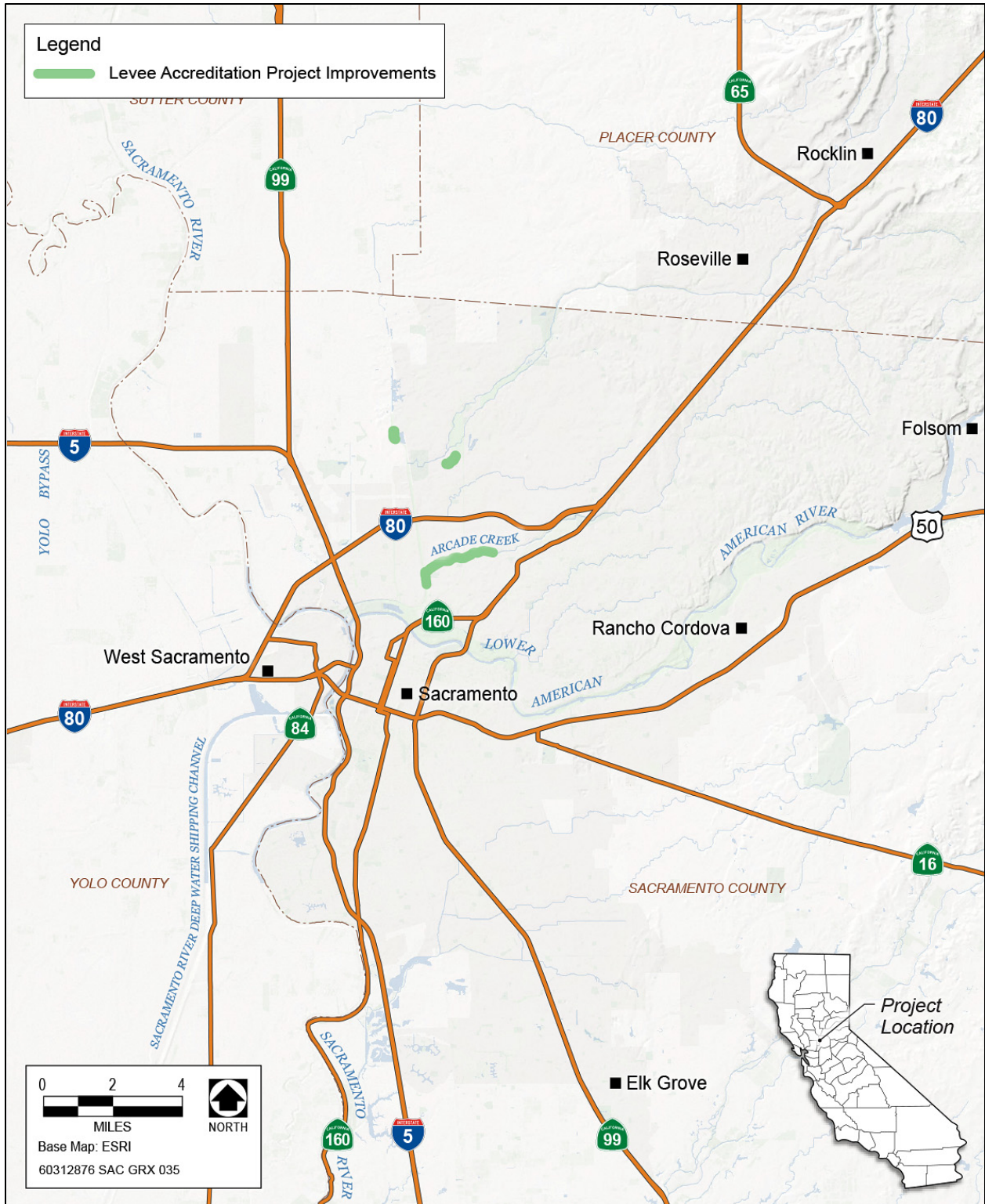
**PUBLIC INVOLVEMENT:** The purpose of this notice is to solicit comments from the public; Federal, State, regional, and local agencies and officials; Native American Tribes; and other interested parties regarding the North Sacramento Streams Levee Improvement Project changes to the SRFCP, an existing Federally authorized flood-risk reduction project. Comments received within 30 days of this publication will be used in the evaluation of potential impacts of the Requester's Preferred Alternative on important resources and in the evaluation of whether the proposed alteration would be injurious to the public interest and/or would impair the usefulness of the authorized project. Only the specific activities that have the potential to occupy, use, or alter the SRFCP will be evaluated. Please limit comments to the area of the alteration and those adjacent areas that would be directly or indirectly affected by the alteration to the SRFCP.

**SUBMITTING COMMENTS:** Written comments, referencing Identification Number 19055 must be submitted to the office listed below on or before **September 12, 2016**.

Anne Baker  
U.S. Army Corps of Engineers, Sacramento District  
1325 J Street  
Sacramento, California 95814-2922

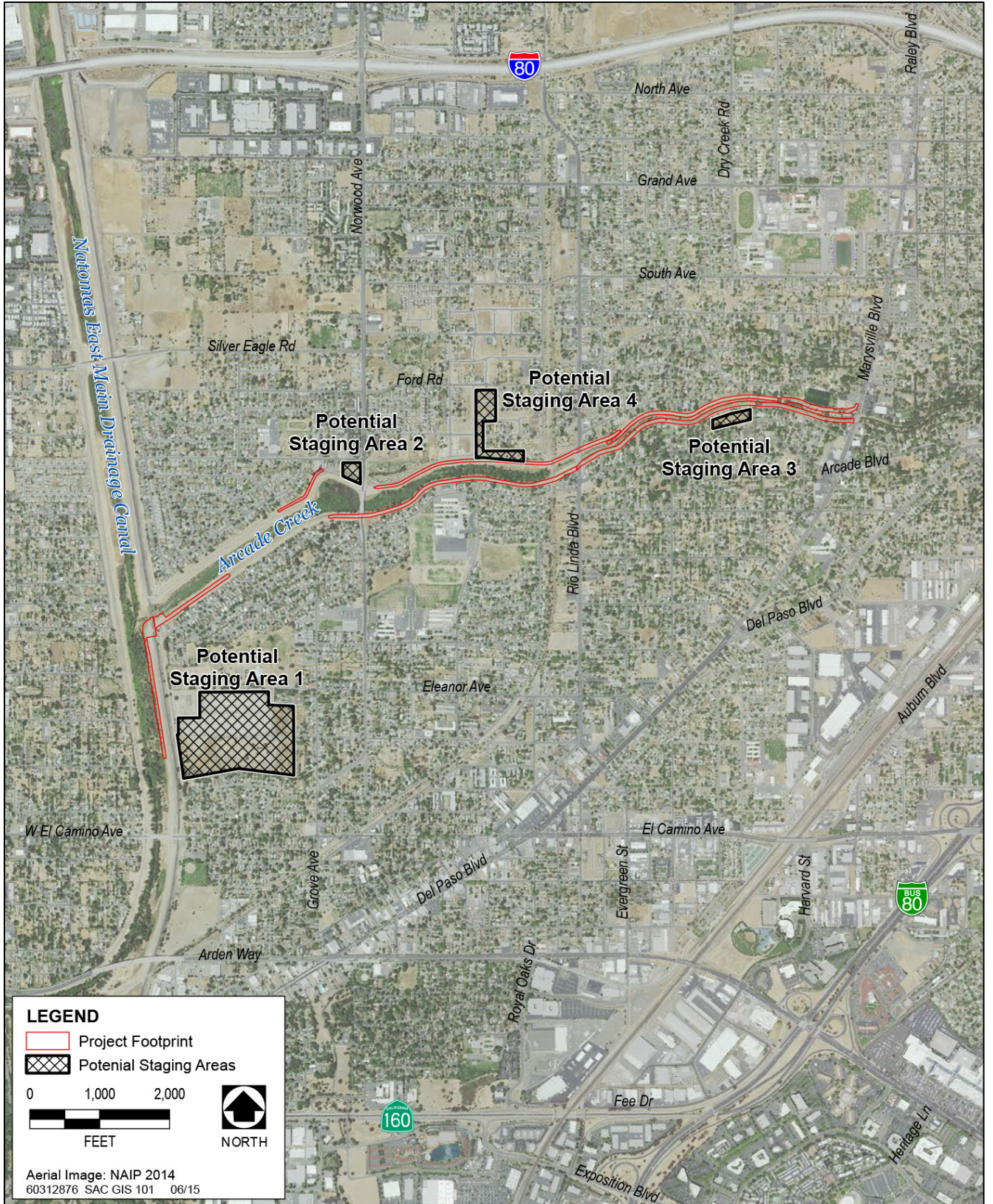
Email: Anne.E.Baker@usace.army.mil





**Figure 1. Regional Location**

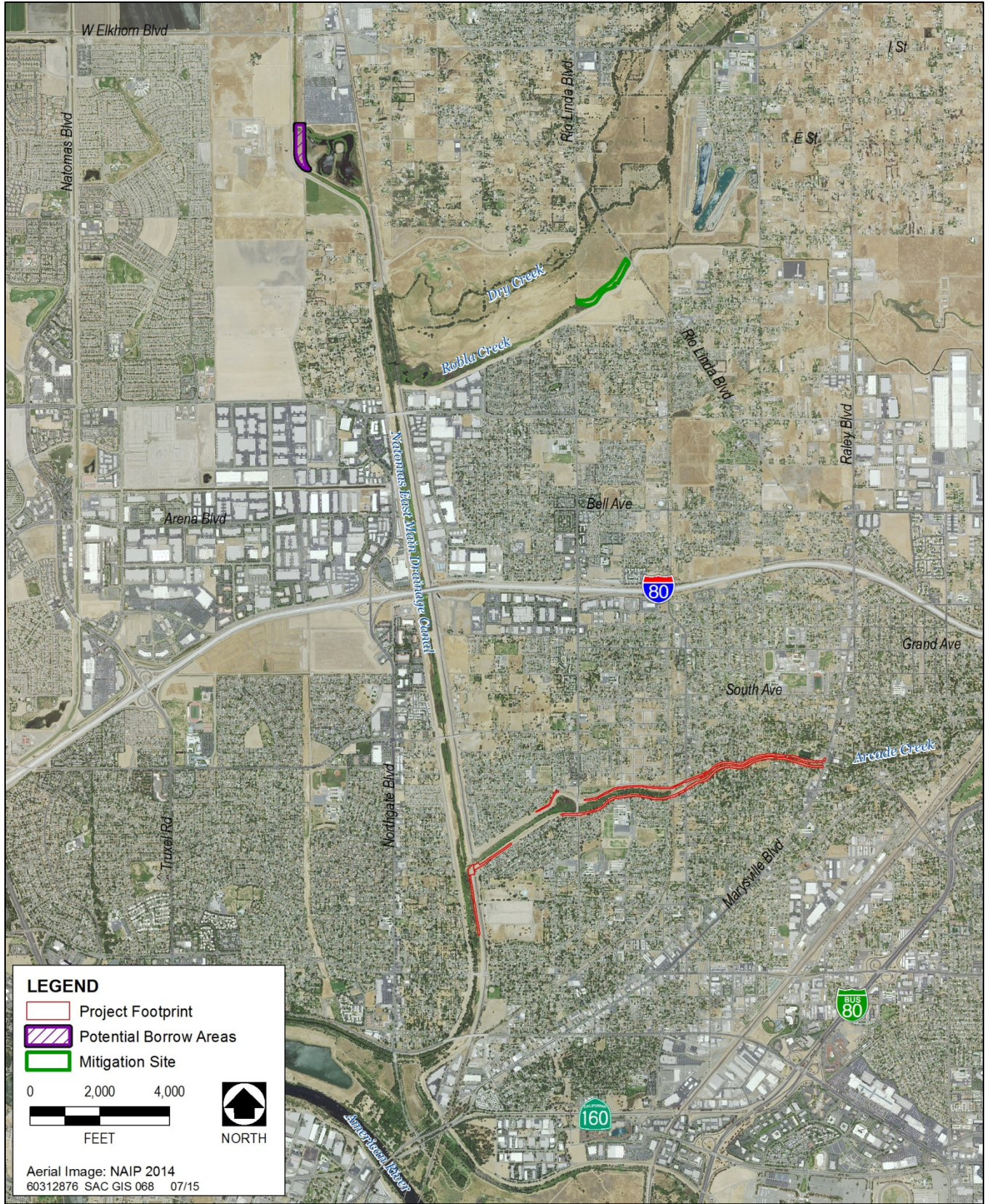




Source: SAFCA 2015

**Figure 2. Footprint of Levee Improvements and Staging Areas**





Source: SAFCA 2015

**Figure 3. Proposed 2K Borrow Site and Robla Creek Mitigation/Restoration Site**