

PROPOSED MITIGATED NEGATIVE DECLARATION

PROJECT: The Erosion Repairs of 13 Bank Protection Sites, 2008 and 2009, Sacramento River Bank Protection Project

LEAD AGENCY: Central Valley Flood Protection Board

AVAILABILITY OF DOCUMENTS: The initial study for this proposed mitigated negative declaration is available for review at the Department of Water Resources, Division of Flood Management, Levee Repairs Branch at 2825 Watt Avenue, Sacramento, California 95821 and on the U.S. Army Corps of Engineers website at:
http://www.spk.usace.army.mil/projects/civil/sac_river_bank_protection/.

Questions or comments regarding this proposed mitigated negative declaration and initial study may be addressed to:

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PROJECT DESCRIPTION: The Central Valley Flood Control Board (CVFCB) in partnership with the U.S. Army Corps of Engineers under the Sacramento River Bank Protection Project (SRBPP) proposes to implement bank protection measures to prevent ongoing stream bank erosion at thirteen erosion sites. The erosion repairs will occur at eight proposed sites in summer and fall 2008 and five proposed sites are in 2009. The 2008 sites include one site along Cache Slough (CS 21.8R), one site along Steamboat Slough (SB 16.6R), two sites along the American River (LAR 0.3L and 2.8L), and four sites along the Sacramento River (SAC 49.7L, 52.3L, 53.5R, and 177.8R).

The five sites proposed for 2009 repairs include four sites along the Sacramento River (SAC 16.8L, 42.7R, 55.2L, and 77.2L) and one site along the Feather River (F 28.5R). The construction of the proposed repair sites in 2009 will be dependant on resolving unavoidable real estate and right-of-way issues on site. Due to the uncertainty of resolving these issues, this proposed mitigated negative declaration will only address the eight proposed erosion sites for repair in 2008. A future mitigated negative declaration will address the five proposed repair sites in 2009.

Bank protection measures to be implemented at the proposed erosion sites for repair in 2008 would include (1) protecting the toe of the bank with rock revetment both below and above the mean summer water level (MSWL); (2) placing one foot of soil fill on the revetment at elevations above the MSWL; (3) placing additional and preserving in-place existing in-stream wood material (IWM) clusters for fish habitat; and (4) planting pole and container plants to stabilize the bank and to provide riparian habitat and potential shade.

Table 1. 2008 Erosion Repair Sites.

Site	County	Repair Length (feet)	Site Area (acres)
CS 21.8R	Solano	1,040	1.26
SB 16.6 R	Solano	700	1.47
SAC 49.7L	Sacramento	280	1.44
SAC 52.3L	Sacramento	1,320	0.62
SAC 53.5R	Yolo	430	1.08
LAR 0.3L	Sacramento	520	0.75
LAR 2.8L	Sacramento	470	3
SAC 177.8	Glenn	1,070	1.81
Total		5,830	11.43

Construction of bank protection would take up to 3 months. The CVFCB has directed the preparation of an initial study/proposed mitigated negative declaration (IS/MND) on the proposed project in accordance with the requirements of the California Environmental Quality Act (CEQA). An IS/MND describes the project and its potential impacts on the environment and concludes that any potentially significant impacts that may result from the proposed project can be avoided, eliminated, or reduced to a level that is less than significant, by the adoption and implementation of specified mitigation measures.

FINDINGS: An initial study has been prepared to assess the proposed project's potential effects on the environment and the significance of those effects. Based on the initial study, the CVFPB has determined that the proposed project would not have any significant effects on the environment once mitigation measures are implemented. This conclusion is supported by the following findings:

- The project would result in less-than-significant impacts to land use (agricultural, population/housing, industrial, commercial, and open space), aesthetics, and hydrology.
- Mitigation would be implemented to reduce potentially significant impacts to less-than-significant levels for: recreation (potential short-term impacts access and design-related safety impacts); cultural resources (potential discovery of previously undocumented resources including human remains during construction); vegetation and wildlife resources (potential impacts to nesting migratory birds and special-status species), water quality (potential erosion and spills of hazardous substances during construction), geomorphology

(sediment storage and recruitment, IWM recruitment, hydraulics), air quality (short-term construction-related emissions, traffic (construction-generated vehicle trips), noise (short-term construction-related), hazardous, toxic, and radioactive waste (potential spill of hazardous materials).

Mandatory Findings of Significance:

- The project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of a special-status species, or eliminate important examples of California history or prehistory.
- The project would not achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The project would not have environmental effects that are individually limited but cumulatively considerable.
- The project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.
- No substantial evidence exists that the project would have a negative or adverse effect on the environment.

PROPOSED MITIGATION MEASURES:

The following mitigation measures will be implemented by the CVFPB to avoid or minimize potential environmental impacts. Implementation of these mitigation measures would reduce the potential environmental impacts of the proposed project to a less-than-significant level.

- **Mitigation Measure 4.3.4 Recreation:** Design the placement of IWM to insure local approach visibility and at such an angle to reduce “strainer” potential. During construction, post warning signs and/or buoys and provide detours and alternate routes for recreationalists near the project sites. Deter boaters and jet skiers from approaching the site within 100 feet of in-water construction or the construction area.
- **Mitigation Measure 4.4.4 Cultural Resources:** Immediately halt construction activities if any cultural resources are discovered until an evaluation is made by a qualified archaeologist. Immediately halt construction activities if any human remains are discovered and report to the applicable County and other officials.
- **Mitigation Measure 4.5.4 Vegetation and Wildlife Resource:** Establish “no disturbance” buffers near any active nest of migratory bird species. Retain existing IWM to the extent practical to maintain size, volume, and complexity. Incorporate restoration and an increase in native riparian vegetation. Best Management Practices (BMPs) listed in Section 4.5.4 would be implemented to protect water quality, and aquatic habitat, from

increased suspended sediments, sedimentation, and chemical pollutants during construction.

- **Mitigation Measures 4.6.4 Special Status Species:**

- *Valley Elderberry*: Installation of orange environmentally sensitive area fencing around each shrub or cluster. Establish 100-ft buffer zone, if area encroached and approved by USFWS, provide minimum setback of at least 20 feet from elderberry shrub dripline. Erect signs every 50 feet along the edge of the elderberry avoidance areas to keep out human disturbance. Complete post construction evaluation to determine if elderberry shrubs were damaged during construction, consult with USFWS on appropriate mitigation. Transplant elderberry shrubs with stems greater than 1 inch diameter from the area identified for grading within the dormant season for valley elderberry longhorn beetle (November 15 to February 15). Institute maintenance and monitoring of the transplanted and newly established elderberry shrubs per USFWS 1999 *Conservation Guidelines for Valley Elderberry Longhorn Beetle*.
- *Swainson's Hawk and other Raptors*: Conduct pre-construction surveys for raptor nests and avoid any active nests within 0.5 mile radius during breeding and nesting season (March through August).
- *Delta Smelt, Central Valley Steelhead, Central Valley Spring-run Chinook salmon, Fall/Late-Fall-run Chinook salmon, Winter-Run Chinook Salmon, Green Sturgeon and Sacramento splittail*: All in-water work will be scheduled for the period from July 1 to November 30 when special status fish species are less likely to be in the project area to avoid or minimize potential effects on these fish species. Construction during this period would occur during lower flow periods to further limit construction incursion into the water.
- *Northwest Pond Turtle*: Pond turtle within the construction site will be allowed to leave on its own volitions or by a qualified biologist to a suitable downstream location.
- *Special Status Plants*: Avoid direct impact or relocate to temporary nursery and replant to erosion site following construction.

- **Mitigation Measures 4.7.4 Hydrology and Water Quality:** Prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), Hazardous Materials Management Plan, and Water Quality Monitoring Program measures. Limit in-water construction activities to the summer low-flow period to minimize the potential for stormwater drainage erosion.

- **Mitigation Measures 4.8.4 Geomorphology:** Placement of additional anchored IWM (Upstream of Sacramento River RM 30). Post-construction monitoring of IWM loading.

- **Mitigation Measure 4.9.4 Air Quality:** Visual surveys and month summary reports for operation equipment exhaust emissions. Maintain and tune construction equipment to

manufactures' specifications. Implement applicable measures to reduce short-term construction-generated exhaust and fugitive dust emissions. Provide the SMAQMD, FRAQMD, and GGAPCD with an offsite mitigation fee negotiated on an exceeded emissions-based calculation.

- **Mitigation Measure 4.10.4 Traffic:** Prepare and implement a traffic control plan.
- **Mitigation Measure 4.11.4 Noise:** Require the contractor to use noise-reducing measures so that equipment would not exceed City of Sacramento noise ordinance limits. Avoid residential areas for haul route. Use of newer construction equipment or retrofit older equipment.
- **Hazardous, Toxic, and Radioactive Waste 4.12.4:** Prepare Hazardous Material Control and Response Plan and SWPPP. Implement BMPs listed in Section 4.12.4 and Section 4.5.4 to prevent possible discharge of hazardous materials.

The project will incorporate all applicable mitigation measures, as listed above and described in the initial study.

Approval of Initial Study/Mitigated Negative Declaration

In accordance with Section 21082.1 of the California Environmental Quality Act, the CVFPB has independently reviewed and analyzed the initial study and proposed mitigated negative declaration for the proposed project and finds that the initial study and proposed mitigated negative declaration reflect the independent judgment of the CVFPB. The lead agency further finds that the project mitigation measures will be implemented as stated in the mitigated negative declaration.

I hereby approve this project:

Jay Punia
Executive Officer
Central Valley Flood Protection Board

Date

Approved as to Legal Form
And Sufficiency

Nancy Finch
Counsel