



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200400268

Date: June 7, 2004

Comments Due: June 28, 2004

In reply, please refer to the Public Notice Number

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct bulkheads on Long Island, which would result in impacts to approximately 0.3 acres of waters of the United States in or adjacent to the Sacramento River. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/cespk-co/regulatory/PNs/index.html>.

AUTHORITY: This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and/or Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Joseph R. Sutton, 5 Crags Court, San Francisco, California 94131-2521, 415-608-9293

LOCATION: The project site is located along the northeast shore of Long Island, in an Unsurveyed Section of Township 5 North, Range 2 East, near Walnut Grove, Sacramento County, California and can be seen on the Rio Vista and Isleton USGS Topographic Quadrangles. See attached drawings.

PROJECT DESCRIPTION: The applicant is proposing to construct bulkheads below the mean high tide line, or ordinary high water mark, for maintenance and erosion control on eight (8) sites. Approximately 620 feet of shoreline is proposed for these bulkheads. The amount of fill behind each bulkhead varies. However, the applicant has estimated the maximum filled area for the entire project would be less than 0.10 acre. The bulkheads would consist of PVC sheet piling on all properties, except the Malinsowski site, which is proposed to be pressure-treated Douglas fir timber. The PVC sheet piling will be installed by a crane-supported vibrator from the Long Island access road. The timber bulkhead is proposed to be installed by crane from the Long Island access road. Three of the eight properties would replace previously built wooden bulkheads (Condition 1). The other five have no existing bulkheads in place (Condition 2). The applicant's stated project purpose is to provide maintenance and erosion control. The applicant would like to do this work at the same time as the Long Island Property Owners dredging project in this waterway scheduled sometime between July 1 and November 1, 2004. The attached drawings provide additional project details.

Site #	Owner	Proposed Bulkhead Construction	Assessor's Parcel Number	Bulkhead Condition (per sketches)
1	George Rehrman	PVC sheet piling	0142-0150-24	2
2	John Engle	PVC sheet piling	0142-0150-23	1
3	Joseph Sutton	PVC sheet piling	0142-0150-22	1
4	Brian Watkins	PVC sheet piling	0142-0150-7	2
5	Robert Jackson	PVC sheet piling	0142-0150-18	1
6	John Wittig	PVC sheet piling	0142-0150-5	2
7	Susan Caruso	PVC sheet piling	0142-0150-3	2
8	Cl & Etta Malinsowski	Pressure treated DF Timber	0142-0150-27 & 28	2

ADDITIONAL INFORMATION:

Environmental Setting. Long Island is an approximately 16 acre island adjacent to Grand Island between Mile 16 and Mile 17 of the Sacramento River. The Island has been divided into 38 parcels. Much of the shoreline has been developed and woody riparian vegetation has been removed. On some of the sites there are low hanging trees and other riparian habitat which may be disturbed by the project.

Alternatives. The applicant has not provided information concerning project alternatives. Additional information concerning project alternatives is available from the applicant or their agent.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the State of California Regional Water Quality Control Board (RWQCB) is required for this project. The applicant has indicated they have applied for certification.

HISTORIC PROPERTIES: Based on the available information cultural resources not are within the project's area of potential effect.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

ESSENTIAL FISH HABITAT: The proposed project may adversely affect Essential Fish Habitat. The Corps will initiate consultation with the National Marine Fisheries Service, pursuant to Magnuson-Stevens Fishery Conservation and Management Act, as appropriate.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice 200400268, must be submitted to the office listed below on or before June 30, 2004:

Eileen Imamura, Project Manager
US Army Corps of Engineers, Sacramento District
Delta Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: Eileen.R.Imamura@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Eileen Imamura, 916-557-5262, Eileen.R.Imamura@usace.army.mil.

Attachments: 5 drawings