



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

FINDING OF NO SIGNIFICANT IMPACT

Supplemental Environmental Assessment XII
American River Common Features,
Lower American River Contract 3A,
Sacramento, Sacramento County, California

The U.S. Army Corps of Engineers (USACE) has conducted an environmental analysis of the proposed project in accordance with the National Environmental Policy Act of 1969 as amended. Lower American River (LAR) Contract 3A is a subset of features comprising the American River Common Features (ARCF) Project designed to help alleviate flood risk in the Sacramento Region of California. The ARCF Project was authorized in the Water Resources Development Act of 2016, Public Law No. 114-322 and other related authorities. For a full authorization history see Section 1.3 'Background and History of the American River Common Features Project' in the 2016 ARCF General Reevaluation Report Final Environmental Impact Statement/Final Environmental Impact Report (ARCF GRR FEIS/FEIR).

USACE seeks to construct a segment of the ARCF 2016 Project's erosion protection measures under the LAR Contract 3A consisting of riprap, planting benches, and launchable rock toe along the left bank of the American River levee at the Business I-80/Capitol City Freeway bridge in the City of Sacramento. The attached Final Supplemental Environmental Assessment (SEA) supplements the ARCF GRR FEIS/FEIR and evaluates the effects of design changes for the LAR Contract 3A segment.

The Final SEA evaluated the Proposed Action and a No Action Alternative (No Action). The No Action assumes the authorized project would be constructed as it was described and analyzed in the ARCF GRR FEIS/FEIR, in the SEA/Supplemental Environmental Impact Report (SEIR) for LAR Contract 1 and in the Supplemental Environmental Impact Statement (SEIS)/SEIR for LAR Contract 2. The Proposed Action reflects design changes that include the installation of a launchable rock toe with planting benches in place of bank protection or launchable trench. In addition, the Proposed Action includes specified staging areas, and specified haul routes. The potential effects associated with the Proposed Action are displayed in Table 1. For comparison purposes, Table 1 includes a column indicating significant impacts expected from construction of the overall ARCF 2016 Project and identified in the ARCF GRR FEIS/FEIR. All impacts associated with design changes that constitute the Proposed Action will be less than significant with mitigation. All applicable laws, executive orders, regulations, and local government plans were considered in the evaluation of the Proposed Action and the No-Action Alternative. A summary of mitigation measures is listed in Table 1.

Table 1. Summary of Potential Effects of the Proposed Action

	Lower American River Contract 3A			ARCF GRR FEIS/FEIR
	Less than significant effects (i.e. short-term, minor, moderate, adverse, etc.)	Less than significant effects as a result of mitigation	Resource unaffected by action	Elements beyond the scope of LAR Contract 3A disclosed in the ARCF GRR FEIS/FEIR as likely to cause significant adverse effects
Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vegetation and Wildlife	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federally listed Special- Status Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fisheries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazards and Hazardous Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hydrology and Water Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land Use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transportation and Circulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Utilities and Service Systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomics and Population	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cumulative Impacts				
<i>Visual Resources</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Air Quality</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Vegetation and Wildlife</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Federally listed Special- Status Species</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Fisheries</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Hazards and Hazardous Materials</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Hydrology and Water Quality</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Land Use</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Transportation and Circulation</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Noise</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Public Utilities and Service Systems</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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<i>Socioeconomics and Population</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Environmental Justice</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Cultural Resources</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Climate Change</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Recreation</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the Proposed Action. Best management practices (BMPs) as detailed in the Final SEA will be implemented, as appropriate, to minimize impacts. Below is a narrative summary of the magnitude of anticipated effects of the Proposed Action.

Visual Resources: Adverse impacts to visual resources will be less than significant after USACE requires its construction contractor to shield or direct any staging area lighting. Tree removal will have the greatest effect on visual resources and this impact was included in the ARCF GRR FEIS/FEIR.

Air Quality: Air quality emission effects will be less than significant with mitigation. The air analysis in the Final SEA shows that, with mitigation measures, the ARCF 2016 Project will be in conformity with the Clean Air Act, as amended, and will not cause or contribute to a new violation, nor increase the frequency or severity of existing violations, of the National Ambient Air Quality Standards.

Vegetation and Wildlife: Impacts to vegetation and wildlife will be less than significant as a result of mitigation. The Proposed Action incorporates mitigation measures (as described in both the Final SEA and the ARCF GRR FEIS/FEIR) that minimize the potential for the take of migratory birds, ensuring the Proposed Action complies with the Migratory Bird Treaty Act. Unavoidable impacts to 4.25 acres of riparian habitat will be mitigated by revegetating habitat onsite and revegetating and restoring habitat offsite in the American River Parkway, CA. Impacts will be mitigated at a 2:1 ratio calculated by canopy acreage in compliance with the Fish and Wildlife Coordination Act and the Endangered Species Act for western yellow-billed cuckoo (*Coccyzus americanus*) (or at a 3:1 ratio if the habitat is also considered valley elderberry longhorn beetle [*Desmocerus californicus dimorphus*] habitat). The Proposed Action will cause direct adverse effects to 1.71 acres of elderberry (*Sambucus spp.*) shrubs, host for the valley elderberry longhorn beetle, and associated riparian habitat. The project is also estimated to directly affect 4.25 acres of riparian habitat suitable for western yellow-billed cuckoo as stopover habitat. Appropriate offsite mitigation is planned at the Paradise Bend (formally called Glenn Hall) Mitigation Site and a large

Privately Owned Mitigation Site.

Special Status Species: The Proposed Action will impact 7.03 acres of shaded river aquatic habitat. The American River has been designated essential fish habitat for steelhead (*Oncorhynchus mykiss*) and salmon (*Oncorhynchus tshawytscha*) (winter, fall/late fall, and spring-run). Pursuant to section 7 of the Endangered Species Act of 1973, as amended, formal consultation was done programmatically for the ARCF 2016 Project with the National Marine Fisheries Service and the resulting Biological Opinion, dated May 12, 2021, will be followed to minimize impacts to salmonids and to comply with the Magnuson-Stevens Fishery Conservation and Management Act. Mitigation sites for fisheries habitat impacts will be created onsite and offsite at a large privately owned mitigation site along the LAR. Pursuant to section 7 of the Endangered Species Act of 1973, as amended, USFWS issued a Biological Opinion, dated March 31, 2021, for the ARCF 2016 Project that determined that the recommended plan of the ARCF 2016 Project will not jeopardize the continued existence of the following federally listed species or adversely modify designated critical habitat: valley elderberry longhorn beetle *and* western yellow-billed cuckoo. All terms and conditions, conservation measures, and reasonable and prudent alternatives and measures resulting from these consultations shall be implemented in order to minimize take of endangered species and avoid jeopardizing the species.

Fisheries: After required mitigation measures are implemented, short-term minor impacts to fisheries could occur in the event the launchable rock toe actually launches during a flood, but these impacts would be less than significant.

Hydrology and Water Quality: Impacts to hydrology and water quality will be less than significant once requirements in the programmatic 401 Water Quality Certification and Order are followed. A programmatic water quality certification pursuant to section 401 of the Clean Water Act was obtained from the Central Valley Regional Water Quality Control Board (CVRWQCB) on July 13, 2021. All conditions of the water quality certification shall be implemented to minimize adverse impacts to water quality. USACE will request authorization from the CVRWQCB to start construction of the Proposed Action under the Programmatic General Permit, Report Type 1. Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the Proposed Action has been found to be compliant with section 404(b)(1) Guidelines (40 CFR 230). The section 404(b)(1) evaluation is found in Appendix J of the LAR Contract 3A Final SEIR (which will be attached to the LAR Contract 3A Final SEA when posted). Impacts to jurisdictional waters of the U.S. will be offset as part of the mitigation required by the Biological Opinions of the NMFS and the USFWS described above.

Transportation and Circulation: After mitigation measures are implemented, the Proposed Action will cause less than significant impacts to public safety hazards, emergency access, and the physical condition of roads. In addition, impacts on parking availability at Sutter's Landing Park will be reduced to less than significant after mitigation measures already listed in the ARCF GRR FEIS/FEIR are implemented. Coordination between the City of Sacramento and the California Department of Transportation (Caltrans) in addition to community outreach will ensure that the Proposed Action would not cause a significant cumulative impact on local traffic.

Noise and Vibration: Effects on vibration will be decreased to less than significant through implementation of vibration reducing construction practices.

Public Utilities and Service Systems: Coordination with utility owners will occur prior to construction to minimize any possible impacts to utilities to less than significant.

Environmental Justice: There would be less than significant impacts to Environmental Justice from the Proposed Action. There is a freeway blocking the only disadvantaged neighborhood from the project footprint and the haul routes near disadvantaged communities already have a baseline of high volumes of traffic.

Cultural: Effects of the Proposed Action to historic properties are expected to be less than significant as a result of mitigation. Pursuant to section 106 of the National Historic Preservation Act of 1966, as amended, USACE has consulted with the State Historic Preservation Officer (SHPO) and other parties and has executed a Programmatic Agreement (PA) with the SHPO. The PA establishes the process USACE must follow for compliance with Section 106 to assess effects of the undertaking on historic properties, taking into consideration the views of the signatory and concurring parties and interested Native American Tribes. All terms and conditions set forth in the PA shall be implemented to assess and minimize any adverse effects of the Proposed Action to historic properties.

Climate Change: Construction, operation, and maintenance of the project features will have less than significant impacts on climate change conditions. Impacts from greenhouse emissions from the Proposed Action and impacts on reductions to carbon sequestration in the area will be less than significant after greenhouse gas offsets are purchased and mitigation sites are established.

Recreation: Specific impacts from LAR Contract 3A haul routes and staging areas on recreational resources will be less than significant after mitigation measures are implemented. In addition, coordination between the City of Sacramento and Caltrans in addition to community outreach will ensure that the Proposed Action would not cause a significant cumulative impact on recreation.

Table 2. Summary of Mitigation Measures

<u>Resource</u>	<u>Mitigation (ARCF GRR FEIS/FEIR)</u>	<u>Mitigation (Proposed Action)</u>
Visual Resources	Trees will be planted after construction is completed on planting berms and on top of launchable rock trenches, however there will still be a temporal loss of vegetation. Disturbed areas will be reseeded with native grasses.	Lighting will be shielded or directed. Additional mitigation measures listed in Section 3.15.6 of the ARCF GRR FEIS/FEIR.

<u>Resource</u>	<u>Mitigation (ARCF GRR FEIS/FEIR)</u>	<u>Mitigation (Proposed Action)</u>
Vegetation and Wildlife	When possible, in-kind compensation will be planted on planting berms, on top of launchable rock trenches, or on other lands within the Parkway. Additional mitigation sites are identified in Section 3.6.6.	Conservation measures in the USFWS BO will be followed. Surveys for migratory birds will be done if vegetation is removed during nesting season. Environmental awareness training will occur if vegetation is removed during nesting season. Additional mitigation measures listed in Section 3.6.6 of the ARCF GRR FEIS/FEIR.
Fisheries	Vegetation variance will allow waterside vegetation to remain and launchable rock trenches will be revegetated following construction. Best Management Practices (BMPs) will be implemented to address turbidity, and are discussed in Section 3.5.6.	Conditions of the NMFS BO will be followed. Additional mitigation measures listed in Section 3.7.6 of the ARCF GRR FEIS/FEIR.
Special Status Species	Mitigation per the terms of the Biological Opinions. Replace habitat for species either on-site or in close proximity to lost habitat. Implement BMPs discussed in Section 3.5.6 and conservation measures in the BOs during construction to prevent mortality. .	Follow recommendations in the 2017 USFWS Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle. Additional mitigation measures listed in Section 3.8.6 of the ARCF GRR FEIS/FEIR.
Cultural Resources	Preparation and implementation of a Programmatic Agreement, Historic Properties Management Plan, and Historic Properties Treatment Plans.	Resolve Adverse Effects through a Programmatic Agreement and Historic Properties Treatment Plan. Prepare an Archaeological Discovery Plan and an Archaeological Monitoring Plan. Conduct Cultural Resources Awareness Training. Implement Procedures for Discovery of Cultural Material.
Air Quality	Implementation of SMAQMD's Basic Construction Emission Control Practices and other BMPs, as listed in Section 3.11.6.	Implement dust control measures during project construction. Develop and Implement a Plan for Enhanced On-Site Exhaust Controls. To the extent available and feasible, construction equipment will be powered by electricity. Additional mitigation measures listed in Section 3.11.6 of the ARCF GRR FEIS/FEIR.

<u>Resource</u>	<u>Mitigation (ARCF GRR FEIS/FEIR)</u>	<u>Mitigation (Proposed Action)</u>
Transportation and Circulation	Preparation of a Traffic Control and Road Management Plan and other BMPs listed in Section 3.10.6.	Include signs along affected pedestrian and bike pathways announcing scheduled closures. Place signal personnel at intersections of construction vehicle pathways and active bike and pedestrian pathways. Assess damages to roadways and damages to railroad crossing. Additional mitigation measures listed in Section 3.10.6 of the ARCF GRR FEIS/FEIR.
Climate Change	Implementation of SMAQMD's Basic Construction Emission Control Practices and other BMPs, as listed in Section 3.12.6.	Mitigation measures listed in Section 3.12.6 of the ARCF GRR FEIS/FEIR.
Recreation	Notification and coordination with recreation users and bike groups. Flaggers, signage, detours, and fencing to notify and control recreation access and traffic around construction sites.	Closure of paved trails will be noticed 14 days in advance. Provide marked detours for all bike trails and on-street bicycle routes that will be temporarily closed during construction. Provide traffic control in areas where recreational traffic will intersect with construction vehicles. Coordinate with the City of Sacramento and Sacramento County to restore access and repair any construction-related damage to recreational facilities to pre-project conditions. Additional mitigation measures listed in Section 3.14.6 of the ARCF GRR FEIS/FEIR.
Hydrology and Water Quality	Preparation of a Stormwater Pollution Protection Plan, Spill Prevention Control and Countermeasures Plan, and a Bentonite Slurry Spill Contingency Plan. Implementation of BMPs listed in Section 3.5.6.	Follow conditions listed in the ARCF Programmatic CWA Section 401 Water Quality Certification and Order. Additional mitigation measures listed in Sections 3.4.6 and 3.5.6 of the ARCF GRR FEIS/FEIR.
Noise	Coordination with local residents, compliance with noise ordinances, and other BMPs, as listed in Section 3.13.6.	Employ vibration-reducing construction practices so that vibration from construction will comply with applicable noise-level rules and regulations. Additional mitigation measures listed in Section 3.13.6 of the ARCF GRR FEIS/FEIR.

<u>Resource</u>	<u>Mitigation (ARCF GRR FEIS/FEIR)</u>	<u>Mitigation (Proposed Action)</u>
Public Utilities and Service Systems	Notification of potential interruptions will be provided to the appropriate agencies and to landowners.	Coordinate with applicable utility and service providers to implement the orderly relocation of utilities that need to be removed or relocated. Additional mitigation measures listed in Section 3.16.6 of the ARCF GRR FEIS/FEIR.

Public review of the Draft SEA was completed on July 23, 2022. All comments were considered and answered in the Final SEA (Appendix G of the LAR Contract 3A Final SEIR, which will be attached with the Final SEA when posted), upon which this FONSI is based. There were 18 letters received for a total of 130 comments from: Sacramento County, Department of Transportation, Sacramento County Department of Regional Parks, Sacramento Metropolitan Air Quality Management District, City of Sacramento Transportation Division, Save the American River Association, Friends of Paradise Beach, several private citizens, Central Valley Regional Water Quality Control Board, and the California State Land Commission. Comments resulted in minor revisions to Section 3.6 (Vegetation and Wildlife), Section 3.10 (Air Quality) and Section 3.11 (Transportation and Circulation). No significant changes to impact declarations or new mitigation measures were necessary.

Based on the evaluation of the effects of the Proposed Action described in the Final SEA for the Lower American River Contract 3A; the reviews by other Federal, State, and local agencies; Tribes; input of the public; and the review by my staff, I find that the Proposed Action will cause no significant impacts not already disclosed in the ARCF GRR FEIS/FEIR; therefore, preparation of an Environmental Impact Statement is not required at this time.

Date

Chad W. Caldwell, P.E.
Colonel, U.S. Army
Commander and District Engineer