



**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 (SEA) 10  
American River Common Features (ARCF)  
Sacramento River East Levee (SREL) Contract 4  
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. Sacramento River East Levee (SREL) Contract 4 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 (2016 ARCF GRR EIS/EIR).

SREL Contract 4 will reduce flood risk by addressing seepage, stability, and overtopping risks to the Sacramento River east levee through the construction of seepage cutoff walls, a levee raise, and a seepage/stability berm at five locations along a 15-mile stretch of the SREL from Railyards Boulevard in north Sacramento, to 1.5 miles south of Consumes River Boulevard in Freeport. The Final SEA discusses the environmental effects of elements of SREL Contract 4 not detailed in the 2016 ARCF GRR EIS/EIR or in the three SEAs prepared for recently completed project work on the Sacramento River East Levee: the SEA/SEIR for SREL Contract 1 (2019), the SEA/SEIR for SREL Contract 2 (2020), and the SEA/SEIR for SREL Contract 3 (2021).

The SREL Contract 4 SEA, incorporated herein by reference, evaluated one structural alternative (Proposed Action) and a no action alternative (No Action). The No Action alternative assumes that the seepage and stability improvements have been constructed as described under Alternative 2, the preferred plan of the 2016 ARCF GRR EIS/EIR and as refined in the subsequent SREL Contract 1-3 SEAs referenced above. The structural alternative defined as the Proposed Action includes the following work: 1) 2.2 miles of shallow cutoff wall up to 10-feet deep; 2) a seepage/stability berm tying into the Morrison Creek North Beach Lake Levee (NBLL); 3) existing flood wall and flashboard modification 4) seepage/stability berm installation within an existing utility window within the levee; 5) work below the ordinary high-water mark (OHWM); 6) temporary closure of the boat ramp and boat trailer parking at Garcia Bend Park; 7) additional haul routes; and 8) six additional staging areas. All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the Proposed Action in addition to mitigation measures detailed in the 2016 ARCF GRR EIS/EIR. All applicable laws, executive orders, regulations, and local government plans were considered in the evaluation of the Proposed Action. A

summary assessment of the potential effects of the Proposed Action is listed in Table 1. A summary of mitigation measures is listed in Table 2.

Table 1. Summary of Potential Effects of the Proposed Action

	Sacramento River East Levee Contract 4				Program Level
	Less than significant effects	Less than significant effects as a result of mitigation <sup>1</sup>	Resource unaffected by action	Resource would be significantly impacted, and the effect is unavoidable	Program elements beyond the scope of this contract disclosed in the 2016 ARCF GRR EIS/EIR as likely to cause significant adverse effects
Visual Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vegetation and Wildlife	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Special-Status Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fisheries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Wastes and Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrology and Hydraulics	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>
Transportation and Circulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise and Vibration	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Utilities and Service Systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socioeconomics, Population, and Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geological Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mineral Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water Quality and Groundwater Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Climate Change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A narrative summary of the magnitude of anticipated effects of the Proposed Action to resources likely to experience some follows:

<sup>1</sup> 40 CFR 1505.2(C) all practicable means to avoid and minimize environmental harm are adopted.

*Visual Resources:* Effects of the Proposed Action to visual resources will be less than significant as a result of mitigation. Tree removal will have the greatest effect on visual resources and this impact was included in the 2016 ARCF GRR EIS/EIR.

*Air Quality:* The Proposed Action will not cause air quality impacts that are more severe than those addressed in the 2016 ARCF GRR EIS/EIR. An air quality general conformity analysis has been completed for the entire ARCF program that addresses the newly identified cumulative significant effect from implementation of the entire program on a 5-year schedule versus the 10 years analyzed in the 2016 ARCF GRR EIS/EIR. The analysis shows that, with mitigation measures, the ARCF 2016 Project will be in conformity with the Clean Air Act of 1963, 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:* Effects of the Proposed Action to vegetation and wildlife will be less than significant as a result of mitigation. The approximately 3.2 acres of tree canopy to be removed by SREL Contract 4 will be mitigated at the Beach Stone Lakes Mitigation Site (BSLMS) near Freeport, CA, or another US Fish & Wildlife Service (USFWS) approved mitigation site. During the winter prior to the date of commencement of construction of Contract 4 work (scheduled for spring of 2023), woody vegetation will be trimmed or removed to avoid disturbance to nesting migratory birds protected under the Migratory Bird Treaty Act of 1936, as amended.

*Special Status Species:* Effects of the Proposed Action to Federal special-status species will be less than significant as a result of mitigation. Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the USFWS's Biological Opinion dated March 31, 2021 (No: 08ESMF00-2014-F-0518-R003) determined that the Proposed Action will not jeopardize the continued existence of the federally listed Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) or western yellow-billed cuckoo (*Coccyzus americanus*) or adversely modify designated critical habitat. All terms and conditions, conservation measures, and reasonable and prudent alternatives and measures resulting from these consultations shall be implemented to minimize take of endangered species and avoid jeopardizing the species.

*Fisheries:* Effects of the Proposed Action to fisheries will be less than significant as a result of mitigation. The National Marine Fisheries Service signed a Biological Opinion on May 12, 2021 (NMFS No: WCRO-2020-03082) concluding that the analyzed project is not likely to jeopardize the continued existence of the federally listed as endangered. The Proposed Action will include limited grubbing, stripping, and temporary soil stockpiling below the ordinary high-water mark (OHWM), but no in-water work. Mitigation measures will ensure that Sacramento River water quality is not affected, thus the overall project's adverse effects to fisheries will not exceed the effects described in the 2016 ARCF GRR EIS/EIR.

*Hazardous Materials:* Effects of the Proposed Action on hazardous materials will be less than significant as a result of mitigation. Project areas will be tested for contaminants by the non-Federal sponsor prior to construction, and any materials found will be disposed of in accordance with all Federal, State, and local regulations at an approved disposal site. If construction activities will occur in close proximity to previously identified contaminated sites, a Phase II Environmental Site Assessment (ESA) should also be conducted. Work occurring within the Sacramento Railyards parcel will follow the Railyards Soil Management Plan, which will ensure compliance with regulatory requirements

*Traffic:* The 2016 ARCF GRR EIS/EIR disclosed that work on the Sacramento River levees would cause temporary, significant, and unavoidable impacts to traffic (pp 224-229). The Proposed Action includes less levee raise and cutoff wall than proposed in the 2016 ARCF GRR EIS/EIR, which results in significantly less material hauling. One lane of State Route 160 and Freeport Boulevard will need to be temporarily closed to construct the seepage/stability berm, but traffic control measures will mitigate this impact. Therefore, the Proposed action does not add significant additional traffic impacts beyond those analyzed in the 2016 ARCF GRR EIS/EIR.

*Noise and Vibration:* Effects of the Proposed Action to noise and vibration will be less than significant as a result of mitigation. Mitigations measures include voluntary pre-construction surveys for residents, vibration monitoring, vibration-reducing construction practices, and compliance with applicable noise-level rules and regulations.

*Water Quality and Groundwater Resources:* Effects of the Proposed Action to water quality and groundwater resources will be less than significant as a result of mitigation. Pursuant to the Clean Water Act of 1972, as amended, the discharge of fill material associated with the recommended plan has been found to be compliant with section 404(b)(1) Guidelines (40 CFR 230). The Clean Water Act Section 404(b)(1) Guideline's evaluation is found in Appendix G.

A Programmatic General Permit (WDID: 5A34CR00819) pursuant to section 401 of the Clean Water Act was obtained from the Central Valley Regional Water Quality Control Board. All conditions and requirements of the water quality certification shall be implemented in order to minimize adverse impacts to water quality. SREL Contract 4 will submit a Notice of Intent to complete work under this programmatic permit. In addition, a consistency review under Section 404(b)(1) of the CWA was conducted, as set forth in Appendix E of the 2016 ARCF GRR EIS/EIR. The contractor will be required to obtain a Construction General Permit from the State Water Resources Control Board to comply with storm water regulatory requirements under CWA Section 402 and to prepare a Spill Prevention Control and Countermeasures Plan. No effect to groundwater resources is anticipated.

*Recreation:* Effects to recreation resources were identified in the 2016 GRR EIS/EIR to be significant and unavoidable. The Proposed Action itself will cause substantial

temporary adverse effects to Garcia Bend Park due to extended temporary closures preventing public access, but this effect will be mitigated to a less than significant level by implementation of the following measures: USACE will set up appropriate detours, provide construction information on facility closures, coordinate with the City of Sacramento to restore the park, and provide notification to the community of alternative recreation areas and resources. USACE will provide the City of Sacramento Parks and Recreation Department at least 2 weeks advance notice of the construction schedule to minimize recreational impacts.

*Public Utilities and Service Systems:* Effects of the Proposed Action to public utilities and service systems will be less than significant as a result of mitigation. The relocation or removal of utilities may cause temporary disruption in service. Protection measures and temporary bypasses described in Section 3.16.6 of the 2016 GRR EIS/EIR may be required for some of the utilities to be relocated. This includes consultation with all known service providers prior to construction to identify specific infrastructure locations and appropriate protection measures. Consultation would continue during construction to ensure avoidance/protection of facilities to minimize service disruptions. Where feasible, replacement utility structures would be completed before demolition of existing facilities.

*Socioeconomics, Population, and Environmental Justice:* Effects of the Proposed Action to socioeconomic, population, and environmental justice will be less than significant. The important flood protection benefits of SREL Contract 4, and the ARCF project overall, would extend to the entire Sacramento Metropolitan area without causing disproportionate harms or benefits to any population, whether low income or otherwise. Local businesses may be temporarily impacted by construction noise, vibration, traffic, and dust, but access to businesses will not be restricted. Services for houseless persons displaced from along the Sacramento River during construction are offered by both the City of Sacramento and Sacramento County.

*Cultural Resources:* Effects of the Proposed Action to cultural resources will 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), Native American Tribes (Tribes), 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, taking into consideration the views of the signatory and concurring parties and interested Tribes. All terms and conditions contained in the agreement shall be implemented in order to minimize adverse impacts of the Proposed Action to historic properties. Mitigation is being consulted on with SHPO and the Tribes.

**Table 2. Summary of Mitigation Measures**

<b>Resource</b>	<b>Mitigation (ARCF GRR EIS/EIR)</b>	<b>Mitigation (Proposed Action)</b>
Visual Resources	To minimize visual impacts trees would be left in place on the waterside lower third of the levee. On the landside of the levee visual resources cannot be mitigated. Disturbed areas would be reseeded with native grasses.	Lighting will be shielded or directed. Additional mitigation measures listed in Section 3.15.6 of ARCF GRR EIS/EIR and in the SREL Contract 1 & 2 SEA/EIRs.
Air Quality	Implementation of SMAQMD’s Basic Construction Emission Control Practices and other BMPs, as listed in Section 3.11.6 in the GRR EIS/EIR.	Implement dust control measures during project construction. Develop and Implement a Plan for Enhanced On-Site Exhaust Controls. Additional mitigation measures listed in Section 3.11.6 of ARCF GRR EIS/EIR and in the SREL Contract 1 & 2 SEA/EIRs.
Vegetation and Wildlife	A Coordination Act Report (CAR) was included in the 2016 ARCF GRR Final EIS/EIR as Appendix A and recommends USACE compensate for the loss of oak woodland, riparian forest, riparian scrub-shrub and emergent wetland from project construction at a ratio of 2:1. This loss will be mitigating at the Beach Stone Lakes Mitigation Site	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 EIS/EIR and in the SREL Contract 1 & 2 SEA/EIRs.
Special Status Species	Mitigation per the terms of the Biological Opinions. Replacement habitat for species will be provided at the Beach Stone Lakes Mitigation Site. Implement BMPs discussed in Section 3.5.6 and conservation measures in the BOs during construction to prevent mortality.	Compensatory mitigation at the Beach Stone Lakes Mitigation Site. 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 EIS/EIR and in the SREL Contract 1-3 SEA/EIRs.
Fisheries	Best Management Practices (BMPs) would 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 EIS/EIR and SREL Contract 2 SEA/SEIR.
Hazardous Wastes and Materials	Project areas would be tested for contaminants by the non-Federal sponsor prior to construction, and any materials found would be disposed of in accordance with all Federal, State, and local regulations at an approved disposal site. If construction activities would occur in close proximity to sites listed in the existing conditions section, a Phase II ESA should also be conducted.	Adoption of the Railyards Soil Management Plan.

<b>Resource</b>	<b>Mitigation (ARCF GRR EIS/EIR)</b>	<b>Mitigation (Proposed Action)</b>
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 EIS/EIR and the SREL Contract 1 & 2 SEA/EIRs.
Land Use	-	-
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 EIS/EIR and in the SREL Contract 1 & 2 SEA/EIRs.
Noise and Vibration	Coordination with local residents, compliance with noise ordinances, and other BMPs, as listed in Section 3.13.6.	Voluntary pre-construction surveys for residents. Employ vibration-reducing construction practices so that vibration from construction would comply with applicable noise-level rules and regulations. Additional mitigation measures listed in Section 3.13.6 of the ARCF GRR EIS/EIR and in the SREL Contract 3 SEA.
Public Utilities and Service Systems	Notification of potential interruptions would 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 EIS/EIR.
Socioeconomics, Population, and Environmental Justice	Federal Relocation Act compliance.	Construction and staging would be planned in a way to reduce impact to businesses and the community to the greatest extent feasible. Services for those displaced from along the Sacramento River are offered by both the City of Sacramento and Sacramento County.
Geological Resources	Minimize ground disturbances, install sediment barriers, reseed sites when work is complete, Additional mitigation measures are identified in Section 3.2.6	-

Resource	Mitigation (ARCF GRR EIS/EIR)	Mitigation (Proposed Action)
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.
Water Quality and Groundwater Resources	A CWA Section 404(b)(1) analysis (Appendix E of the GRR EIS/EIR), was conducted to ensure that the ARCF Project would cause no net loss of functions or values to State and Federally protected waters. Mitigation measures set forth in the ARCF GRR EIS/EIR (referred to as GEO-1 and as WATERS-1 in the SREL Contract 1 and 2 SEAs/SEIRs) would reduce sedimentation discharge concerns to a negligible level.	All work below the OHWM requires a water quality certification pursuant to Section 401 and 404 of the Clean Water Act (CWA).
Climate Change	Implementation of SMAQMD's Basic Construction Emission Control Practices and other BMPs, as listed in Section 3.12.6.	Purchase GHG offset for program-wide GHG emissions exceeding SMAQMD significance thresholds applicable at the time of construction. Additional measures listed in Section 3.12.6 of the ARCF GRR EIS/EIR and in the SREL Contract 1 & 2 SEA/EIRs.
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 would be noticed 14 days in advance. Provide marked detours for all bike trails and on-street bicycle routes that would be temporarily closed during construction. Provide traffic control in areas where recreational traffic would 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 EIS/EIR and the SREL Contract 1 & 2 SEA/EIRs.

Public review of the draft SEA concluded on 1 August 2022. Seven letters were submitted containing a total of 27 comments. All comments were considered and answered in the final SEA, upon which this FONSI is based. In response to public comments, Section 3.3 'Air Quality,' Section 3.4 'Vegetation and Wildlife,' Section 3.8 'Noise and Vibration,' Section 3.13 of the SEA, 'Socioeconomic, Population, and Environmental Justice,' and Section 4.2.10 Cumulative Effects of Noise and Vibration



was updated. Mitigation Measures AIR-3 and AIR-4 were updated to current Air District requirements. No new mitigation measures were introduced.

Based on the evaluation of the effects of the Proposed Action as described in the Final SEA for SREL Contract 4, as well as independent reviews by other Federal, State, and local agencies, Tribes, input from the public, and the review undertaken by my staff, I find that the Proposed Action will cause no new significant environmental impacts not already disclosed in the 2016 ARCF GRR EIS/EIR.

---

Date

---

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