

**SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION  
YUBA RIVER BASIN, CALIFORNIA PROJECT  
MARYSVILLE RING LEVEE  
PHASE 2B AND 3 Utility Relocation**

**Project Background**

The Yuba River Basin, California Project – Marysville Ring Levee (MRL Project) is a cooperative effort between U.S. Army Corps of Engineers (USACE), Central Valley Flood Protection Board (Board), and the Marysville Levee District (MLD) to address under seepage, through seepage, and embankment stability for the ring levee around Marysville. The MRL Project is part of the Yuba River Basin, California Project, authorized by the Water Resources Development Act (WRDA) 1999 (Public Law 106-53) Section 101(a)(10) and WRDA 2007 (Public Law 110-114), Section 3041.

Although the MRL Project was one of the original elements identified in the 1999 congressionally authorized Yuba River Basin, California Project, the MRL Project portion was approved to be a separable element. An Engineering Documentation Report (EDR) was completed in 2010 which found that, although design changes were necessary, they did not constitute a change in the project scope, and the project could proceed to construction. As a result, a Project Partnership Agreement was executed and the MRL Project initiated construction in 2010.

An Environmental Assessment / Initial Study (EA/IS) for the MRL Project was circulated in 2010. The USACE adopted a Finding of No Significant Impact (FONSI) to complete the National Environmental Policy Act (NEPA) process. The FONSI was later adopted by the Board as a Mitigated Negative Declaration (MND) for California Environmental Quality Act (CEQA) purposes. The EA/IS/MND evaluated the potential effects of the proposed design and construction of improvements to the Marysville Ring Levee. A Supplemental EA/ISMND analyzing design changes for Phases 2B and 3 of the MRL Project was circulated and adopted in 2019. Since 2019, changes to the project design and schedule have occurred specific to the utility relocations for Phase 2B and 3 (Proposed Project), resulting in the need for a Supplemental EA/IS/MND.

**Project Description**

Levee improvements to the Marysville Ring Levee were originally covered in the 2010 EA/IS/MND which recommended implementation in multiple phases. Phase 1 of the MRL Project was constructed from 2010 through 2012 and portions of Phase 4 were constructed from 2016 through 2017. To better facilitate design and construction, Phase 2 was further subdivided into Phase 2A North, 2A South, 2B, and 2C. Phase 2A North began construction in spring 2018, Phase 2A South began construction in spring 2019, Phase 2C began

construction in spring 2020, and Phases 2B and 3 began construction in spring 2020.

This MND describes refinements only for the utility relocation associated with Phase 2B and 3. The Proposed Project will relocate utilities located on the levee within Phases 2B and 3 of the MRL Project.

The Utility Relocation will include: the Pacific Gas & Electric Company relocation of existing electric transmission and distribution lines, as well as gas transmission and distribution pipelines in Phase 2B and 3. The Proposed Project also includes the AT&T Inc. and Sprint Corporation installation of new utility structures on the landside and waterside of the levee in Phase 3.

## Project Location

The City of Marysville is located approximately 50 miles north of Sacramento, California in Yuba County and is surrounded by 7.5 miles of levee. These levees vary in height from 17 to 28 feet and protect the City of Marysville from flooding. The Proposed Project is located adjacent to the existing levee south of 1st Street, north and west of the Yuba River, and east of A Street, 12th Street, and Hwy 20. An additional portion of the Proposed Project occurs south of the Feather River adjacent to the Union Pacific Railroad.

## Mitigation Measures

The 2010 EA/IS and 2019 Supplemental EA/IS/MND discussed the potential effects of the MRL Project in detail. The Phase 2B and 3 Utility Relocation Supplemental EA/IS did not consider effects to traffic and circulation; geology and seismicity; mineral resources; topography and soil types; aesthetics and visual resources; hazards, hazardous materials, toxic, and radiological waste; fisheries; land use; socioeconomic; environmental justice; population and housing; noise; and recreation. For these resources the conclusions reached in the 2010 EA/IS and 2019 Supplemental EA/IS/MND remain accurate for the Proposed Project, as the construction methodologies, scope, and seasonality remain the same, and the relevant Federal and State laws have not changed in a manner that would require re-evaluation of these resources.

Resources considered in detail include: greenhouse gases; water resources and quality; public utilities; special status species; air quality; vegetation and wildlife; cultural resources; and agriculture and prime and unique farmland. The analyses in the Supplemental EA/IS concluded that the Proposed Project would not impact greenhouse gasses, water resources and quality, cultural resource, or agriculture and prime and unique farmland. Therefore, no additional mitigation was proposed for these resources.

The following mitigation measures summarize the measures detailed in the Supplemental EA/IS. These measures, in addition to those from the 2010

EA/IS/MND and 2019 Supplemental EA/IS/MND will reduce impacts to less-than-significant.

Public Utility impacts will be temporary and mitigated to less-than-significant by these measures:

- Disruptions resulting from the gas transmission work would be avoided through installation of portable bottles filled with gas, these would be utilized to maintain operation of gas appliances in neighboring homes that may be affected by work activities;
- Disruption to power services will be prevented through the use of temporary structures including shoo-flys (temporary wood pole structures and conductors);
- Customers identified as being impacted by work activities would be notified in advance of any service disruptions.

Special Status Species impacts will be mitigated to less-than-significant by these measures:

- The Proposed Project will reinitiate consultation with the United States Fish and Wildlife Service (USFWS) to address potential indirect effects to the Valley Elderberry Longhorn Beetle;
- Elderberry shrubs in the project area that could be indirectly affected by the Proposed Project would be protected through implementation of best management practices as well as avoidance and minimization measures like protective fencing;
- Buffers will be marked around elderberry shrubs along the access route via Beale Road along the Union Pacific Rail Road trestle and a monitor will be present during the entirety of the utility relocation that requires this access route;
- To mitigate any potential impacts to migratory birds every reasonable effort will be made to protect trees;
- Surveys for active bird nests will be required prior to removal of any tree removed during the nesting season;
- Avoidance and minimization measures in coordination with USFWS and California Department of Fish and Wildlife (as appropriate), will be incorporated to ensure that migratory bird species are not adversely affected during the Proposed Project.

Air Quality impacts will be temporary and mitigated to less-than-significant by these measures:

- After implementation of on-site mitigation measures, emissions that remain in excess of local thresholds would be reduced by contributing to the Feather River Air Quality Management District's off-site mitigation program (Carl Moyer Program) to further reduce air quality impacts.

Vegetation and Wildlife impacts will be mitigated to less-than-significant by these measures:

- Where possible, protect in place all mature trees (13 inches diameter breast height or larger).
- Any loss of woodland acreage would be compensated for by purchasing credits at a USFWS-approved conservation bank within the MRL Phases 2B and 3 approved service area. The amount of acreage required to mitigate for removal of woody riparian vegetation would be determined by USFWS and discussed in the Final Supplemental USFWS Coordination Act Report (draft document anticipated December 2020).

## Findings

Based on the information in the 2010 EA/IS/MND (State Clearinghouse # 2010024001) and 2019 Supplemental EA/IS/MND, this Supplemental EA/IS, and the administrative record for the MRL Project, the Board finds that the Proposed Project, with mitigation measures listed above and those from the 2010 EA/IS/MND and 2019 Supplemental EA/IS/MND, will not result in a significant impact on the environment.

This MND reflects the Board's independent judgment and analysis.

The environmental document and other materials, which constitute the record, are located at 3310 El Camino Avenue, Room 170, Sacramento, California 95821. In accordance with California Code of Regulations, title 14, section 15075, Board staff will file a Notice of Determination (NOD) with the State Clearinghouse within five days of adopting the MND.

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Leslie M. Gallagher  
Executive Officer  
Central Valley Flood Protection Board

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Date