DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
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DRAFT FINDING OF NO SIGNIFICANT IMPACT

West Sacramento Project, Yolo Bypass East Levee, Northern Segment, West Sacramento, California

The U.S. Army Corps of Engineers, Sacramento District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. The Draft Environmental Assessment (EA) dated October 2021, for the West Sacramento Project, Yolo Bypass East Levee (YBEL) Northern Segment, West Sacramento, California addresses environmental effects of proposed design modifications to the project that were authorized for construction in Section 1401 of the WRDA of 2016, Public Law (PL) 114-322, also known as the Water Resources Infrastructure Improvements for Nation Act. The original study authority for the West Sacramento area was provided through Section 209 of the Flood Control Act of 1962, PL. No. 87-874. The West Sacramento Project was authorized in WRDA 1992, PL102-580 Sec. 101 (4), as amended by the Energy and Water Development Appropriations Act of 1999, PL 105-245 and reauthorized under WRDA 2010, PL 111-85.

A Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) was completed for the West Sacramento General Reevaluation Report (West Sacramento GRR) in December 2015. The enclosed Draft EA/initial study (EA/IS) supplements the 2015 West Sacramento GRR FEIS/FEIR. The 2022 Draft EA/IS is an updated environmental document that incorporates proposed design refinements for the construction of improvements on the Northern Segment of the Yolo Bypass East Levee.

Two alternatives were evaluated for design refinements to the YBEL Northern Segment: The No Action alternative and the improvement of the levee (proposed action alternative).

Under the No Action alternative, actions on the YBEL would be as described in the 2015 FEIS/FEIR:

- installation of 2000 feet of 100-foot-deep slurry cut off wall to address seepage concerns.

The proposed action alternative includes:

- replenishment of rock revetment along 2475 linear feet of the YBEL;
- installation of a seepage and stability berm along 825 feet of the YBEL; and
- installation of a drainage and pumping station on the landside of the YBEL.

For both alternatives, the potential effects were evaluated, as appropriate. The effects of the No Action alternative were updated from the 2015 GRR EIS using current laws, regulations, and new information as applicable. The proposed action would not have any additional significant effects beyond those already evaluated in the 2015 FEIS/EIR. A summary assessment of the potential effects of the proposed action is listed in Table 1.

Table 1. Summary of Potential Effects of the Proposed Action

	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Aesthetics	☒	☐	☐
Air quality	☐	☒	☐
Aquatic resources/wetlands	☐	☒	☐
Invasive species	☐	☐	☒
Fish and wildlife habitat	☐	☒	☐
Threatened/Endangered species/critical habitat	☐	☒	☐
Historic properties	☐	☐	☒
Other cultural resources	☐	☒	☐
Floodplains	☐	☐	☒
Hazardous, toxic & radioactive waste	☒	☐	☐
Hydrology	☐	☒	☐
Land use	☐	☐	☒
Navigation	☐	☐	☒
Noise levels	☒	☐	☐
Public infrastructure	☒	☐	☐
Socio-economics	☐	☐	☒
Environmental justice	☐	☐	☒
Soils	☒	☐	☐
Tribal trust resources	☐	☒	☐
Water quality	☐	☒	☐
Greenhouse Gasses & Climate change	☐	☒	☐
Paleontological Resources	☐	☒	☐
Traffic and Transportation	☐	☒	☐

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the EA/IS will be implemented, if appropriate, to minimize effects.

Effects to Air Quality as outlined in Chapter 3.3 and 3.8 of the EA/IS, including greenhouse gas emissions, will be reduced through the use of BMP's such as watering active construction sites, covering inactive storage piles, covering all hauling trucks, and minimizing idling time of construction equipment.

Few effects are anticipated to wetlands, aquatic resources, hydrology, or water quality as all work would be conducted above the ordinary high-water mark and outside of wetlands, as described in Chapter 3.10 of the EA/IS. To ensure no adverse effects to water resources due to runoff a stormwater pollution prevention plan would be developed, and a national pollution discharge elimination system (NPDES) permit would be obtained by the contractor after award and prior to construction. The plan would include measures such as the installation of sediment barriers between the construction site and nearby waterbodies, provisions for post construction stabilization of earthen surfaces, and chemical spill plans. The provisions of the NPDES permit would ensure that effluent from any pumping or dewatering operations would not degrade local water quality through the use of measures such as testing, water quality monitoring, and the retention of dewatering effluent until particulate matter has settled before it is discharged.

Development and implementation of a traffic control plan would reduce effects to traffic and transportation to less than significant, as described in Chapter 3.12 of the EA/IS. The plan would outline access routes for emergency vehicles, locations of signal flaggers, designated parking and staging areas, and provisions for post construction road repair.

Effects to Paleontological resources, as outlined in Chapter 3.7 of the EA/IS, would be minimized to the extent practicable through the use of a fossil discovery plan. The plan includes a stop work provision within 100 feet of the discovery to reduce further damage. The discovery plan would ensure that effects to Paleontological Resources, if found, would be minimized to less than significant.

Effects to cultural resources would be minimized to the extent practicable through the use of cultural resources awareness training and inadvertent discovery plans as outlined in Chapter 3.5 of the EA/IS. Effects to tribal trust resources, if inadvertently discovered, would also be minimized to the extent practicable through evaluation and consultation with concerned tribes.

Effects to biological resources including threatened and endangered species would be minimized to the extent practicable. Mitigation measures included as part of the proposed project to reduce effects to biological resources include restoring grassland habitat using native grasses and forbs following the completion of construction; environmental awareness training for all construction personnel; use of wildlife exclusion fencing for the duration of the construction; and completion of pre-construction surveys for burrowing owl, Swainson's hawk, and nesting birds. Full mitigation measures are described in Chapter 3.4 of the EA/IS.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the Corps is in formal consultation with the USFWS to determine if the proposed project would jeopardize the continued existence of the federally listed giant garter snake or adversely modify its designated critical habitat. The Corps has determined that the proposed project will result in unavoidable adverse effects to 8.60 acres of giant garter snake upland habitat. To mitigate for these unavoidable adverse effects, the U.S. Army Corps of Engineers will purchase 25.80 giant garter snake upland habitat mitigation credits at a U.S. Fish and Wildlife (USFWS) approved mitigation bank within the service area. 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.

Pursuant to section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers found that historic properties would not be adversely affected by the recommended plan. A Programmatic Agreement (PA) for the West Sacramento Project was executed on 1 October 2015 between USACE and the California State Historic Preservation Officer (SHPO). USACE consulted on the YBEL Reach per the stipulations of that PA. The SHPO concurred with the finding of No Adverse Effect to Historic Properties on 21 September 2021.

The Central Valley Regional Water Quality Control Board has waived water quality certification pursuant to section 401 of the Clean Water Act, as no work would result in the discharge of dredge or fill materials to waters of the U.S. or waters of the State.

Public review of the draft EA/IS and FONSI commenced on 05 November 2021 and will conclude on 05 December 2021. All comments submitted during the public review period will be responded to in the Final EA/IS and FONSI.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed or is underway.

Based on the evaluation of the effects of the Proposed Action as described in the Draft Supplemental EA/IS; 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 effects not already disclosed in the 2015 West Sacramento GRR FEIS/FEIR; therefore, preparation of an Environmental Impact Statement is not required at this time.

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Date

James J. Handura
Colonel, U.S. Army
Commander and District Engineer