



US Army Corps
of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: SPK-2009-00480

Date: April 10, 2009

Comments Due: May 11, 2009

In reply, please refer to the Public Notice Number

SUBJECT: Notice of application for a Department of the Army Permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act and Intent to Prepare an Environmental Impact Statement (EIS) for the Natomas Levee Improvement Project, Phase 4a, as shown in the attached exhibits.

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

APPLICANT: Sacramento Area Flood Control Agency (SAFCA)
1007 7th Street, 7th Floor
Sacramento, CA 95814

LOCATION: This project is located in the Natomas Basin, in Sacramento and Sutter Counties, CA.

PROJECT PURPOSE: The overall project purpose is to provide at least a 100-year level of flood protection to the Natomas Basin as quickly as possible and provide "200-year" protection to the Basin over time.

PROJECT DESCRIPTION: The applicant has applied for a Department of the Army permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act to undertake a variety of construction activities, including raising and rehabilitating levees, constructing an adjacent setback levee, modifying pumping plants, removing borrow and reclaiming the borrow sites, and developing aquatic resources and habitat.

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.

PUBLIC SCOPING: This public notice is being distributed to invite public participation in the scoping process for the preparation of an EIS under NEPA. This process is key to preparation of a concise EIS and clarifying the significant issues to be analyzed in depth. Public concern on issues, studies needed, alternatives to be examined, procedures and other related matters will be addressed during scoping.

SUBMITTING COMMENTS: Interested parties are invited to submit written comments on the notice of intent. Scoping comments should be submitted within the next 30 days, but may be submitted at any time prior to publication of the Draft EIS. Written comments, referencing Public Notice SPK-2009-00480 should be submitted to the office listed below on or before **May 11, 2009**.

Kathleen A. Dadey, Chief, CA Delta Branch
US Army Corps of Engineers, Sacramento District
Sacramento Office
1325 J Street, Room 1480
Sacramento, California 95814 2922
Email: Kathleen.A.Dadey@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 Kathleen Dadey, at 916-557-7253.

Attachment: 1 drawing