



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

408 Permission Section

PUBLIC NOTICE

**REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS
PROJECT UNDER SECTION 408**

TITLE: River Walk Trail Extension (19387).

PUBLIC NOTICE COMMENT PERIOD:

Begins: July 24, 2019

Ends: August 23, 2019

REQUESTER: In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the City of West Sacramento (requester) has requested permission through the Central Valley Flood Protection Board (non-federal sponsor of the federally authorized project) from the U.S. Army Corps of Engineers (USACE) to alter the Sacramento River Flood Control Project, an existing federal flood risk management project, authorized by the Flood Control Act of 1917.

LOCATION: The proposed project is located along Levee Road between Broderick Boat Launching Facility and I Street Bridge on the right (west) bank of the Sacramento River in the City of West Sacramento, Yolo County, California (Attachment 1).

REQUESTER'S PROPOSED ACTION: The proposed project is to construct approximately 2,650-feet of Class 1 pedestrian/bike trail along the crown of the Sacramento River levee and extend the existing River Walk Trail adjacent to the Sacramento River channel. Improvements include a 12-foot wide paved pedestrian/bike path with 1-foot shoulders, pedestrian scale lighting, access gate with bollards, and signage posts along the crown of the levee; a 12-foot wide concrete path with 1-foot shoulders adjacent to the river; and a 12-foot wide concrete ramp that connects the levee crown with the River Walk Trail. The U.S. Department of Housing and Urban Development (HUD) is providing funding to the City of West Sacramento for the proposed project; therefore, HUD has delegated Section 106 authority for this project to the City of West Sacramento under 24 CFR § 58 Subpart A.

ENVIRONMENTAL IMPACTS OF PROPOSED ACTION: The proposed project is located in a developed urban area in the City of West Sacramento. Land use within the project area contains a mix of recreation and parks (Yolo County Park and the Broderick Boat Ramp at the northern end of the project area) and mixed use. The project area is highly disturbed by human activity and the majority of vegetative cover is non-native. Land Cover and vegetative communities within the project area include: Barren/Disturbed, Disturbed Mixed Riparian, Disturbed Oak Woodland, Landscape/Lawn, and Ruderal/Disturbed (Attachment 2). The proposed project would have no direct or indirect impacts on the Sacramento River or riparian vegetation along its banks. As the proposed project area consists of disturbed habitats and there would be no in-water work associated with the project, no impacts to sensitive habitats are expected. Additionally, the City of West Sacramento would

incorporate a number of measures into the project to avoid and minimize potential environmental effects.

The proposed project would install new lighting along the levee to improve pedestrian and bicycle safety and visibility. Planned light fixtures would be low profile and would cast light downward to avoid spillage outside of the bikeway. Shielding would be used to prevent light pollution from affecting the river habitat and wildlife corridor associated with the Sacramento River. Potential visual impacts and impacts to wildlife as a result of the increase in lighting in the area are expected to be minimal.

AUTHORITY: The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 U.S.C. 408 ("Section 408"). Section 408 authorizes the Secretary of the Army, on the recommendation of the Chief of Engineers, to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. The Secretary of Army's authority under Section 408 has been delegated to the USACE, Chief of Engineers. The USACE Chief of Engineers has further delegated the authority to the USACE, Directorate of Civil Works and Division and District Engineers, depending upon the nature of the activity.

LIMITS OF SECTION 408 AUTHORITY: A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. Section 1344), and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413). In addition, an approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION FACTORS: The decision whether to grant the requested permission for project alteration under Section 408 will be based on several factors. 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 proposal must be balanced against its reasonably foreseeable detriments. Review of requests for alteration will be reviewed by a USACE technical review team considering the following factors:

- 1) Impair the Usefulness of the Project Determination. The review team will determine if the proposed alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. In order for an alteration to be approved, the requester must demonstrate that the alteration does not impair the usefulness of the federally authorized project.
- 2) Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest evaluation depend upon the type of USACE project being altered and the nature of the proposed alteration and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties,

including tribes, agencies, and the public. The benefits that reasonably may be expected to accrue from the proposal must be compared against its reasonably foreseeable detriments. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks and by the net impact of the alteration on the public interest using the public interest factors.

3) Environmental Compliance. A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While USACE is responsible for ensuring environmental compliance, the requester is responsible for providing all information that the Sacramento District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and procedures. NEPA and other analysis completed to comply with other environmental statutes (e.g. Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the USACE project. The Sacramento District will work with the requester to determine the requirements, which will be scaled to the likely impacts of the proposed alteration and should convey the relevant considerations and impacts in a concise and effective manner.

PUBLIC INVOLVEMENT: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; tribes; and other interested parties regarding the River Walk Trail Extension Project, a proposed alteration to an existing federally authorized project. Comments received within 30 days of publication of this notice will be used in the evaluation of potential impacts of the proposed action on important resources and in the evaluation of whether the proposed alteration would be injurious to the public interest and/or would impair the usefulness of the authorized project. Only the specific activities that have the potential to occupy, use or alter the Sacramento River Flood Control Project will be evaluated. Please limit comments to the area of the alteration and those adjacent areas that would be directly or indirectly affected by the alteration to the Sacramento River Flood Control Project. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act.

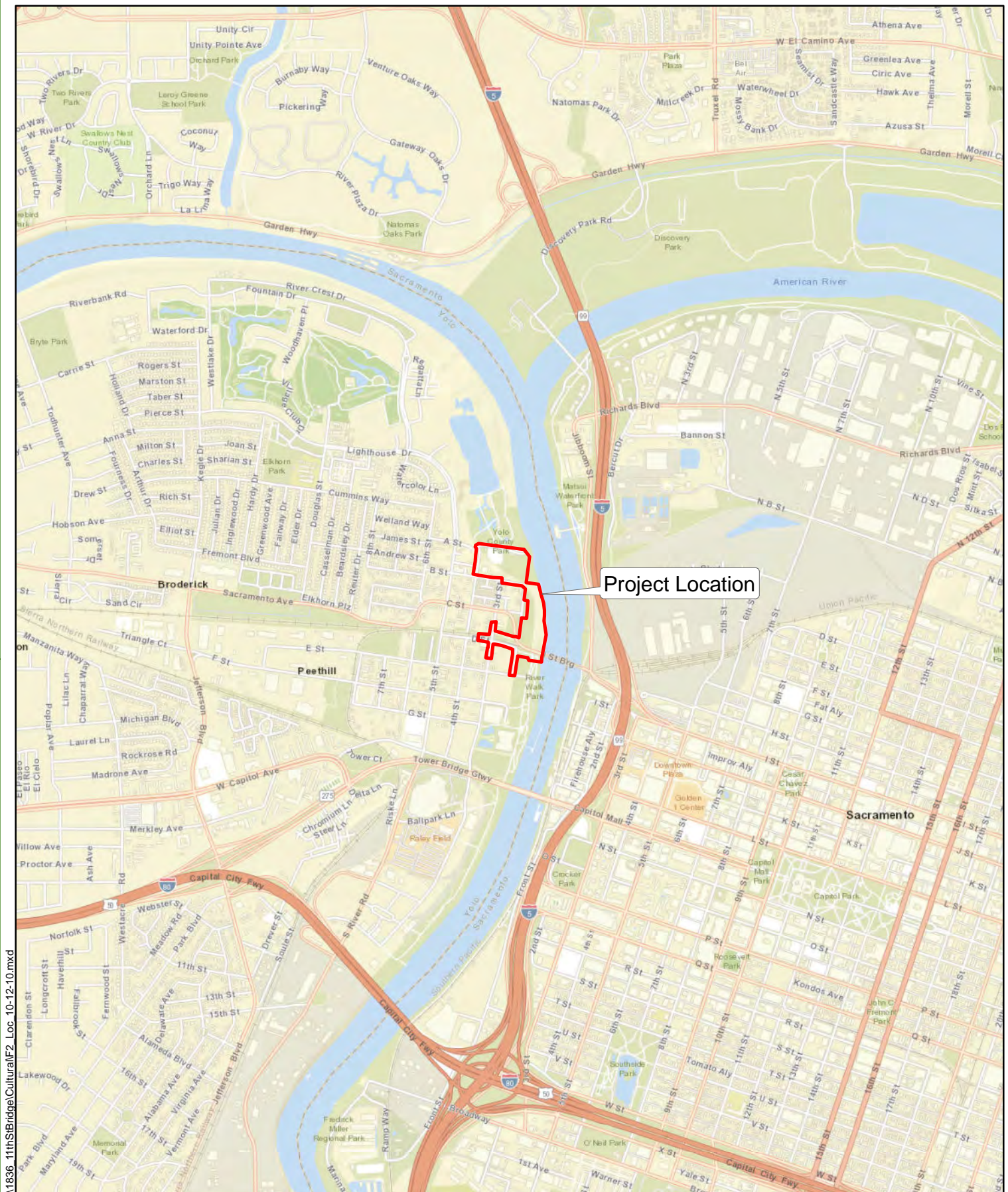
SUBMITTING COMMENTS: Written comments, referencing Identification Number 19387 must be submitted to the office listed below on or before August 23, 2019.

Kaleigh Maze, Biologist
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1460
Sacramento, California 95814-2922

Email: CESPK-408-PN@usace.army.mil

Attachments:

- 1) Vicinity and site maps
- 2) Habitat map



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Source: ESRI World Street Maps Online; Dokken Engineering 5/15/2018; Created By: brianm

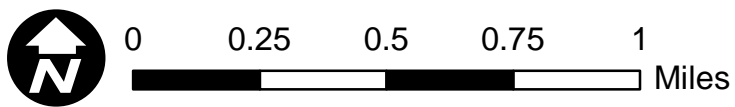


FIGURE 2
Location Map
 River Walk Trail Extension Project
 City of West Sacramento, Yolo County, California

- Project Area Limit
 - Area of Direct Impact
 - Parcels
- Linework**
- Trail
 - Fill
 - Sidewalk
 - Curb
 - Gate
 - Retaining Wall
 - Railroad Improvement
 - Striping



V:\2386 River Walk Trail\F3_Project Features.mxd

Source: ESRI Maps Online; Dokken Engineering 5/2/2018; Created By: briannm



1 inch = 150 feet

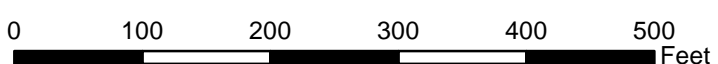


Figure 3
Project Features

River Walk Trail Extension Project
City of West Sacramento, Yolo County, California

	Biological Study Area (22.17 Acres)	Linework			
	Area of Direct Impact		Trail		Gate
	Barren/Disturbed		Fill		Retaining Wall
	Disturbed Mixed Riparian		Sidewalk		Railroad Improvement
	Disturbed Oak Woodland		Curb		Striping
	Landscape/Lawn				
	Ruderal/Disturbed				



V:\2386 River Walk Trail\Biology\F5_VegetationCommunities.mxd

Source: ESRI Maps Online; Dokken Engineering 5/15/2018; Created By: briannm

Figure 6
Vegetation Communities within the BSA
 River Walk Trail Extension Project
 City of West Sacramento, Yolo County, California