



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

Operations Division

**FINDING OF NO SIGNIFICANT IMPACT  
408 PERMISSION (Permission No. 19227)  
CENTRAL VALLEY FLOOD PROTECTION BOARD  
for the  
PROSPECT ISLAND TIDAL HABITAT RESTORATION  
SOLANO COUNTY, CALIFORNIA**

I have reviewed and evaluated the information presented in the Environmental Assessment (EA) prepared for the Prospect Island Tidal Habitat Restoration Project (project). The proposed project is located on Prospect Island, bounded by Miner Slough on the east and the Sacramento River Deep Water Ship Channel on the west, in Solano County, California. In compliance with U.S. Code (U.S.C.) Title 33, Chapter 9, Subchapter 1, Section 408 (Section 408), the California Department of Water Resources (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 (Corps) to alter the Sacramento River Flood Control Project, an existing federal flood risk management project, authorized by the Flood Control Act of 1917.

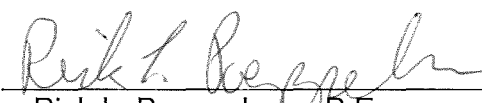
The proposed project is to restore approximately 1,600 acres of tidal habitat on Prospect Island in the Sacramento-San Joaquin River Delta, by restoring tidal connectivity to the interior of Prospect Island. The work would consist of constructing new internal channel networks, intertidal benches, and a weir at the north end of Prospect Island. The proposed project also includes site grading, repairing existing breached embankment segments, creating new breaches within existing embankments, planting approximately 75 acres of wetland, riparian, and upland vegetation, and removing approximately 250 acres of trees and invasive plants. The purpose of restoring tidal connectivity is to provide a contribution towards the 8,000-acre tidal habitat restoration obligations contained within the Reasonable and Prudent Alternative (RPA) 4 of the 2008 U.S. Fish and Wildlife Service (USFWS) Delta Smelt Biological Opinion for long-term coordinated operations of the State Water Project and the federal Central Valley Project. Given that the restoration of tidal connectivity provides access for salmonid rearing, the project is consistent with RPA 1.6.1 of the 2009 National Marine Fisheries Service (NMFS) Salmonid Biological Opinion for the State Water Project and the Central Valley Project.

The public was provided notice of the proposed project by an email sent to interested parties and concurrent posting on the Sacramento District Section 408 Public Notice website. The notice was available for public comment from March 1, 2018, to March 30, 2018. The Corps received four comments from the California Department of Transportation, Islands, Inc., Local Agencies of the North Delta, and the U.S. Environmental Protection Agency, these comments have been addressed in the EA.

The possible consequences of the work described in the EA have been studied with consideration given to environmental, social, economic, and engineering feasibility. The Corps coordinated environmental effects with the USFWS, NMFS, State Historic Preservation Officer (SHPO), and other federal and state resource agencies. The USFWS issued a biological opinion (08FBDT00-2018-F-0069), dated May 7, 2018, for potential adverse effects to the federally threatened giant garter snake (*Thamnophis gigas*) and delta smelt (*Hypomesus transpacificus*). Additionally, the USFWS concurred that the proposed project may affect, but is not likely to adversely affect the federally threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). The NMFS issued a letter (WCR-2018-9356), dated June 29, 2018, concurring that the proposed project may affect, but is not likely to adversely affect the federally threatened California Central Valley steelhead (*Oncorhynchus mykiss*), Central Valley spring-run Chinook salmon (*O. tshawytscha*), and southern distinct population segment of North American green sturgeon (*Acipenser medirostris*), and the federally endangered Sacramento River winter-run Chinook salmon (*O. tshawytscha*).

The Corps sent consultation letters, dated December 11, 2017, to the Cortina Band of Indians, Cortina Wintun Environmental Protection Agency, Yocha Dehe Wintun Nation (Yocha Dehe), and an individual identified by the Native American Heritage Commission. The Yocha Dehe sent a letter, dated January 25, 2018, stating that the tribe is not aware of any known cultural resources near the project site and recommending cultural sensitivity training for project personnel. The Corps determined that there would be no historic properties affected as a result of the undertaking. The SHPO issued a letter (COE\_2015\_0928\_001), dated October 28, 2015, concurring with the Corps' determination of effect.

Based upon my independent review of the EA (incorporated herein by reference) and information provided by the requester and interested parties, I have determined this permission will not have a significant effect on environmental, social, or cultural resources. Based on these considerations, I have determined that there is no need to prepare an Environmental Impact Statement. Therefore, the EA and Finding of No Significant Impact provide adequate environmental documentation to grant Section 408 permission for the proposed action.

APPROVED BY:   
Rick L. Poepelman, P.E.  
Chief, Engineering Division  
Levee Safety Officer

DATE APPROVED: 18 Sept. 2019