



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: Caltrans Highway 20 Bridge Scour Rehabilitation (888-2)

PUBLIC NOTICE COMMENT PERIOD:

Begins: September 06, 2019

Ends: October 06, 2019

REQUESTER: In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the California Department of Transportation (requester; Caltrans) 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 on the Highway 20 Bridge across the Feather River, connecting Yuba City and Marysville in Sutter and Yuba Counties, California (Attachment 1).

REQUESTER'S PROPOSED ACTION: The proposed project would rehabilitate five scour damaged piers (17- 20 and 23) of an existing 2,674-ft, 24-ft span, steel plate girder bridge (Caltrans Bridge No. 18-0009) on cellular concrete piers with spread footings. Piers to be retrofitted by driving ten 48-inch diameter Cast-In-Steel-Shell (CISS) piles to a depth of approximately 70 to 150-feet surrounding the existing piers. The new reinforced concrete CISS piles would be encased in a new 63-foot by 41.5-foot reinforced concrete pile cap. Rock slope protection (RSP) would be placed along pier 23 on both ends after the retrofit. Existing RSP between piers 13 to 17 and along the east bank placed under previous emergency repairs would be removed (Attachment 2).

Access to the west bank of the Feather River would be from Sutter Street near 5th Street and from Von Geldem Way near Lamon Way. Access to the east bank would be from the 14th Street levee access ramp and from Biz Johnson Drive off 5th Street.

A cofferdam for dewatering pier 23 would be constructed. It would be used to isolate the pile footing and will measure approximately 48 feet by 69 feet. Sheet piles for the cofferdam would be driven by vibratory methods, with some being installed in the river because of the location of the pier. Water pumped out of the cofferdam, through a large hose or pipe, would go into the City of Yuba City's storm water detention pond, located approximately 1,000 feet north of the bridge. If the detention pond cannot hold all the

water, any remaining water would be directed to the City's sewer pond, located about 100 feet north of the storm water detention pond.

A 48 feet by 69 feet cofferdam assembly will be driven, using a vibratory driver, around the perimeter of the work area for piers 17 - 20. A portion of the motocross track located to the north of the bridge may be used as a dewatering basin. However, there may be no water present in the cofferdams and no need to dewater at the east side piers.

Most of the work for piers 17 to 20 would be completed within Caltrans right-of-way and within the airspace under the bridge, with the parking lot of the motocross track used for staging and storage.

Construction would likely be completed in three seasons with in-water work at pier 23 likely to be completed in the first season. Piers 19 & 20 would likely be completed in season two, and piers 17 & 18 would be retrofitted in season 3. The contractor may choose an alternative construction sequence.

ENVIRONMENTAL IMPACTS OF PROPOSED ACTION: The project area consists of the Highway 20 Bridge, the Feather River, adjacent floodplain, and stormwater detention ponds supporting patches of riparian and ruderal vegetation and a recreation area with motocross track. The repair would require temporary dewatering and the use of a stormwater detention pond. An area in the motocross park may be used to store water if needed.

Caltrans is acting as the lead federal agency on the behalf of USACE for required consultations under Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act. Caltrans consulted with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act. Caltrans received a letter of concurrence from the USFWS for potential effects of the project on the federally threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and a biological opinion from NMFS for potential adverse effects to the federally threatened Central Valley steelhead (*Oncorhynchus mykiss*), green sturgeon (*Acipenser medirostris*), and Central Valley spring-run Chinook salmon (*O. tshawytscha*).

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 Caltrans Highway 20 Bridge Scour Rehabilitation (888-2), 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 888-2 must be submitted to the office listed below on or before October 06, 2019.

Brian Luke, Natural Resources Specialist
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1460
Sacramento, California 95814-2922

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

Attachments:

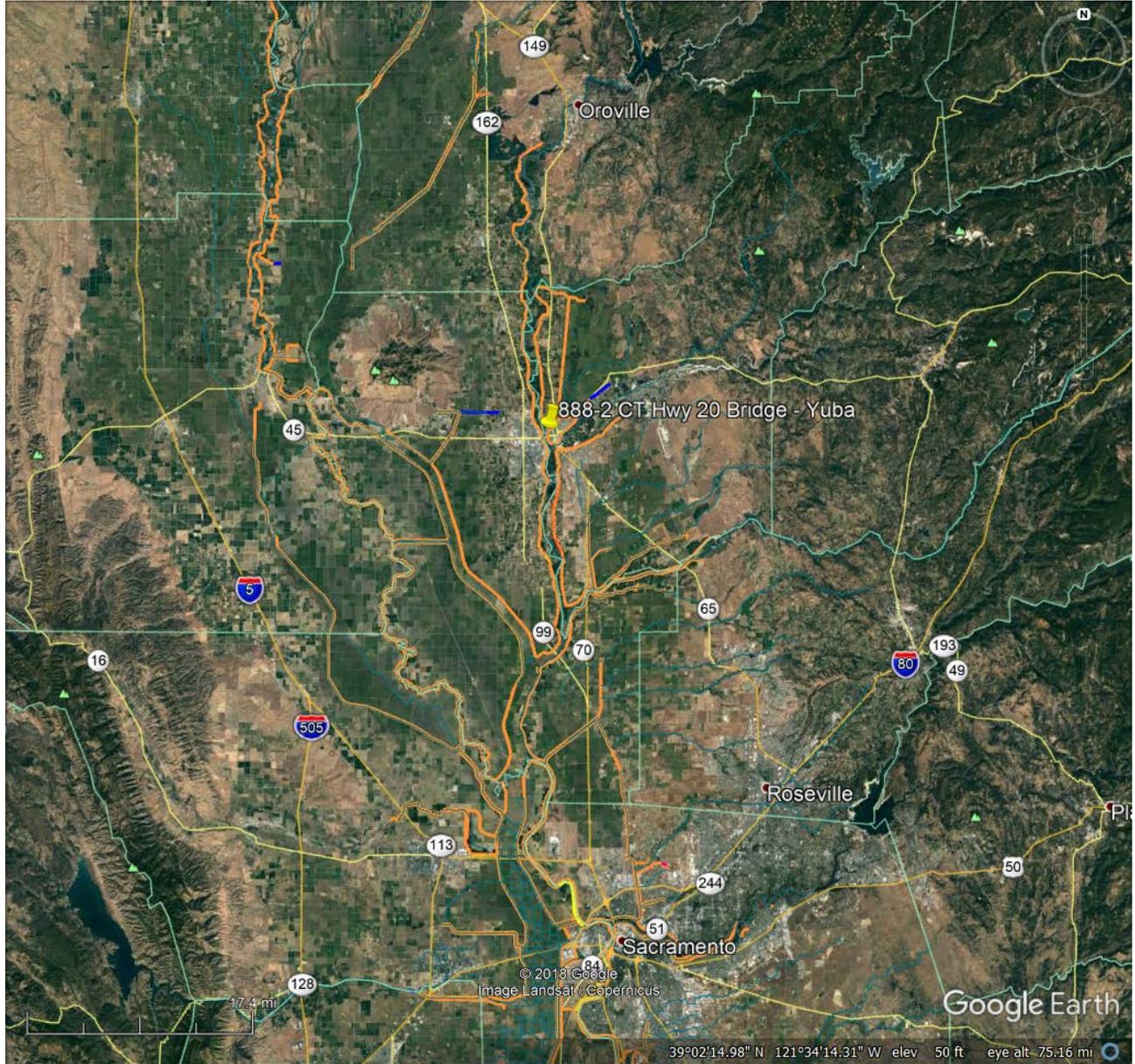
- 1) Vicinity and Location Maps
- 2) Project Footprint Map

Attachment 1 – Vicinity and Location Maps



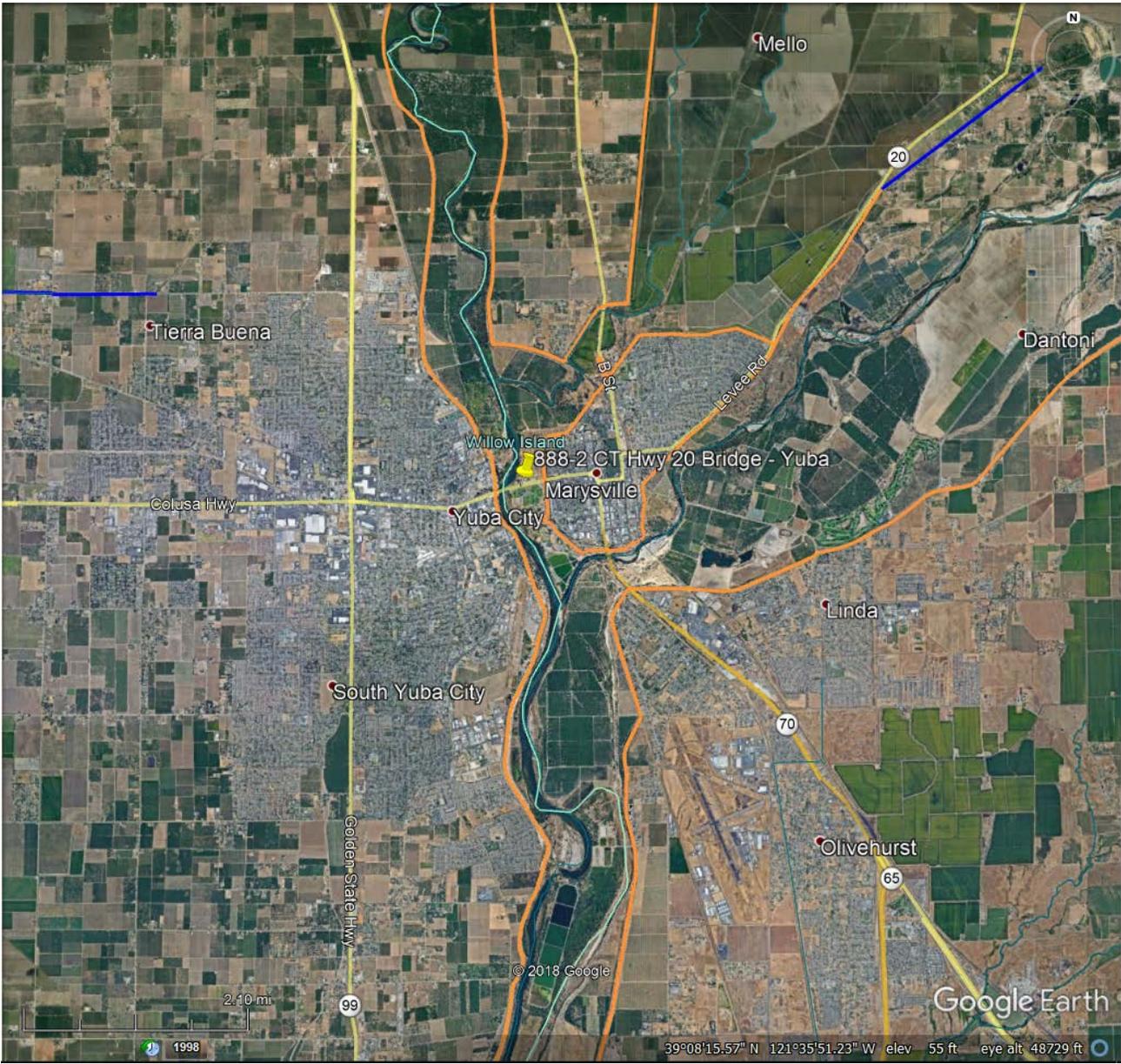
Encroachment Permit Application Transmittal to USACE

Project Vicinity Map





Project Location Map



Attachment 2 – Project Footprint Map



Project Footprint Map

