



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
SOUTH PACIFIC DIVISION
450 GOLDEN GATE AVENUE
SAN FRANCISCO CALIFORNIA 94102-3661

CESPD-ZA

**FINDING OF NO SIGNIFICANT IMPACT
408 PERMISSION (Permission No. 19615)
CENTRAL VALLEY FLOOD PROTECTION BOARD
for the
MID VALLEY PHASE 3 (SITES 9 & 10) LEVEE RECONSTRUCTION
YOLO COUNTY, CALIFORNIA**

I have reviewed and evaluated the information presented in the Supplemental Environmental Assessment (SEA) prepared for the Mid Valley Phase 3 Levee Reconstruction project. The proposed project is located about two miles east-southeast of Knights Landing on the right bank of the Sacramento River in Yolo County, California. In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the Yolo County Service Area 6 (requester) has requested permission through the Central Valley Flood Protection Board (non-federal sponsor of the federally authorized project; CVFPB) 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.

In 2013, the USACE and CVFPB completed a Final Environmental Assessment/Initial Study and Finding of No Significant Impact (FONSI) for the *Sacramento River Flood Control System Evaluation Phase III, Mid-Valley, Contract Area 3*. The project was put on hold and not constructed by the USACE and CVFPB. Yolo County has since moved forward with the project and requested approval under Section 408. The SEA analyzes the design changes and updates the original environmental analysis and required consultations. The project would update the existing Sacramento River Flood Control Project Unit 127 levee at Sites 9 and 10 to meet current design criteria for embankment slope and cross-sectional geometry and would install a shallow soil bentonite slurry cutoff wall. The work would include degrading the existing levee and vegetation to construct a working platform for the cutoff wall construction and the construction of a temporary staging area between Sites 9 and 10 and a road on the levee crown.

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 February 23, 2022, to March 24, 2022. The USACE received comments from Caltrans and the Yocha Dehe Wintun Nation and both comments have been addressed.

The possible consequences of the work described in the SEA have been studied with consideration given to environmental, social, economic, and engineering feasibility. The USACE coordinated environmental effects with the U.S. Fish and Wildlife Service (USFWS), State Historic Preservation Officer (SHPO), and other federal and state

resource agencies. USFWS issued a letter (2022-0014367-S7-001) dated May 03,2022, extending the incidental take exemption to USACE already provided to the Yolo Habitat Conservation Plan/Natural Community Conservation Plan through their incidental take permit.

The USACE sent consultation letters, dated May 31, 2022, to the Colusa Indian Community Council Cachil Dehe Band of WinTun Indians, Shingle Springs Band of Miwok Indians, Kletsel Dehe Band of Wintun Indians, United Auburn Indian Community of the Auburn Rancheria (UAIC), and the Yocha Dehe Wintun Nation (Yocha Dehe), identified by the Native American Heritage Commission. The UAIC and the Yocha Dehe responded to the initial consultation letters. The UAIC deferred consultation to the Yocha Dehe. USACE cultural staff engaged and completed consultation with the Yocha Dehe, no other tribal responses were received. The SHPO issued a letter (COE_2022_0531_004) dated July 14, 2022, concurring that P-57-000519 is not eligible for inclusion in the National Register and do not object to the USACE determination of *no historic properties affected* for this undertaking.

Based upon my independent review of the SEA (incorporated herein by reference), 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 conclude that there is no need to prepare an Environmental Impact Statement. Therefore, the SEA and Finding of No Significant Impact provide adequate environmental documentation to grant 408 permission for the proposed action.

Date

ANTOINETTE R. GANT, PMP
COL (P), EN
Commanding