



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**

Proposed Action: PG&E L-172A and L-116 Sacramento River Crossing Pipelines Replacement Project (19878 & 19879)

PUBLIC NOTICE COMMENT PERIOD:

Begins: May 28, 2025

Ends: June 7, 2025

REQUESTER: In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the Pacific Gas and Electric Company (PG&E) (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 Flood Control Act of 1917.

LOCATION: The proposed pipelines are located adjacent to the Interstate Business 80 Pioneer Memorial Bridge crossing the Sacramento River at approximately 38.571°N 121.517°W NAD83 within Sacramento and Yolo Counties, CA (Figure 1 and Figure 2).

REQUESTER'S PROPOSED ACTION: PG&E is proposing to replace the L-172A and L-116 pipelines at the Sacramento River crossing. The project purpose is to upgrade these pipelines to create a uniform diameter that will allow for in-line inspection (ILI), a comprehensive method of internal pipeline inspection. This upgrade will allow PG&E to safely clean and assess the integrity of the gas lines without taking the system out of operation or impacting customers. The project involves replacement of the pipeline crossings using horizontal directional drilling (HDD) methods and subsequent decommissioning of the existing pipeline crossings. The project would be conducted in two phases as follows:

- Install and commission two new 16-inch diameter HDD crossings.
- Decommission the two existing pipeline crossings, which consists of two parallel 12-inch diameter pipelines (L-172A) and one 24-inch diameter pipeline (L-116).

ENVIRONMENTAL IMPACTS OF PROPOSED ACTION: The proposed alteration includes work on the west and east banks of the Sacramento River. On the west bank, there were several vegetation communities present on the waterside slope of the levee. These communities include Fremont cottonwood forest and woodland, sandbar willow thicket, and tree of heaven grove. At the top of the west bank and continuing west into

the highly altered landscape nonnative wild oats and annual brome grassland communities were observed surrounding developed and disturbed lands. The majority of the study area above the west bank of the Sacramento River was classified as developed/disturbed as the area has been highly altered by human activity and in many areas the ground has been covered in concrete. On the east bank of the Sacramento River, the vegetation community was classified as a valley oak riparian forest and woodland. Above the east bank the study area was almost entirely developed/disturbed land. A narrow strip of land supporting wild oats and annual brome grassland was present to the east of the railroad tracks.

The proposed project would temporarily disturb areas of vegetation; however, construction areas would be restored to pre-existing conditions and all undeveloped areas subject to ground disturbance would be revegetated with hydroseeding using appropriate native seed mix. No permanent above-ground structures would remain on site. A number of conservation measures would be implemented to avoid and minimize potential environmental effects. These would include measures to avoid impacts to waterways, dust abatement measures, thorough washing of equipment to prevent the spread of noxious weeds, as well as other measures.

The proposed alteration meets the criteria of an energy-related emergency under EO 14156 Declaring a National Energy Emergency. As such USACE will utilize emergency permitting provisions to facilitate the Nations energy supply.

To comply with Section 7 of the Endangered Species Act (ESA), USACE will review biological materials for this project, and in accordance with the Executive Order 14156 and as defined in 50 CFR 402.05, consult with the United States Fish and Wildlife Service, in an expedited manner. USACE has determined there will be no effects to federally listed species, designated critical habitat, or essential fish habitat (EFH) under the jurisdictions of the United States Fish and Wildlife Service and the National Marine Fisheries Service. This determination is supported by a finding of no suitable habitats, designated critical habitat, EFH, nor recorded occurrences of individuals for federally listed species in the project area.

To comply with Section 106 of the National Historic Preservation Act, and in accordance with EO14156, 36 CFR § 800.12(b)(2) and Advisory Council on Historic Preservation guidance, USACE will initiate an expedited consultation with Native American tribes and the State Historic Preservation Office pursuant to Section 106 of the National Historic Preservation Act.

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 PG&E L-172A and L-116 Sacramento River Crossing Pipelines Replacement Project, a proposed alteration to an existing federally authorized project. The proposed alteration meets the criteria of an energy-related emergency under EO 14156 Declaring a National Energy Emergency. As such USACE will utilize emergency permitting provisions to facilitate the Nations energy supply. Comments received within 10 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 19878 & 19879 must be submitted to the office listed below on or before June 7, 2025.

Michael Fong, Project Manager
U.S. Army Corps of Engineers, Sacramento District
1325 J Street, Room 1460
Sacramento, California 95814-2922

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

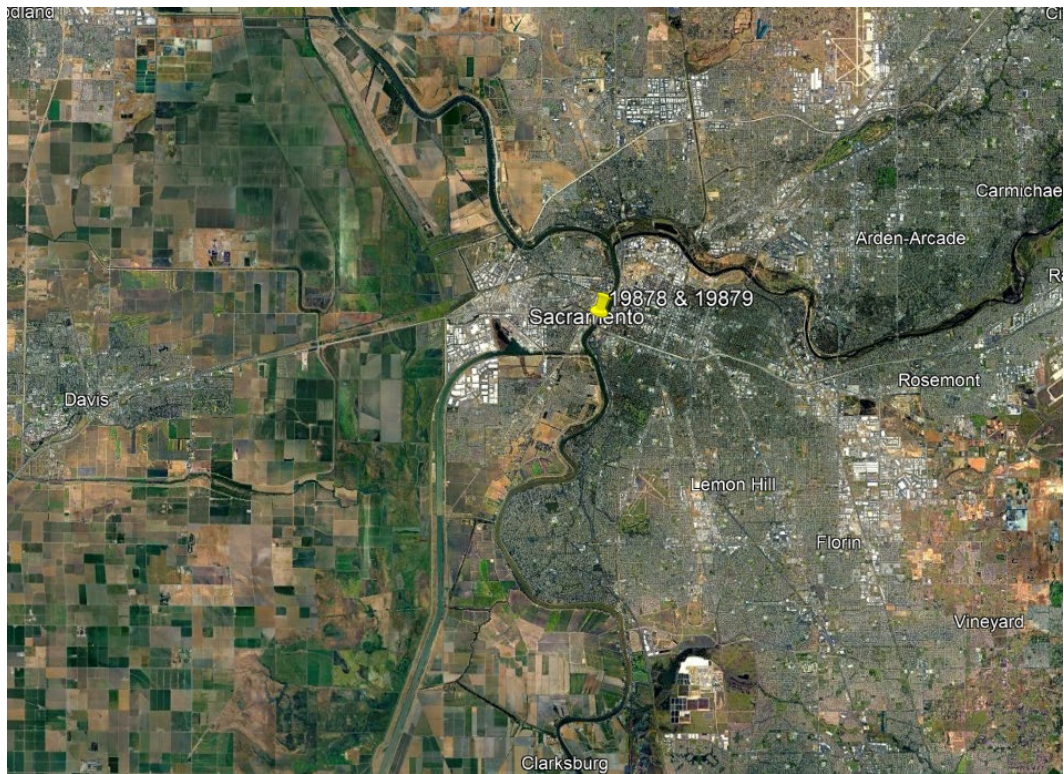


Figure 1. General vicinity map



Figure 2. Proposed project location map



Figure 3. Proposed project footprint