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

**FINDING OF NO SIGNIFICANT IMPACT**  
**408 PERMISSION (Permission No. 19914)**  
**CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**for the**  
**TUDOR FLOOD RISK REDUCTION PROJECT**  
**SUTTER COUNTY, CA**

I have reviewed and evaluated the information presented in the Environmental Assessment (EA) prepared for the Tudor Flood Risk Reduction Project. The proposed project is located from the confluence of the Feather River and the Sutter Bypass, along the right bank of the Feather River West Levee (FRWL) to the intersection of the FRWL and Highway 99 in Sutter County, CA. In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the Sutter Butte Flood Control Agency (SBFCA, requester) has requested permission through the Central Valley Flood Protection Board (CVFPB, 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.

The proposed Tudor Flood Risk Reduction Project involves the construction of a 1.65 mile cutoff wall from approximately the Interstate 99 Bridge and the Feather River & Sutter Bypass confluence, pipe penetration replacements, and surficial geometry corrections. The purpose of the proposed work is to improve flood protection along the corridor leading up to the Feather River West Levee & Sutter Bypass confluence.


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 January 24, 2024, to February 23, 2024. No responses were received from the public.

The possible consequences of the work described in the EA have been studied with consideration given to environmental, social, economic, and engineering feasibility. USACE coordinated environmental effects with the U.S. Fish and Wildlife Service (USFWS), State Historic Preservation Officer (SHPO), appropriate tribes, and other federal and state resource agencies. USFWS issued a Biological Opinion (2023-0010849-S7-001) dated June 21, 2024, providing take coverage for the federally listed as threatened giant garter snake (*Thamnophis gigas*) and concurring with the USACE determination that the proposed project may affect, but is not likely to adversely affect the federally listed as threatened western distinct population segment of the yellow-billed cuckoo (*Coccyzus americanus occidentalis*). The USACE determined the project would have no effect on federally listed species or designated critical habitat under the jurisdiction of the National Marine Fisheries Service. The USACE also determined the project would not have an adverse effect on Essential Fish Habitat as described under the Magnuson-Stevens Fishery Conservation and Management Act.

USACE sent consultation letters dated February 07, 2025, and March 10, 2025, to the SHPO and the Enterprise Rancheria-Estom Yumeka Maidu Tribe, the Mechoopda Indian Tribe of Chico Rancheria, the Mooretown Rancheria of Maidu Indians, the Pakan'yani Maidu of Strawberry Valley Rancheria, the Tsi Akim Maidu of the Taylorsville Rancheria, and the United Auburn Indian Community of the Auburn Rancheria (UAIC). The Enterprise Rancheria-Estom Yumeka Maidu Tribe, the Mechoopda Indian Tribe of Chico Rancheria, the Mooretown Rancheria of Maidu Indians, the Pakan'yani Maidu of Strawberry Valley Rancheria, the Tsi Akim Maidu of the Taylorsville Rancheria, and the UAIC, responded to the proposed project and all comments and requests were addressed by USACE. USACE received a Letter of Concurrence from the SHPO dated February 27, 2025, for the determination of No Historic Properties Affected.

The Sacramento District is preparing a Clean Water Act Section 404 Nationwide Permit 7 that will be applied to this project. Additionally, a 401 Water Quality Certification was received on March 06, 2024. The USACE has determined consultation under the Fish and Wildlife Coordination Act is not required as the project does not involve impounding, diverting, deepening, controlling, or otherwise modifying a stream or other body of water.

Based upon my independent review of the EA (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 EA and Finding of No Significant Impact provide adequate environmental documentation to grant 408 permission for the proposed action.

APPROVED BY:   
JAMES J. HANDURA  
COL, EN  
Commanding

DATE APPROVED: 25 April 2025