



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: Yolo County Levee Improvements Sacramento River (19967)

PUBLIC NOTICE COMMENT PERIOD:

Begins: February 12, 2026

Ends: March 14, 2026

REQUESTER: In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, Yolo County Service Area 6 (requester) has requested permission through the Central Valley Flood Protection Board (CVFPB; the 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 (SRFCP), an existing federal flood risk management project, authorized by the Flood Control Act of 1917, as amended.

LOCATION: Right bank of the Sacramento River in the vicinity of Knights Landing, Yolo County, California (Attachment 1, Attachment 2).

REQUESTER'S PROPOSED ACTION: The project would correct levee deficiencies identified by recent geotechnical investigations and result in approximately 3,800-feet of improvements to the flood protection provided by the levee. Levee improvements would consist of raising the levee crown, cutoff wall installation, utility relocations, and would include the following:

- Clearing, grubbing, and stripping of the levee and adjacent areas and structure removal.
- Removal of existing asphalt concrete and aggregate surface removal.
- Demolition; including removal of identified penetrations and encroachments.
- Degrade to establish a working surface for cutoff wall construction and off haul of excavated material that is not suitable for reuse, or stockpiling the excavated levee material for reuse in reconstructing the levee.
- Excavating a 3-foot-deep cutoff trench along the cutoff wall centerline and backfilling with Levee Embankment Fill (Soil Type 1 Fill) material.
- Excavating and backfilling the approximately 60-foot deep, 3-foot-wide cutoff wall with either all-purpose aggregate slag cement-cement-bentonite or soil-cement-bentonite mixture between stations 13+75 to 17+40.

- Reconstructing the levee crown using the stockpiled material supplemented as needed with borrowed or imported levee material (Soil Type 1).
- Resurface the levee crown with new aggregate base material.
- Reconstruct asphalt concrete pavement and roadway.

A map of the general project footprint is shown in Attachment 3.

ENVIRONMENTAL IMPACTS OF PROPOSED ACTION:

The project is located in the Sacramento Valley in a historic floodplain of the now leveed Sacramento River. The project area falls along the levees of the northern Knights Landing Basin where it borders the Sacramento River and a portion of the Colusa Trough Drainage Canal, an artificial canal draining the western Colusa Basin into the Knights Landing Ridge Cut and Sacramento River near Knights Landing. Topography across the area is historically flat, but heavy man-made modifications, including levee construction and agricultural land conversion, have resulted in some localized topographic variation. Elevation in the project area thus ranges from approximately 20 feet to 45 feet above mean sea level. Soils are poorly drained and composed primarily of silty and sandy loams. Natural vegetation includes valley foothill riparian, freshwater emergent wetland, and riverine communities along the land and waterside margins of the levees, as well as developed areas and agricultural lands.

The Federal Emergency Management Agency (FEMA) is acting as the lead federal agency on behalf of USACE for required consultations and compliance under Section 7 of the Endangered Species Act (ESA) and Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). FEMA will complete the necessary consultations under ESA and MSFCMA with the United States Fish and Wildlife Service and/or National Marine Fisheries Service, as appropriate. Additionally, FEMA is responsible for compliance under Section 106 of the National Historic Preservation Act, including consultations with Native American Tribes and the State Historic Preservation Officer.

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 Yolo County Levee Improvements Sacramento River, 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 SRFCP levee system 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 SRFCP. 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 19967 must be submitted to the office listed below on or before March 14, 2026.

Oren M. Ruffcorn, Environmental Compliance
U.S. Army Corps of Engineers, Sacramento District
1325 J Street, Room 1460
Sacramento, California 95814-2922

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

Attachments:

**CVFPB Encroachment Permit Application Transmittal
to USACE Section 408**



Project Vicinity



1) General vicinity map

**CVFPB Encroachment Permit Application Transmittal
to USACE Section 408**



Project Location



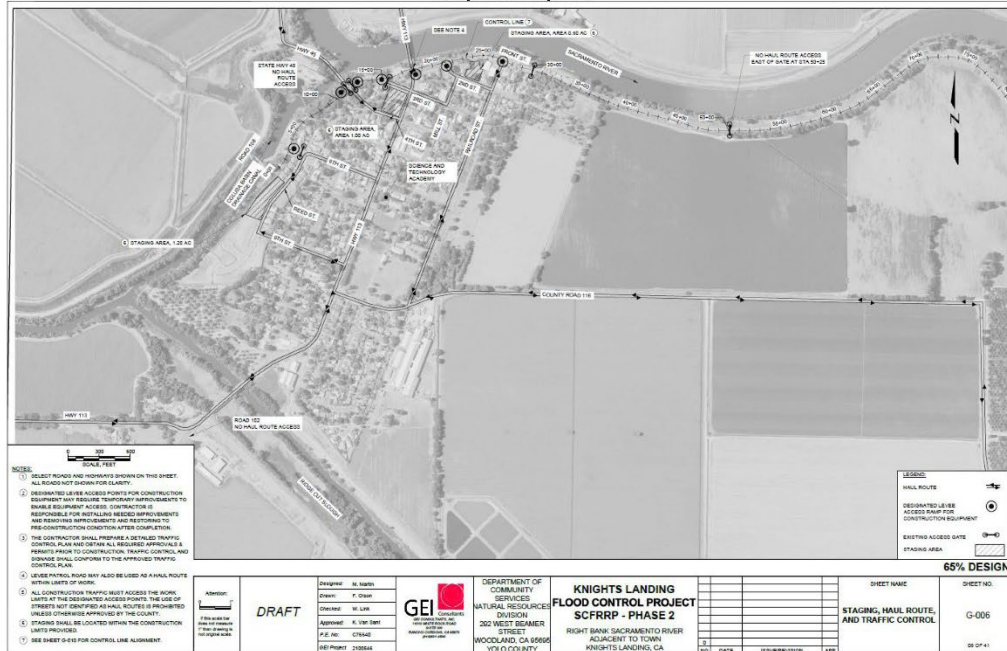
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| Page 9 of 10 | Permit # <u>19967</u> Transmittal Date: <u>5/12/2025</u> |
| Transmittal Template Updated October 8, 2024 | |

2) Project location map

**CVFPB Encroachment Permit Application Transmittal
to USACE Section 408**



Project Footprint



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| <p>NOTES:</p> <ol style="list-style-type: none"> 1. SELECT ROADS AND HIGHWAYS SHOWN ON THIS SHEET. ALL ROADS NOT SHOWN FOR CLARITY. 2. DESIGNATED LULUE ACCESS POINTS FOR CONSTRUCTION EQUIPMENT MAY REQUIRE TEMPORARY IMPROVEMENTS TO STABLE EQUIPMENT ACCESS. CONTRACTOR IS RESPONSIBLE FOR INSTALLING NEEDED IMPROVEMENTS AND RESTORING IMPROVEMENTS AND RESTORING TO PRE-CONSTRUCTION CONDITION AFTER COMPLETION. 3. THE CONTRACTOR SHALL PREPARE A DETAILED TRAFFIC CONTROL PLAN AND OBTAIN ALL REQUIRED APPROVALS & PERMITS PRIOR TO CONSTRUCTION. TRAFFIC CONTROL AND STAGING SHALL CONFORM TO THE APPROVED TRAFFIC CONTROL PLAN. 4. STAGING AREAS SHALL BE USED AS HAUL ROUTE WITHIN LIMITS OF ROADS. 5. ALL CONSTRUCTION TRAFFIC MUST ACCESS THE ROAD LIMITS AT THE DESIGNATED ACCESS POINTS. THE USE OF STREETS NOT SHOWN AS HAUL ROUTES IS PROHIBITED UNLESS OTHERWISE APPROVED BY THE COUNTY. 6. STAGING SHALL BE LOCATED WITHIN THE CONSTRUCTION LIMITS PROVIDED. 7. SEE SHEET G-011 FOR CONTROL LINE ALIGNMENT. | <p>DESIGNER: G. NASH</p> <p>DRAWN: T. CHAN</p> <p>CHECKED: M. LAM</p> <p>APPROVED: A. VAN DAM</p> <p>P.E. NO.: 07640</p> <p>DATE: 2/28/24</p> | <p>GEI CONSULTING</p> <p>1000 S. BRIDGES BLVD SUITE 100 WOODLAND, CA 95694</p> | <p>DEPARTMENT OF COMMUNITY SERVICES NATURAL RESOURCES DIVISION</p> <p>302 WEST BEAVER STREET WOODLAND, CA 95695 YUBA COUNTY</p> | <p>KNIGHTS LANDING FLOOD CONTROL PROJECT SCFRP - PHASE 2</p> <p>RIGHT BANK SACRAMENTO RIVER ADJACENT TO TOWN KNIGHTS LANDING, CA</p> | <p>65% DESIGN</p> |
| | <p>DRAFT</p> | <p>PERMIT # 19967</p> <p>TRANSMITTAL DATE: 5/12/2025</p> | <p>SHEET NAME: STAGING, HAUL ROUTE, AND TRAFFIC CONTROL</p> <p>SHEET NO.: G-006</p> <p>08 OF 41</p> | | |

3) Project footprint map