

**Final Mitigated Negative Declaration
American River Common Features 2016 Project
Sacramento River, Reach D, Contract 1
Front Street Stability Berm**

Project Background

The American River Common Features (ARCF) 2016 Project is a cooperative effort between U.S. Army Corps of Engineers (USACE), Sacramento Area Flood Control Agency (SAFCA), and the Central Valley Flood Protection Board (Board). USACE is the NEPA lead agency and the Board is the CEQA lead agency for the ARCF 2016 Project.

Following the 1986 floods, and the associated severe impacts to Sacramento's levee system, Congress directed USACE to investigate means to reduce flood risk to the City of Sacramento. USACE completed an initial investigation in 1991 and a supplemental analysis in 1996. Recognizing that there were "common features" across the 1991 and 1996 candidate plans, Congress used the term American River Common Features in authorizing the project in the Water Resources Development Act (WRDA) of 1996. Following WRDA 1996 authorization, the ARCF Project was expanded and re-authorized in WRDA 1999 and again in WRDA 2016 (ARCF 2016 Project).

The American River Watershed Common Features General Reevaluation Report (ARCF GRR) Final Environmental Impact Statement / Environmental Impact Report (EIS/EIR) (State Clearinghouse Number 2005072046) evaluated the potential impacts of the entire ARCF Project and in 2016 the document, in combination with the Statement of Overriding Consideration and Mitigation and Monitoring Reporting Plan was certified by the Board.

Through the Bipartisan Budget Act of 2018, Congress granted USACE construction funding to complete urgent flood control projects. The ARCF 2016 Project was identified for urgent implementation, and Congress supplied full funding to implement all identified levee improvements.

Project Description

USACE, SAFCA, and the Board propose, as part of the ARCF 2016 Project, to construct a levee improvement consisting of an approximately 400-foot-long stability berm against the landside slope of the Sacramento River east levee (SREL) in Sacramento, California. The purpose of the Reach D Contract 1 Front Street Stability Berm (proposed Project) is to reinforce and reduce seepage through this section of the SREL.

The levee system along the Sacramento River does not meet the current federal standards for flood protection. Seepage beneath and through segments of the levee system has been identified as a significant risk to the stability and reliability of the levee system throughout the Sacramento Area. Through-seepage is seepage through a levee embankment that can occur during periods of high river stages. Through-seepage conditions in the proposed Project site make this levee

segment susceptible to failure during high water events. The attached Final Supplemental Environmental Assessment / Initial Study (SEA/IS) for the proposed Project, in combination with the ARCF GRR EIS/EIR, will fully disclose the potential environmental effects of the proposed Project. This Mitigated Negative Declaration (MND) is supported by the SEA/IS.

Project Location

The proposed Project site is located adjacent to Front Street, north of U.S. Highway 50, west of Interstate 5, and south of the Tower Bridge in Sacramento, CA. The site consists of four parcels with two landowners and was previously used as a lumber yard, a vehicle storage and refueling station, a cardboard box company, a lumber and pulp production mill, and a river discharge for heating and cooling systems for State buildings. Remnant walls, fences, and pavement are still present at the site from previous activities. The State no longer discharges water at this location. The southern parcel is used as a City of Sacramento stockpile site and is the primary staging area for the Old Sacramento horses and carriages.

Mitigation Measures

The following mitigation measure is detailed in the SEA/IS. This measure, in addition to those identified in the ARCF GRR EIS/EIR, would reduce the environmental impacts of this project to less than significant.

Vegetation and Wildlife

Compensate the loss of 0.13-acre of tree canopy cover by performing off-site mitigation at a 2:1 ratio. This follows the recommended mitigation ratio for riparian trees in the U.S. Fish and Wildlife Coordination Act Report and U.S. Fish and Wildlife Service Biological Opinion for the ARCF 2016 Project. USACE has coordinated with the U.S. Fish and Wildlife Service and determined that the 2:1 ratio should be applied to habitat canopy acreage. USACE would mitigate through the planting of 0.26-acre of native riparian woodland species, which would be incorporated into the forthcoming Beach-Stone Lakes Mitigation Site. The draft EA/IS for the Beach-Stone Lakes Mitigation Site will be available for public review in spring 2019.

Avoidance and Minimization Measures

The following avoidance and minimization measures are detailed in the SEA/IS. These measures, in addition to those identified in the ARCF GRR EIS/EIR, would further reduce the environmental impacts of the proposed Project.

Air Quality

Although the proposed Project would not exceed established significance criteria for air quality impacts, the following measures to reduce project-associated emissions would be implemented:

- USACE would require its contractor to implement Sacramento Metro Air Quality Management District's (SMAQMD) Enhanced Exhaust Control Practices;

- Water exposed soil with adequate frequency to minimize fugitive dust;
- Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 miles per hour (mph);
- Treat site access locations to a distance of a 100 feet of a paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads;
- Post a publicly visible sign with the telephone number and person to contact at the CEQA lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of SMAQMD shall also be visible to ensure compliance;
- USACE would encourage its construction contractor to use construction equipment outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions control device used by the construction Contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions strategy for a similarly sized engine as defined by CARB regulations;
- USACE would encourage its contractor to use Tier 4 equipment for construction to further reduce potential emissions; and
- If asbestos is found in the 30-inch outfall pipes located within the Project area, USACE would require its contractor to comply with the SMAQMD's Rule 902 to reduce potential adverse effects on humans and the surrounding wildlife resources.

Climate Change

While GHG emissions associated with the proposed Project would not violate established significance thresholds, the following measures to reduce project-associated GHG emissions would be implemented:

- Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes;
- Recycle at least 75 percent of construction waste and demolition debris; and
- Purchase at least 20 percent of the building materials and imported soils from sources within 100 miles of the proposed Project site.

Cultural Resources

The following avoidance and minimization measures to ensure no significant impacts to cultural resources would be implemented:

- The proposed Project would temporarily remove an existing railroad switch lever during construction. To maintain the integrity of the Walnut Grove Branch Line of the Southern Pacific Railroad (considered a Historic Property), the switch lever would be reinstalled upon completion of construction; and
- To minimize any effects to Historic Properties that may be encountered during construction activities, the construction Contractor would follow the procedures for the discovery of previously unknown Historic Properties described in Stipulation IX of the existing Programmatic Agreement for the ARCF 2016 Project.

Recreation

Although the proposed Project would not exceed the established significance criteria for recreational impacts, the following measures to reduce project-associated impacts to recreation would be implemented:

- USACE would provide public information, including on-site signage and public notification of the proposed Project to the public and to operators of the affected recreation facilities;
- Ensure complete restoration of the proposed Project site to pre-project conditions;
- USACE would coordinate with California State Parks at least 30 days prior to start of construction to coordinate the closure of the railroad staging spur; and
- After construction is complete, USACE would coordinate with California State Parks to repair any construction related damage to the staging spur of the railroad to pre-project conditions.

Traffic

Although the proposed Project would not exceed established significance criteria for traffic impacts, the following measures to reduce project-associated impacts to traffic would be implemented:

- The construction Contractor would notify and consult with emergency service providers to maintain emergency access and facilitate the passage of emergency vehicles on city streets;
- The construction Contractor would assess damage to roadways its vehicles cause during construction and would repair all potholes, fractures, or other damages;
- The construction Contractor would provide adequate parking for construction trucks, equipment, and construction workers within the designated staging areas throughout the construction period. If inadequate space for parking is available at a given work site, the construction contractor would provide an off-site staging area and, as needed, coordinate the daily transportation of construction vehicles, equipment, and personnel to and from the work site; and
- The construction Contractor would follow the standard construction specifications of the City of Sacramento and obtain the appropriate encroachment permits, as required. The conditions of the permit would be incorporated into the construction contract and would be enforced by the City of Sacramento.

Aesthetics

Although the proposed Project would not exceed established significance criteria for aesthetic impacts, the following measures to reduce project-associated impacts to aesthetics would be implemented:

- Following construction, the construction Contractor would be required to remove all waste, equipment, and materials from the site. The construction Contractor would restore the site to pre-construction conditions, to the greatest extent feasible; and
- Disturbed areas would be revegetated by hydroseeding the soil with native grass seed.

Noise

Although the proposed Project would not exceed established significance criteria for noise impacts, the following measures to further minimize noise levels during construction would be implemented:

- Display notices with information including, but not limited to, construction Contractor contact telephone number(s) and proposed construction dates and times in a conspicuous manner, such as on construction site fences; and
- Construction equipment would be equipped with factory-installed muffling devices, and all equipment would be operated and maintained in good working order to minimize noise generation.

Vegetation and Wildlife

The following recommendations from the U.S. Fish and Wildlife Service Coordination Act Report for the ARCF 2016 Project would be implemented to minimize effects to vegetation and wildlife to less than significant:

- Woody vegetation that needs to be removed within the proposed Project site should be removed during the non-nesting season to avoid affecting active migratory bird nests;
- Avoid impacts to migratory birds nesting in and adjacent to the proposed Project site by conducting pre-construction surveys for active nests along proposed haul roads, staging areas, and construction sites. Pre-construction surveys would be conducted by a qualified biologist. Work around active nests should be avoided until the young have fledged. If active nests are identified within or adjacent to the proposed Project site, a no-construction buffer would be established, and CDFW would be contacted if deemed necessary by the qualified biologist. The following protocol from the CDFW for Swainson's hawk would be followed for the pre-construction survey for raptors:
 - *A focused survey for Swainson's hawk nests will be conducted by a qualified biologist during the nesting season (February 1 to August 31) to identify active nests within 0.25 mile of the project area. The survey will be conducted no less than 14 days and no more than 30 days prior to the beginning of construction. If nesting Swainson's hawks are found within 0.25 mile of the project area, no construction will occur during the active nesting season of February 1 to August 31, or until the young have fledged (as determined by a qualified biologist), unless otherwise negotiated with the California Department of Fish and Wildlife. If work is begun and completed between September 1 and January 31, a survey is not required.*
- Avoid future impacts to the site by ensuring all fill material is free of contaminants (including hazardous waste and invasive species);
- Minimize project impacts by reseeded all disturbed areas, including staging areas, at the completion of construction with native forbs and grasses. Reseeding should be conducted just

prior to the rainy season to enhance germination and plant establishment. The reseeding mix should include species beneficial for native pollinators; and

- Minimize the impact of removal and trimming of all trees and shrubs by having these activities supervised and/or completed by a certified arborist.

Water Quality

Although the proposed Project would not exceed established significance criteria for water quality impacts, the following measures to further reduce project-related impacts to water quality would be implemented:

- Prior to construction, the construction Contractor would prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) and would obtain a National Pollutant Discharge Elimination Systems permit, as applicable, and comply with all conditions of the permit; and
- This plan would detail the construction activities to take place, Best Management Practices (BMPs) to be implemented to prevent any discharges of contaminated storm water into waterways, and inspection and monitoring activities that would be conducted.

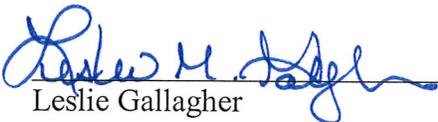
Findings

Based on the information in the ARCF GRR EIS/EIR (State Clearinghouse Number 2005072046), the SEA/IS, and the administrative record for the ARCF 2016 Project, the Board finds that the proposed Project, with the mitigation and avoidance and minimization measures listed above and those from the ARCF GRR EIS/EIR, would not result in a significant impact on the environment.

This MND reflects the Board's independent judgment and analysis.

The environmental document and other materials, which constitute the record, are located at 3310 El Camino Avenue, Room 170, Sacramento, California 95821. In accordance with California Code of Regulations, Title 14, Section 15075, Board staff will file a Notice of Determination (NOD) with the State Clearinghouse within five days of adopting this MND.

I hereby approve this project:



Leslie Gallagher
Executive Officer
Central Valley Flood Protection Board

2.25.19
Date